

**GOVERNANCE COMMITTEE  
FOR THE  
MONTEREY PENINSULA WATER SUPPLY PROJECT**

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California American Water • Monterey County Board of Supervisors  
Monterey Peninsula Regional Water Authority • Monterey Peninsula Water Management District

This meeting has been noticed according to the Brown Act rules. This agenda was posted on May 15, 2015.

**Governance  
Committee Members:**

*California American  
Water*

*Robert MacLean*

*Monterey Peninsula  
Regional Water Authority*

*Jason Burnett, Chair*

*Alt.- Bill Kampe*

*County of Monterey*

*David Potter*

*Alt. - Simon Salinas*

*Monterey Peninsula  
Water Management  
District*

*Robert S. Brower, Sr.*

*Vice Chair*

*Alt. – Jeanne Byrne*

**Staff Contact:**

*David J. Stoldt, MPWMD*

*Arlene Tavani, MPWMD*

**AGENDA**

**REGULAR MEETING**

**Monterey Peninsula Water Supply Project  
Governance Committee**

\*\*\*\*\*

**Wednesday, May 20, 2015, 2 PM**

Monterey Peninsula Water Management District, Conference Room,  
5 Harris Court, Building G., Monterey, CA

**Call to Order/Roll Call**

**Pledge of Allegiance**

**Public Comments**

*Anyone wishing to address the Committee on matters not listed on the agenda that are within the subject jurisdiction of the Committee, may do so during Public Comments. The public may comment on any other items listed on the agenda at the time they are considered by the Committee. Please limit your comment to 3 (three) minutes.*

**Presentations – Public Comment will be Received**

1. Progress Report from California-American Water on the Monterey Peninsula Water Supply Project Including Update to Test Slant Well

**Action Items – Public Comment will be Received**

2. Adopt Minutes of April 27, 2015 Governance Committee Meeting
3. California American Water Notification #6 - Review Draft Request for Qualifications (RFQ) for Pipeline Procurement and Develop a Recommendation to California American Water on Finalization and Distribution of the RFQ

**Information Item – Public Comment will be Received**

4. California American Water Notification #5 – Execution of Agreements Related to Source Water Infrastructure

**Discussion Items – Public Comment will be Received**

5. Suggest Items to be Placed on Future Agendas

**Adjournment**

After staff reports have been distributed, if additional documents are produced by the Governance Committee and provided to a majority of the committee members regarding any item on the agenda, they will be available at the Monterey Peninsula Water Management District (MPWMD) office during normal

business hours, and posted on the Governance Committee website at <http://www.mpwmd.net/GovernanceCommittee/GovernanceCmte.htm>.

Documents distributed at the meeting will be made available in the same manner.

Upon request, a reasonable effort will be made to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. A reasonable effort will also be made to provide translation services upon request. Please submit a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service by 5:00 PM on Monday, May 18, 2015. Requests should be sent to the Board Secretary, MPWMD, P.O. Box 85, Monterey, CA, 93942. You may also fax your request to the Administrative Services Division at 831-644-9560, or call 831-658-5600.

**Monterey Peninsula Water Supply Project Governance Committee**

**Meeting Date:**           **May 20, 2015**

**Action Item**

**Agenda Item:**           **2.     Approve Draft Minutes of April 27, 2015 Governance Committee Meetings**

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**Summary:**               Attached as **Exhibit 2-A** are draft minutes of the April 27, 2015, Governance Committee meeting.

**Recommendation:**   Review and approve the committee minutes.

**Exhibits:**

**2-A**   Draft Minutes of the April 27, 2015, Committee Meeting



**GOVERNANCE COMMITTEE  
FOR THE  
MONTEREY PENINSULA WATER SUPPLY PROJECT**

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California American Water • Monterey County Board of Supervisors  
Monterey Peninsula Regional Water Authority • Monterey Peninsula Water Management District

**EXHIBIT 2-A**

**DRAFT MINUTES  
Regular Meeting  
Governance Committee  
for the  
Monterey Peninsula Water Supply Project  
*April 27, 2015***

- Call to Order:** The meeting was called to order at 2:05 pm in the conference room of the Monterey Peninsula Water Management District offices.
- Members Present:** Jason Burnett, Chair, representative for Monterey Peninsula Regional Water Authority (JPA) (arrived at 2:09 pm)  
Jeanne Byrne, representative for Monterey Peninsula Water Management District (alternate to Robert S. Brower, Sr.)  
David Potter, representative for Monterey County Board of Supervisors  
Robert MacLean, representative for California American Water
- Members Absent:** Robert S. Brower, Sr., Vice Chair, representative for Monterey Peninsula Water Management District
- Pledge of Allegiance:** The assembly recited the Pledge of Allegiance.
- Public Comments:** Michael Warburton, representing the Public Trust Alliance, requested that a future committee agenda include an opportunity for the community to comment on whether circumstances have changed over time in providing water. He stated that circumstances have changed incredibly since this project was proposed. The California Public Utilities Commission (CPUC) has changed profoundly since applications were submitted on the project and decisions have been made, but we are not in the same place we were before. He has brought up the subject of changed circumstances to this committee many times, and perhaps it is time to ask the entire local apparatus in Monterey County whether circumstances have changed in providing water. He stated that there is a discussion that has been entered into. Agricultural water does not fall from the sky and isolate itself from urban water, and when it's possible for less than one-half of one percent of agricultural water use to solve the urban question 100 percent, its time to take a look and see what we are talking about. He suggested that people on the Peninsula decide that circumstances have changed so much that they should give reasonableness a chance.

## Presentations

### 1. **Progress Report from California-American Water on the Monterey Peninsula Water Supply Project Including Update to Test Slant Well**

Ian Crooks, Engineering Manager for Cal-Am's Coastal Division, presented an April 21, 2015 update on test slant well pumping results from a recent five-day continuous pump test. His presentation can be reviewed on the Governance Committee website. He stated that an upward trend in salinity is shown by a slight upward trend in conductivity, and that he expected the salinity trend would increase with time to 96 percent. The plan is to continue pumping for two years. The monitor wells show no effects from the test slant well pumping, including Monitor Well 4 that exhibited no drawdown. The inland Salinas Valley will be the source of the 4 percent of fresh water expected to be pumped from the well. That water will be returned to the Salinas Valley. (Mayor Burnett arrived during Crooks' presentation.) Crooks advised that the well had been pumping continuously since April 22, 2014 at 2,000 gallons per minute.

Public Comment: **(a) George Riley** asked about possible impacts that might be revealed in monitoring well data, and asked how soon Cal-Am would report on those impacts. He also asked if the Hydrologic Working Group will prepare a written analysis of the well data. *Crooks responded that the monitoring well data is posted every week on the project website. If the Hydrologic Working Group determines there are impacts, they would be reported immediately, as required by coastal development permits.* **(b) Michael Warburton** asked if only Cal-Am experts are analyzing the monitoring well and test slant well data, or are non-Cal-Am reviewers also involved. *Crooks explained that Cal-Am is currently reading the well monitoring data, and is in discussions with Monterey County Water Resources Agency for long-term monitoring. He also noted that laboratory results are certified.*

## Action Items

### 2. **Adopt Minutes of March 27, 2015 Governance Committee Meeting**

No comments were directed to the committee during the public comment period on this item. On a motion by Potter and second of Burnett, the minutes of the March 27, 2015 meeting were adopted on a vote of 3 – 0 by Potter, Burnett and Byrne.

### 3. **Receive Update from California-American Water on Pipeline Procurement Contract Schedule and Request for Qualifications – Provide Direction to California-American Water**

Crooks reviewed a Pipeline/Terminal Reservoir/Pump Station Procurement schedule that can be viewed on the Governance Committee website. He stated that at the May 20, 2015 committee meeting the request for qualifications will be presented for review. In June the request for proposal will be submitted to the committee. By September 2016, the committee will review Cal-Am's recommendation for a contractor. The schedule for procurement of pipe and equipment will be developed after the contractor is selected. The contractor will begin work as soon as approvals for the project are obtained. He also stated that a value engineering study will need to be completed. MacLean advised that within the next few months, an updated estimate of the costs for the project should be developed. Burnett advised that Secretary Laird has offered to host a joint meeting with the Coastal Commission, the CPUC and the State Water Resources Control Board (SWRCB) to review the project schedule and determine if any improvements could be made. Burnett will also submit a formal invitation to

the Chair of the SWRCB to visit the Monterey Peninsula and review progress on water supply project development.

Public Comment: Michael Warburton, representing the Public Trust Alliance, stated that the public is being assured that this is actually a legitimate public process, but it is not. Planning for the Monterey Peninsula Water Supply Project should engage honestly the question of what sort of process is required before ratepayers are charged. The CPUC can only pass prudent and reasonable costs. These are not prudent and reasonable costs. The CPUC is making the determination in three months that this is a necessary project. What if the CPUC actually had the freedom to decide that this is not necessary, and from the very beginning this project has been engaged as something that is inevitable and yet our environmental laws require that you actually look and entertain the question and ask the public whether this is necessary. That is part of the certificate of public convenience and necessity. I have been unable, as a citizen, to even ask. I've asked the contractor that is preparing the EIR if there are other alternatives under consideration in the EIR. But I have received no response. Mr. Warburton stated further that the alternative that should be considered is: wells in the Salinas area owned and operated by the MCWRA and a pipeline through the Route 68 corridor to the Peninsula.

#### **Discussion Items**

##### **4. Suggest Items to be Placed on Future Agendas**

Public comment: **(a) George Riley** asked that the definition of feasibility used by the California Coastal Commission and the SWRCB be scheduled for discussion. **(b) Tom Rowley**, representing the Monterey Peninsula Taxpayers Association, requested that the Governance Committee consider contracting with a technical consultant for a thorough review of the Pure Water Monterey and Monterey Peninsula Water Supply Project draft EIRs. **(c) Michael Warburton** requested that the committee discuss development of a credible, legal analysis of changed circumstances. He noted that a legal analysis is needed, in addition to technical and scientific review.

#### **Adjournment**

The meeting was adjourned at approximately 3:00 pm.



## Monterey Peninsula Water Supply Project Governance Committee

**Meeting Date:** May 20, 2015

### Action Item

**Agenda Item:** 3. **California American Water Notification #6 – Review Draft Request for Qualifications (RFQ) for Pipeline Procurement and Develop a Recommendation to California American Water on Finalization and Distribution of the RFQ**

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**Summary:** Attached as **Exhibit 3-A** is California American Water Notification #6, advising the Governance committee that Cal-Am intends to issue a request for qualifications (RFQ) for the procurement of one or more contracts, valued in excess of \$1 million, relating to the construction of desalination conveyance facilities. Attached as **Exhibit 3-B** is the draft RFQ for desalination conveyance facilities. The Governance Committee formation agreement states that the Committee may recommend qualifications and selection criteria for the contract.

**Recommendation:** The committee will review the attachments, receive public comment, and consider development of a recommendation to California American Water on finalization of the RFQ. A written recommendation must be submitted to Cal-Am by May 26, 2015.

### Exhibits:

- 3-A** Cal-Am Notification # 6 – Draft Request for Qualifications – MPWSP Desalination Conveyance Facilities
- 3-B** Draft Monterey Peninsula Water Supply Project Desalination Conveyance Facilities Request for Qualifications, dated May 26, 2015





**MONTEREY PENINSULA WATER SUPPLY PROJECT  
GOVERNANCE COMMITTEE**

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**CAL-AM NOTIFICATION # 6**

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**TO: Jason Burnett, Chair, MPWSP Governance Committee**  
**FROM: Richard Svindland, VP – Operations, California American Water**  
**DATE: May 15, 2015**  
**RE: Cal-Am Notification # 6 – Draft Request for Qualifications – MPWSP  
Desalination Conveyance Facilities**

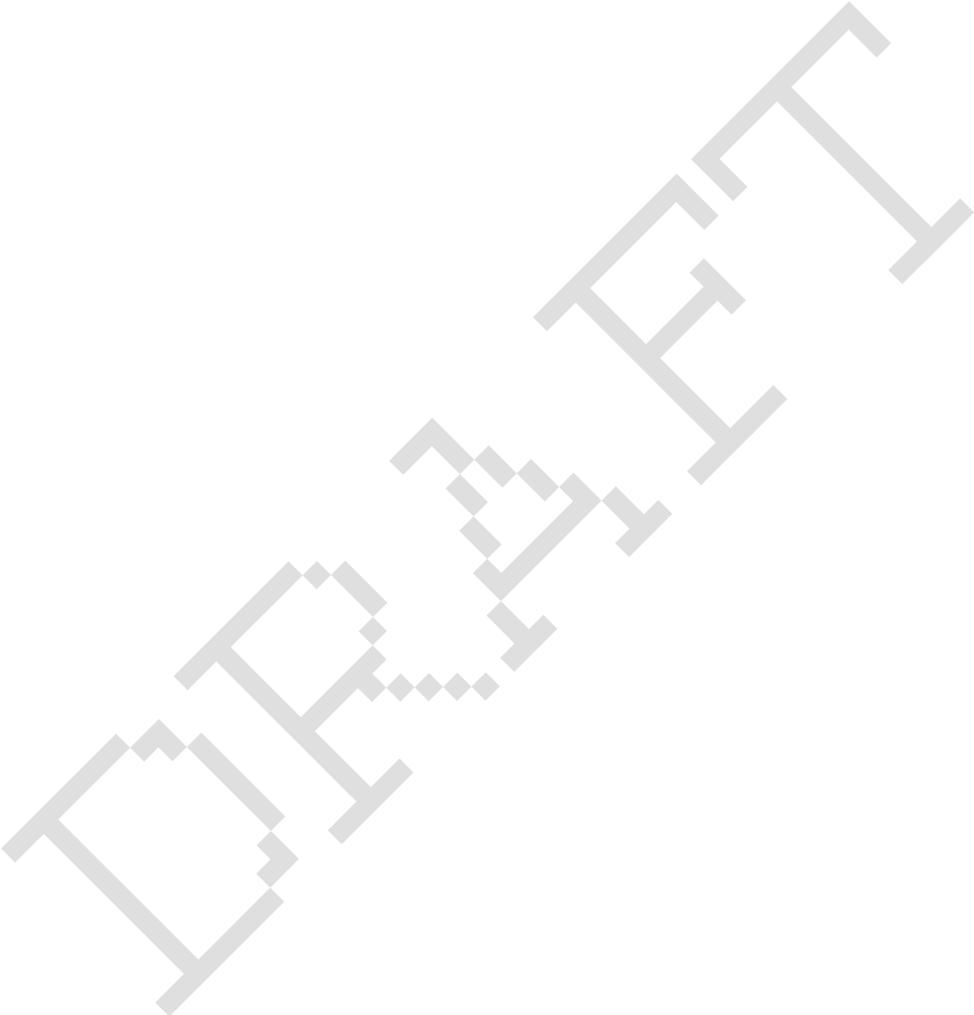
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This Cal-Am Notification is submitted to you pursuant to, and in compliance with, Section V.B. of the Amended and Restated Agreement to Form the Monterey Peninsula Water Supply Project Governance Committee (the “Agreement”), as revised November 5, 2013, entered into by and among the Monterey Peninsula Regional Water Authority (“MPRWA”), the Monterey Peninsula Water Management District (“MPWMD”), the County of Monterey (“County”), and the California-American Water Company (“Cal-Am”). Capitalized terms used but not defined herein shall have the meaning set forth in the Agreement.

Cal-Am intends to issue a request for qualifications (“RFQ”) for the procurement of one or more Contracts, valued in excess of \$1 million, relating to the construction of the Raw Water Pipeline, Product Water Pipeline, Terminal Reservoir Infrastructure, Brine Discharge Infrastructure (Pipeline Only), and ASR Infrastructure (Pipeline Only). Pursuant to Section V.D., Category B.1., of the Agreement, the Governance Committee may recommend qualifications and selection criteria for such Contract(s).

Cal-Am has determined this matter is ripe for presentation to, and recommendation by, the Governance Committee. It is Cal-Am’s current intent to issue the RFQ relating to the construction of the Product Water Pipeline and Terminal Reservoir Infrastructure on or about May 26, 2015. The Governance Committee may review and make recommendations relating to the qualifications and selection criteria to be included in the RFQ.

Pursuant to Section V.B. of the Agreement, the Governance Committee shall issue its recommendations, if any, to Cal-Am no later than May 26, 2015. The recommendations should be in writing and sent to Richard Svindland of Cal-Am at richard.svindland@amwater.com.



**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES**



**CALIFORNIA  
AMERICAN WATER**

**REQUEST FOR QUALIFICATIONS**

Request for Qualifications from  
Prospective Contractor Entities

**May 26, 2015**

**Pacific Grove, California**

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**EXHIBITS**

Exhibit A – Contractor’s Proposal Manager

Exhibit B – Questionnaire

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3. Licensure
4. Financial Information
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Exhibit 1 – General Statement of Bank Credit

Exhibit 2 – Bonds and Insurance

Exhibit C – Experience

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Project Profiles – Other Team Members

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## 1. Introduction

**Project: DESALINATION CONVEYANCE FACILITIES**

**To: PROSPECTIVE WATER CONVEYANCE FACILITIES CONTRACTORS**

**Subject: REQUEST FOR QUALIFICATIONS (“RFQ”) FOR A QUALIFIED FIRM TO CONSTRUCT THE MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION CONVEYANCE FACILITIES**

This RFQ is being issued by California American Water in anticipation of the issuance of a request for bids (“RFB”) for the Monterey Peninsula Water Supply Project (“MPWSP”) Desalination Conveyance Facilities (“Project”). Contractors interested in submitting proposals in response to the anticipated RFB must submit a Statement of Qualifications (“SOQ”) in response to this RFQ. The SOQ must be received by California American Water (“CAW”) no later than **4:00 p.m. Pacific Time on Wednesday, June 25, 2015**, at the following address:

CALIFORNIA AMERICAN WATER  
511 FOREST LODGE ROAD, SUITE 100  
PACIFIC GROVE, CA 93950  
Attn: Lori Girard, Corporate Counsel

CAW is expected to qualify and request Proposals for the Project from the 10 (10) highest scoring Contractors that submitted SOQs in response to this RFQ, but reserves the right to request proposals from more or less entities as deemed appropriate by CAW in its sole discretion. An RFQ point scoring evaluation will be completed to qualify the Contractors that will proceed into the RFB phase.

The following capitalized terms shall have the meanings identified below:

“Desalination Conveyance facilities” means the MPWSP pipelines and related appurtenances located off-site of the desalination plant site to convey to and from the desalination plant the source water, brine water, return water, and potable water, and the terminal reservoirs and pump stations. Immediately upon receipt of the RFQ, each Contractor interested in participating in the RFQ process shall (1) designate one individual as its Proposal Manager who will be responsible for all communications during the RFQ process, (2) shall complete EXHIBIT A, Contractor’s Proposal Manager, attached to this RFQ, and (3) e-mail the completed form to Lori Girard, Corporate Counsel, California American Water, at [Lori.Girard@amwater.com](mailto:Lori.Girard@amwater.com). Please identify the e-mail in the subject line as: “Desalination Conveyance Facilities RFQ – Exhibit A”.

The Contractor’s Proposal Manager shall be the single point of contact for questions, inquiries, clarifications, and correspondence (including RFQ and RFB addenda) during the entire RFQ and RFB process. Any substitution of Contractor’s Proposal Manager during the RFQ and RFB process shall be made in writing to CAW.

The Project is a significant component of the MPSWP described in Section 3.0 below. CAW, the Monterey Peninsula Regional Water Authority, the Monterey Peninsula Water Management District, and the County of Monterey have formed an oversight committee (“Governance Committee”) to help ensure efficient and effective public input into the development and operation of the MPSWP. The Governance Committee was formed pursuant to agreement of

the Governance Committee members dated March 8, 2013, as amended November 5, 2013 (“Governance Committee Agreement”).

Additional information concerning the Project history, site conditions, background technical and environmental compliance documents, procurement, the Governance Committee Agreement, and public outreach are available on the project website at [www.watersupplyproject.org](http://www.watersupplyproject.org).

## **2. Utilization of Women, Minority, And Disabled Veteran Owned Business Enterprises, Local Contractors/Suppliers, and Prevailing Wage**

### **2.1 Utilization of Women, Minority, and Disabled Veteran Owned Business Enterprises**

CAW acknowledges the contributions of women, minority and disabled veteran business enterprises (“WMDVBE”) to California’s economy, in part, through California Public Utilities Commission (“CPUC”) General Order 156. In accordance with General Order 156, CAW is committed to promote and facilitate full participation in these programs. Please also refer to the 2012 Annual Report to the CPUC on Diversity and Inclusion. This report can be found on the project website.

CAW has established a combined WMDVBE participation goal for the Project of twenty-five percent (**25%**) of the contract price.

Each Proposer will be required to prepare and submit a WMDVBE Subcontracting Commitment Utilization and Reporting Plan (“WMDVBE Utilization Plan”) as part of its response to the RFB. The WMDVBE Utilization Plan is a written commitment to contract with Women Owned Business Enterprises, Minority Owned Business Enterprises, and Disabled Veteran Business Enterprises that have been certified through the CPUC’s Supplier Clearinghouse, as part of the Project.

CAW will require that the Contractor monitor and report the continued implementation of the WMDVBE program goals, as stated in the WMDVBE Utilization Plan, throughout performance of the contract.

### **2.2 Utilization of Local Contractors and Suppliers**

CAW and the local stakeholders acknowledge the benefit that the local community receives through utilization of local contractors, laborers, and suppliers.

The Contractor will be required to prepare and submit a Local Resources Utilization and Reporting Plan (“Local Resources Utilization Plan”) local utilization as part of its response to the RFB. The Local Resources Utilization Plan is a written commitment to contract with local contractors, subcontractors, sub-consultants, vendors, suppliers, and labor forces.

CAW will require that the Contractor monitor and report the continued implementation of the Local Resources Utilization Plan throughout performance of the contract.

### **2.3 Prevailing Wage**

The Project is prevailing wage. Contractors are responsible to adhere to all prevailing wage laws and regulations.

### **3. Project Overview**

#### **3.1 Introduction**

CAW submitted an application to the CPUC for the MPWSP in April 2012. As part of this application, an Environmental Impact Report (“EIR”) will be prepared by the CPUC pursuant to the California Environmental Quality Act (“CEQA”). The EIR will analyze and assess the potential environmental impacts of a proposed new water supply project for the Monterey Peninsula. The water supply is needed to replace existing surface and groundwater supplies. The MPWSP will produce desalinated water, convey it to the existing CAW distribution system, and increase the system’s use of storage capacity in the Seaside Groundwater Basin. The Project consists of several distinct components: a source water intake system consisting of slant wells; a 9.6 million gallons per day (“MGD”) desalination plant; a brine discharge system; product water conveyance pipelines and storage facilities; and an aquifer storage and recovery (“ASR”) system. In addition, the Monterey Regional Water Pollution Control Agency (“PCA”) is pursuing a 3,500 acre foot per year (“AFY”) groundwater replenishment (“GWR”) project that if it is implemented will reduce the size of CAW’s proposed desalination plant from 9.6 MGD to 6.4 MGD. The desalination plant is contracted as a design-build project with CDM Constructors, Inc. actors and is currently at 60% design.

The CPUC, as the Lead Agency under CEQA, issued the MPWSP Draft EIR in April 2015, and is scheduled to issue a Final EIR (FEIR) in October 2015. With the FEIR date approaching, CAW would like to have the Desalination Conveyance Facilities contractor team in place so as to begin coordination and planning procurement, mobilization and construction of the Desalination Conveyance Facilities as soon as possible upon issuance of the FEIR. A final order from the CPUC approving the entire MPWSP is expected in February of 2016 followed by the California Coastal Commission approval of the Coastal Development Permit in an estimated 6 months.

#### **3.2 Project Background and Objectives**

CAW has served the Monterey Peninsula since it acquired properties from California Water & Telephone Company in 1966. CAW’s Monterey service area is located in the semi-arid central California coastal area that is entirely dependent on local rainfall for its water supply; imported water is not an available option. By reason of its geography and rainfall patterns, the area is prone to severe droughts. Wells located along the Carmel River that draw water from the Carmel River Aquifer are the primary source of water for CAW. An additional source of water for CAW is a network of eight wells located in the Seaside Basin, which CAW shares with a number of users and purveyors. The CAW Monterey service area, also known as the Monterey District, includes six incorporated cities, the Monterey Airport District, the unincorporated areas of Carmel Highlands, Carmel Valley, and Pebble Beach, and other unincorporated areas in Monterey County. The City of Marina, unincorporated Castroville, and other areas of unincorporated Monterey County lie north of the CAW service area. The proposed water supply is needed to replace existing supplies that are constrained by recent legal decisions affecting the Carmel River and Seaside Groundwater Basin water resources: State Water Resources

Control Board (“SWRCB”) Order No. WR 95-10 (“Order 95-10”); and, the Monterey County Superior Court adjudication of water rights in the Seaside Groundwater Basin. Both rulings reduce CAW’s use of its two primary sources of supply for the Monterey District and provide the most immediate impetus for the MPWSP. In addition, in October 2009, the SWRCB issued a Cease and Desist Order (“CDO”) claiming that CAW had not complied with Order 95-10 requiring CAW to terminate unauthorized diversions from the Carmel River, and that these diversions constitute a trespass of water. The CDO imposed a deadline of December 31, 2016 for CAW to reduce by approximately 70% its diversion of water from the Carmel River. The MPWSP is the result of a multi-year planning effort that has considered several different proposed projects and various related documents. Since 1989, several options have been proposed that proponents have hoped would meet the water supply needs of the Monterey Peninsula and address the impacts on the Carmel River underlying Order 95-10, as well as the Seaside Basin adjudication. The objectives that were considered during development of the MPWSP projects are as follows:

- Satisfy CAW’s obligations to meet the requirements of Order 95-10;
- Diversify and create a reliable drought-proof water supply;
- Protect the Seaside Groundwater Basin for long-term reliability;
- Protect the local economy from the effects of an uncertain water supply;
- Minimize water rate increases by creating a diversified water supply portfolio;
- Minimize energy requirements and greenhouse gas emissions per unit of water delivered to the extent possible;
- Provide facilities that can accommodate sea level changes;
- Explore opportunities for regional partnerships; and
- Provide flexibility to incorporate alternative water supply sources, such as GWR.

### 3.3 Project Description

The Desalination Conveyance Facilities consists of three project component types: 1) Pipelines, 2) Terminal Reservoirs, and 3) Pump Stations.

#### 1.1. Transmission Mains

CAW is proposing to construct approximately twenty (20) miles of primarily 36” and 42” transmission mains with secondary supporting mains of 8” to 16”. The 36” Transmission Mains will run from the desalination plant south through the City of Marina, Seaside, Monterey and terminating in Pacific Grove. The 42” transmission mains will run from the source water wells located in the City of Marina along the coast line to the desalination plant. The anticipated pipeline segments are listed in **Table 1** and shown in **Figure 1**.

**Table 1. Pipeline Segments**

Bid Item	Component	Length (LF)	Diameter
1A	Feedwater - Cemex	11,527'	42"
	Cemex Return Line	11,527'	8"
2A	Brine Discharge	3,762'	36"
	Salinas Valley Return to PCA	5,679'	12"

3	Transfer Pipeline	49,517'	36"
4	ASR Extension	5,100'	36"
	(3) ASR Extension	4,300' (ea)	16"
5	Monterey Pipeline	34,199'	36"

### 1.2. Terminal Reservoirs:

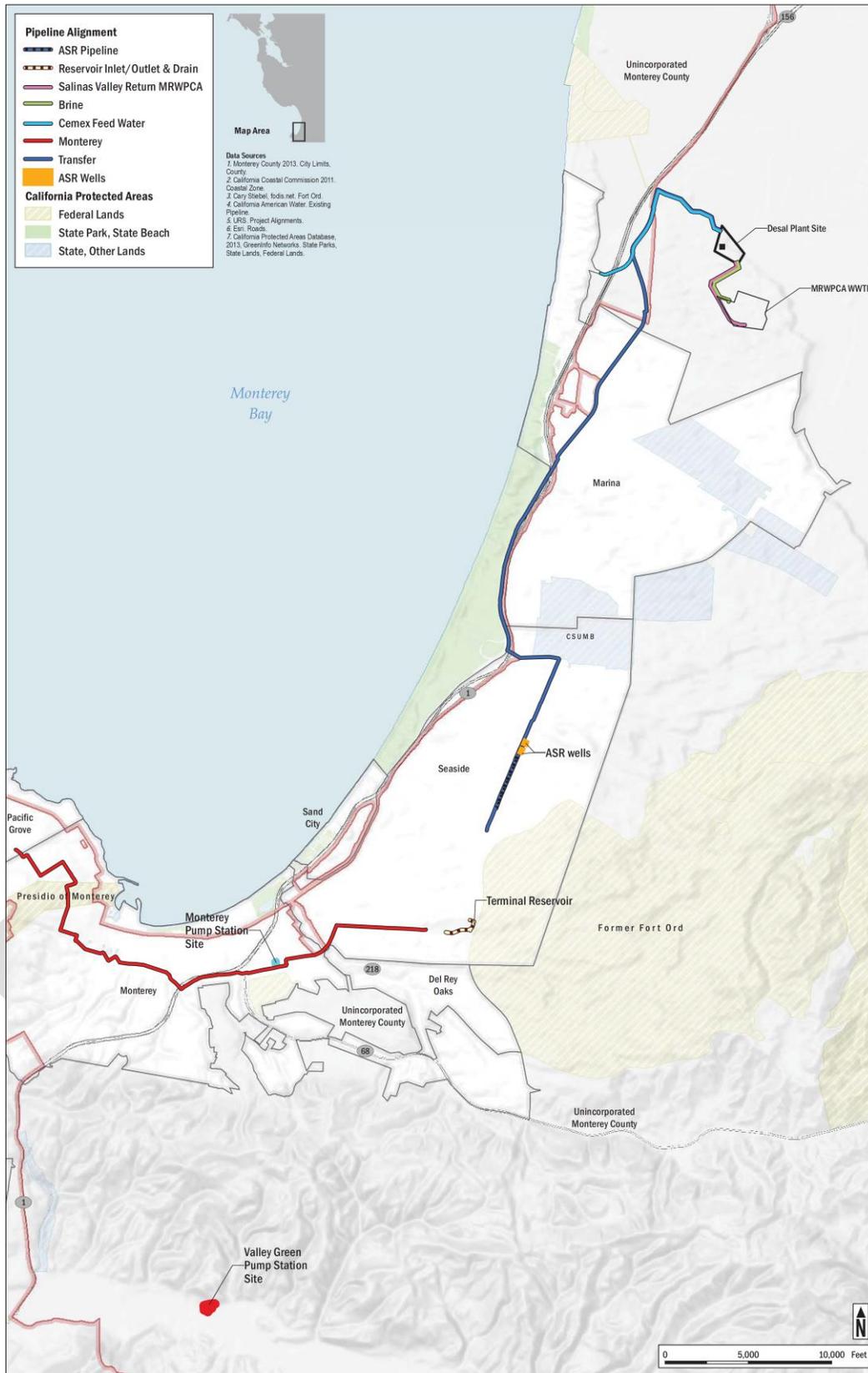
CAW is proposing to construct two (2) storage reservoirs, three (3) million gallon (MG) each for a total storage volume of six (6) MG. The Terminal Reservoirs are located on former Ft. Ord. The project components include the following elements:

Bid Item	Component	Dimensions	Diameter
5	Terminal Reservoir - 2 tanks	3 MG (ea)	130'
	Inlet/Outlet Pipelines	1,711' (ea)	16"
	Drain Pipeline	879'	30"

### 1.3. Booster Pump Stations:

CAW is proposing to construct two (2) pump station facilities with the following capacities:

Bid Item	Component	Capacity (GPM)
6A	Monterey Pump Station	6,300
6B	Valley Greens Pump Station	2,500



**Figure 1. Project Component Locations**

## **Desalination Conveyance Facilities**

Desalinated water will be pumped by the desalination plant into a 36-inch diameter product water pipeline. For this Project, the Contractor should assume the pipelines terminate at the fence line of the desalination plant property.

### **4. Schedule Summary**

The RFQ and RFB schedule is presented in Table 2 (all of which are subject to change at CAW's sole discretion).

**Table 2. RFQ and RFB Schedule**

<b>RFQ Process</b>	<b>Due Date</b>	<b>Due Time (all Pacific)</b>
Published date	May 26, 2015	N/A
Briefing Conference Call (not mandatory)	June 1, 2015	10:00 am
Written questions due	June 5, 2015	5:00 pm
Distribute answers to written questions	June 10, 2015	5:00 pm
Submit SOQ	June 25, 2015	4:00 pm
Interviews (if desired by CAW)	TBD	TBD
Shortlist Notification	July 6, 2015	5:00 pm
<b>RFB Process</b>	<b>Approximate Date</b>	<b>Due Time</b>
RFB and Draft DB Contract issued to short-listed entities	Early July 2015	TBD
Project Proposals due	Early September 2015	TBD
Selection of preferred proposer	Mid September 2015	TBD
Agreement Execution	October 2015	TBD

### **5. Submission Instructions and Requirements**

#### **5.1 Instructions**

As part of the procurement process, it is important to maintain the same firms and personnel identified as part of the SOQ when submitting a proposal in response to the RFB. Therefore, any Contractor or subcontractor listed and proposed in the SOQ must be listed by the Contractor in the Proposal submitted during the subsequent RFB process. Contractor's must submit requests to substitute teams and team members for good cause to CAW in writing for approval. Contractor team and team member substitution requests will cause CAW to re-evaluate a Contractor's SOQ and may cause CAW to rescind a Contractor's invitation to participate in the RFB process, and possibly offer an invitation to participate in the RFB process to another Contractor.

**All prospective Contractors must complete EXHIBIT B - Questionnaire set forth in this RFQ. Contractors not completing EXHIBIT B - Questionnaire, will not be evaluated under**

**EXHIBIT C – Experience, as set forth in this RFQ, and their SOQ will not be further evaluated.**

**Questions:** Any questions arising during the RFQ process must be submitted in writing by email to:

Lori Girard, Corporate Counsel  
 Email: [Lori.Girard@amwater.com](mailto:Lori.Girard@amwater.com)  
**Please no telephone calls.**

Please identify the e-mail in the subject line as: “MPWSP Conveyance Facilities RFQ – Questions”. Written questions should be submitted by the due date and time as required in the Schedule Summary table above. Questions received after the date indicated may not be considered. Copies of all the questions CAW chooses to answer, and the answers to those questions, will be distributed by the date indicated in the Schedule Summary table above, in a written clarification document to all Contractors Proposal Managers that have properly submitted Exhibit A.

Except as outlined above, prospective Contractors or anyone receiving the RFQ, shall not contact, discuss with, or inquire of any CAW employee, any ineligible firm, County of Monterey, official, representative or staff member, Monterey Peninsula Regional Water Authority official, representative, technical advisory committee member or staff member, or Monterey Peninsula Water Management District official, representative or staff member on any matter relating to the Project, the MPWSP or this procurement process; provided, however, Contractors may contact, discuss with, or inquire of any permitting agency, including those identified above, about the Project or the MPWSP but only for the limited purpose and within the limited scope of obtaining information relating to the permitting requirements for the Project. This requirement is to ensure the integrity of the procurement process. Failure to comply with this requirement may result in immediate disqualification from the procurement process. Information obtained outside this RFQ process cannot be relied upon as accurate.

The completed SOQ package which shall include one (1) original 3-ring binder and five (5) Compact Discs (CDs) each with an electronic file copy in “PDF-format” must be received by:

CALIFORNIA AMERICAN WATER  
 Attention: Lori Girard, Corporate Counsel  
 511 FOREST LODGE ROAD, SUITE 100  
 PACIFIC GROVE, CA 93950

**4:00 p.m. Pacific Time on Wednesday, June 25, 2015**

The SOQ shall be limited to a five (5) double-sided page Executive Summary (10 pages total) plus an Appendix containing the information as requested in this RFQ. The SOQ shall be written on 8.5 x 11 inch paper with font size no smaller than 10-point and no larger than 14-point. All exhibits, forms, resumes, and project experience should be included in the Appendix. The electronic file copy shall be one compiled PDF document for ease of distribution. If file size is restrictive (>10 MB), the PDF may be split into no more than three (3) separate PDF documents.

No faxed copies will be accepted. Submittals shall be provided in sealed packaging that is clearly marked with the Contractor's firm name, address, contact person(s), and phone number, as well as "Statement of Qualifications for Construction of the Monterey Peninsula Water Supply Project Desalination Conveyance Facilities" and clearly identify which bid item(s) the submission package pertains to.

Submittals received after the specified time and date will not be considered and will be returned unopened to the sender. **THIS SUBMISSION DEADLINE WILL BE STRICTLY ENFORCED.**

## 5.2 Submission Requirements

### 5.2.1 Questionnaire

Contractors Entities must complete and submit the declaration and qualifications as described in detail in the attached EXHIBIT B - Questionnaire. If the Contractor submits a questionnaire that is incomplete, CAW reserves the right to request additional information from the Contractor or to reduce the evaluation score.

The SOQ Evaluation Team will evaluate the Questionnaire for completeness, conformance to project requirements, safety records, and history of violations, claims, arbitration and/or litigation. A general description of the questions is provided below:

1. **Declaration:** The Contractor shall declare that the information provided in the Questionnaire has been prepared using reasonable diligence and is true and complete to the best of the signer's knowledge.
2. **Construction Team:** Identify firms proposed by the Contractor to be part of the Construction Team. Each responding Contractor must submit qualifications (as described in EXHIBIT C - Experience) for firms, including: Project Manager, foreman, Safety Lead, and all other key personnel that will be on the project site (s), all of which must also be appropriately licensed in California. In addition, the Contractor should submit qualifications for other firms and the qualifications each brings to the team each appropriately licensed in California.
3. **Licensure:** Submission of evidence demonstrating possession of all required licenses, registration, and credentials that are required to construct the Project in California.
4. **Financial Information:** Submission of evidence, including financial statements, that establishes that the Contractor has the capacity to perform the work under the Project and to obtain all required payment and performance bonding as identified in EXHIBIT B - Questionnaire. To this end, the Contractor may propose to supplement its financial strength by proposing a parent or affiliate company Guarantor to guarantee all of the obligations of the Contractor under the construction contract. A Contractor will not be pre-qualified pursuant to this RFQ based on financial information provided by an entity that will not have a contractual relationship with CAW (either through the construction contract or through a parent company Guaranty Agreement). Accordingly, a parent company guaranty will be required if a Contractor chooses to submit financial information for pre-qualification from an entity other than the entity proposed to serve as the Contractor under the construction contract with CAW.

All of the financial information provided in Exhibit B for the Contractor shall also be provided for the Guarantor, including a Guarantor Acknowledgment Form as set forth in Exhibit F signed by a representative of the Guarantor who is authorized to sign such form and to commit the Guarantor of its obligations contained in the Guarantor Acknowledgment. A Certificate of Authorization (Attachment 1 to the Guarantor Acknowledgment) attesting to such authorization must also be submitted. If the Guarantor is a partnership, the Guarantor Acknowledgment shall be signed by one or more of the general partners. If the Guarantor is a corporation, an authorized officer shall sign his or her name and indicate his or her title beneath the full corporate name. If the Guarantor is a joint venture, an authorized representative of each firm in the joint venture shall sign a separate Guarantor Acknowledgment. Anyone signing as an agent must file with it legal evidence of his or her authority to execute such Guarantor Acknowledgment. If there are multiple Guarantors, each shall be jointly and severally liable and each shall enter into an independent Guaranty Agreement. If the Guarantor is a joint venture, each member firm of the joint venture shall independently execute the Guaranty Agreement.

It is CAW's preference that the Contractor or, if applicable, the Guarantor be a sufficiently capitalized United States entity. If either the Contractor or the Guarantor is other than a United States entity, the respondent shall describe any procedural or substantive limitations on the ability of CAW to enforce the construction Contract or Guaranty Agreement against the Contractor or the Guarantor, as applicable. For purposes hereof, a United States entity is one that is incorporated domestically or otherwise duly organized under the laws of the United States.

5. **Safety:** Submission of evidence indicating safety performance of the Contractor. Refer to EXHIBIT B - Questionnaire for specific questions relating to safety.
6. **Insurance:** Submission of evidence that establishes that the Contractor has the capacity to obtain liability insurance, Worker's Compensation, and errors and omissions insurance, and other insurance requirements as identified in EXHIBIT B - Questionnaire.
7. **Termination/Failure to Complete; Violations; Claims, Arbitration and Litigation:** Submission of information and details concerning all of the items listed below. For some items listed there are specific references to California law. In addition to providing responses for such items with respect to California law, please also respond with respect to similar laws and regulations in states other than California and countries other than the United States of America.
  - 7.1 Any bid, performance or payment bond called or a surety company required to finish work, on any project by any member of the Contractor on or after January 1, 2005.
  - 7.2 Construction claims or litigation with alleged damages totaling more than five hundred thousand dollars (\$500,000) against any member of the Contractor on or after January 1, 2005.
  - 7.3 Violations of the California Occupational Safety and Health Act, as provided in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code, settled against any member of the Contractor on or after January 1, 2005.

- 7.4 Violations of federal, state or local law, including, but not limited to, those laws governing the payment of wages, benefits, or personal income tax withholding, or of Federal Insurance Contributions Act withholding requirements, state disability insurance withholding, or unemployment insurance payment requirements, settled against any member of the Contractor on or after January 1, 2005. For the purposes of this sub-clause, only violations by a Contractor member as an employer shall be deemed applicable, unless it is shown that the Contractor member, in his or her capacity as an employer, had knowledge of his or her subcontractor's violations or failed to comply with the conditions set forth in subdivision (b) of Section 1775 of the Labor Code.
- 7.5 Information and details that the Contractor or its members, any officer of the Contractor or its members, or any employee of the Contractor or its members who has a propriety interest in the Contractor, has ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation on or after January 1, 2005.
- 7.6 Violations of the Contractor's State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code), excluding alleged violations or complaints, on or after January 1, 2005.
- 7.7 Conviction of any member of the Contractor of submitting a false or fraudulent claim to a public agency on or after January 1, 2005.
- 7.8 Violations of environmental laws or environmental compliance conditions resulting in issuance of a Notice of Violation or other action on or after January 1, 2005.
- 7.9 Violations of prevailing wage or other labor laws on or after January 1, 2005.
- 7.10 Declaration that the Contractor will comply with all other provisions of law applicable to the Project, including, but not limited to, the requirements of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

CAW, when requested by the Contractor, shall use reasonable efforts to hold in confidence any information provided in response to items 7.1 to 7.9, above. Notwithstanding the foregoing, CAW will not be responsible or liable in any way for any losses that the Contractor may suffer from the disclosure of information or materials to third parties.

### 5.2.2 Experience

Each Contractor must complete and submit its experience as described below and in the attached EXHIBIT C - Experience. The Contractor, its team, and key personnel experience will be evaluated by the SOQ Evaluation Team and allocated points for the relative merit of written data and responses to the following sections.

1. Construction Team:
  - a. Organizational Chart
  - b. Firm Profiles
2. Personnel Resumes:
  - a. Key Contractor Management Personnel Resumes
  - b. Key Construction Team Personnel Resumes
3. Project Profiles:
  - a. Construction Experience
  - b. Change Order Percentages
  - c. Schedule Performance
4. Project References
5. Project Approach

Submit evidence that establishes the Contractor and the contractor team (firms) have completed, or demonstrate the capability to complete, projects of similar size, scope, or complexity, and that proposed key personnel have sufficient experience and training to competently manage and complete the construction of the Project.

Submit evidence that projects built and/or commissioned by the Contractor have successfully passed acceptance testing and have performed following testing in accordance with expected performance standards.

Submit evidence of the Contractor's experience commissioning similar projects.

If the Contractor does not submit all necessary information, CAW reserves the right to request additional information from the Contractor or to reduce the evaluation score.

Firm Profiles, Personnel Resumes, and Project Profiles must clearly identify the relevance of specific project experience to the requirements of the proposed Project.

The information provided must clearly identify the relevance of each example in regard to the requirements of the Project. The Contractor should provide specific project-related experience and individual team histories in project delivery, relevance of size, scope, and complexity. In order for a project to qualify as relevant, the information submitted must demonstrate that the teams or the individual key personnel's involvement with the project began at the initial stages and extended through completion and acceptance of the project by the owner. If applicable, provide examples of projects the team members and key personnel have previously completed together.

#### **1 – Construction Team:**

- A. Provide an organizational chart as part of the Appendix demonstrating the proposed make-up of the participants in the Contractor's team. The organizational chart assists the evaluators in understanding how the team envisions working together. The RFB phase will include the development of a detailed management plan. The organizational chart will be scored based upon its clarity in identifying the key teams and key personnel, and in describing the relationships between the team members during construction, and commissioning. Identify the firms in the Contractor and their anticipated contractual relationship. List major subcontractors on the team.

- B. For the Contractor and for each team member listed in EXHIBIT B - Questionnaire, submit firm profiles with company history and significant accomplishments, providing evidence that establishes the firm has completed or demonstrates that the firm has the capability to complete projects of similar size, scope and complexity to the proposed Project. Submit any evidence that establishes the Contractor and the team members have completed projects with any of the following characteristics: water/wastewater facilities; California water/wastewater facilities; desalination facilities and related infrastructure; facilities with SCADA systems; and/or extensive/complex requirements. The profile for the Contractor shall be limited to eight (8) double-sided pages. The profiles for other Construction team members shall be limited to one (1) double-sided page for each profile. The profiles shall be part of the Appendix.

## **2 – Key Personnel Resumes:**

Submit resumes of key personnel who will be assigned to this Project and who will contribute a significant effort. Each resume must include name, qualifications and the anticipated degree of involvement during each of the construction and commissioning phases of the Project. The resumes should provide evidence that the key personnel have sufficient experience and training to competently manage and complete the construction of the Project. Personnel resumes shall be limited to one (1) double-sided page in length for each resume and shall be part of the Appendix. Submit the following resumes:

- A. Key Contractor Management Personnel Resumes: Key personnel include: Project Executive, Construction Principal, and any other management team leaders with key responsibility for day-to-day execution of the Project.
- B. Key Contractor Team Personnel Resumes: Key personnel include professionals who will be assigned to this Project to provide quality control, and construction management leadership. Identify any specialty subcontractors.
- C. Key Construction Team Personnel Resumes: Key personnel include professionals who will be assigned to this Project to provide schedule, quality control, safety and construction leadership in specific areas of the work.

Contractors are encouraged to submit additional resumes as necessary to fully communicate any special knowledge or capabilities to be provided by the team.

## **3 – Project Profiles:**

Each Contractor Entity's SOQ shall include the construction project profiles described herein. Project profiles must be completed using the applicable Project Profile Information Sheet provided in EXHIBIT C – Experience.

Each project profile should clearly identify the relevance of the project described to this Project. Include a narrative addressing the construction philosophy and salient features for each project. Indicate the degree of involvement by key construction personnel proposed in the SOQ for each project. Additional information, photos and other graphic materials may be included.

Project profiles shall be limited to projects completed on or after January 1, 2005. Project profiles are to be limited to two (2) double-sided pages total per submitted project and shall be part of the Appendix.

Submit the following project profiles:

- A. Contractor's Experience: Submit a portfolio of project profiles representative of the Contractor's experience.

Each Contractor shall provide construction project profiles for five (5) projects completed on or after January 1, 2005. These profiles are independent from Specialty Consultant and General Contractor profiles discussed separately below. Clearly identify the relevance of each project. Project profiles are to demonstrate the team's construction and commissioning experience on similar projects in terms of significant new construction, complexity, scope, function, size, fixed price, cost control, dollar value, and construction experience. Provide information regarding any national, regional, or local awards or recognitions received for exceptional construction or environmental achievements. Project experience may be shown for construction and maintenance of all projects, public and private.

- B. 2005 Prime Contractor's Construction Experience: Submit a portfolio of project profiles for up to six (6) projects completed after January 1, 2005 representative of the Contractor's ability to provide construction excellence. List at least three (3) projects with a construction cost each in excess of \$50 million dollars. List at least three (3) projects using the Contractor delivery method.

Provide examples of projects completed of similar complexity to this Project and describe the construction approach. Include information that addresses the General Contractor's ability to construct a project demonstrating:

1. Commitment to complete the work in good faith to meet the stakeholders' vision for the site, and as articulated in the project goals, objectives and design criteria.
2. Demonstrated experience and expertise in the following areas:
  - a. Construction implementation of large-scale projects. To include conforming and adapting the design to unknown/unknowable subsurface and field conditions, and/or field conditions which may change during the course of the construction phase, in a manner that does not compromise prevailing design criteria.
  - b. Successful sustained collaboration with other contractors to optimize construction with respect to field conditions during construction, including development and implementation of design adjustments within short timeframes.
  - c. Proactive management, anticipation of long-lead items, and identification and resolution of construction and design bottlenecks to limit delays in construction progress.
  - d. Construction of water/wastewater facilities similar to the Project, particularly those in California.

- e. Ability to adjust operations to changing field conditions in order to expeditiously complete the work.
  - f. Post-construction testing, start-up and commissioning.
3. Ability to discuss and review project issues with stakeholder groups having diverse technical backgrounds, organizational mandates and interest levels relative to the project.
  4. Coordination with permitting and regulatory agencies, and successful negotiation and completion of permit modifications while minimizing schedule effects.
- C. Other Major Team Members' Experience: Submit a portfolio of project profiles for up to three (3) projects completed after January 1, 2005 per major team member representative of the abilities of other major team member firms' and major sub-consultants and subcontractors.

Provide examples of projects completed where the firm performed a role similar to their proposed involvement in this Project.

#### **4 – Project References:**

Provide Project References as part of the Appendix for each project profile submitted. The reference should be from the project's owner or the project owner's representative. Each reference must include at least the following information:

- Project name and the reference's firm name, contact name, contact's title, phone number, e-mail address and relationship to the project.

#### **5 - Project Approach:**

Provide the Contractor's approach to addressing large-scale projects including the philosophy and approach to the construction of projects similar in size, scope, and complexity. This section is limited to three (3) double-sided pages and shall be part of the Appendix. The Contractor shall also demonstrate its understanding of large-scale projects by identifying those features and risks that are critical to these types of projects with a description of how those features and risks have been addressed to ensure successful projects.

The Contractor shall demonstrate a clear understanding of the need and process for ensuring that CAW receives the quality product required in construction, and commissioning. Each Contractor shall identify specifically who will be responsible for its quality program and how it will be developed and managed. In particular, each Contractor shall define its internal and external design review process, field inspection process, submittal review process, deficiency identification, correction and tracking process, non-conformance process, and level of senior management involved. The Contractor shall also identify the Quality Assurance/Quality Control ("QA/QC") officer for the Project and their projected time on-site during construction of the Project. This individual must have experience as a QA/QC officer during at least two (2) similar projects. This section is limited to three (3) double-sided pages and shall be part of the Appendix.

The Contractor shall submit a summary of its standard QA/QC plan, which outlines the construction quality management program to be used on the Project. The builder member of the Contractor shall submit an example of a QA/QC plan, which demonstrates the construction quality management program to be used on the Project. This section shall be part of the Appendix.

Points will be allocated based upon the Contractor's response to the following items:

1. How has the Contractor ensured a high level of quality and that the intent of the design was fulfilled during construction? Describe the Contractor's philosophy to producing quality projects and the approach to quality control that ensures the highest level of accuracy during construction. Provide information on the approach to minimizing warranty callbacks and provide documentation to attest to the success of this approach. Describe how good coordination has been achieved between disciplines and how it was communicated to the construction team(s). How has the Contractor limited the impact on adjacent neighborhoods and ensured good relations with the community?
2. How has the Contractor addressed safety and security on site?
3. How has the Contractor addressed its commitment to complete the project within the contract time?
4. How has the Contractor addressed its commitment to work collaboratively and in partnership with project owners?
5. How has the Contractor addressed its method of managing sub-consultants, subcontractors and suppliers?
6. How has the Contractor addressed its utilization of WMDVBE firms and its utilization of local contractors, laborers and suppliers?
7. What is the number and value (individually and per project) of change orders initiated by the Contractor on or after January 1, 2005?
8. How has the Contractor addressed its responsiveness to the project owner after project completion, including correction of deficiencies in work?

### 5.2.3 Interview

If CAW determines interviews with one or more respondents to this RFQ are desired, the interviews would provide the opportunity to clarify and elaborate on the written material previously submitted in the SOQ and to give the Selection Committee the opportunity to meet key personnel. Key personnel as identified in the SOQ should attend the interview. Additional personnel from the Contractor's team may attend the interview as determined by the Contractor.

## 6. Selection Criteria

The SOQs will be evaluated based on two major categories: technical and financial. For purposes of selecting at least ten shortlisted firms that will receive the RFB, SOQs will be evaluated using the following criteria:

### Team/Technical Qualifications - 70 points

- Contractor/Project Team
- Project Manager
- Key Project Staff
- Construction Experience
- Schedule Management Experience
- Regulatory Compliance and Permitting Experience
- Commissioning Experience
- Safety Experience
- QA/QC Experience and Program
- Satisfaction of Acceptance and Performance Requirements
- Prevailing Wage and Other Labor Law Compliance Experience
- WMDVBE Firm Hire Experience
- Local Firm Hire Experience
- References

### Financial Qualifications - 30 points

- Financial Strength (Contractor and Guarantor, if applicable)
- Ability to obtain required security for performance

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Total - 100 points

The evaluation of the technical and financial qualifications will be based on the SOQs received, correspondence with the Contractor and personnel references, and an analysis of other publicly available information.

CAW may conduct such investigations, as it deems necessary or appropriate, to assist in the evaluation of any submittal and to establish to CAW's satisfaction the responsibility, qualifications, and financial ability of any Contractor.

CAW, at its sole discretion, has the right to seek clarifications from each of the Contractors that submits an SOQ in order to fully understand the nature of the submissions and evaluate the Contractors.

## 7. Other Rules and Procedures

### 7.1 CAW Rights and Procurement Conditions

CAW reserves, holds without limitation, and may exercise, at its sole discretion, the rights and conditions with regard to this RFQ set forth below. Such rights and conditions are in addition to

and shall not serve to limit any of the specific rights and conditions set forth in this RFQ. By responding to this RFQ, respondents acknowledge and consent to the following CAW rights and conditions:

1. CAW reserves the right to terminate the procurement process by written notice to the respondents for any reason whatsoever.
2. CAW reserves the right, for any reason, to decide not to award a contract as a result of this procurement process.
3. CAW reserves the right to waive any defect, technicality or any other informality or irregularity in any SOQ.
4. CAW reserves the right to change or alter the schedule for any events associated with this procurement process upon notice to the respondents, and a respondent by submitting the SOQ agrees to be bound by any schedule modification made by CAW.
5. CAW reserves the right to eliminate any respondent that submits an incomplete or inadequate response, or is not responsive to the requirements of this RFQ, or is otherwise deemed to be unqualified during any stage of the procurement process.
6. CAW reserves the right, at any time, to determine that any or all respondents will not be qualified for further consideration and to notify such respondents of CAW's determination.
7. CAW reserves the right to require respondents to send representatives for interviews and presentations.
8. CAW reserves the right to request additional information and to conduct clarification discussions, at any time, with one or more respondents.
9. CAW reserves the right, at any time prior to execution of a contract, to change the required services, to omit services, or to include services not currently contemplated.
10. CAW reserves the right, without prior notice, to supplement, amend or otherwise modify this RFQ, or otherwise request additional information.
11. CAW reserves the right to receive questions concerning this RFQ from potential respondents and to provide such questions, and CAW's responses, if any, to all registered respondents.
12. CAW reserves the right to visit and examine any of the facilities referenced in the SOQs and to observe and investigate the operations of such facilities.
13. CAW reserves the right throughout the procurement process to conduct independent investigations with respect to the qualifications and experience of each respondent included in its SOQ, by contacting project references, accessing public information, contacting independent parties, or any other means, and reserves the right to request additional evidence to support any such information.

14. CAW reserves all rights to take any action affecting the RFQ process, the RFB process, or the Project that is determined to be in CAW's best interests.

## **7.2 Expenses of the Contractors**

CAW accepts no liability or responsibility for the costs and expenses incurred by the Contractors in responding to this RFQ, the RFB, responses to clarification requests and resubmittals, potential interviews, clarification meetings or negotiations. Each Contractor that enters into the procurement process shall prepare the required materials and submittal at its own expense and with the express understanding that it cannot make any claims whatsoever for reimbursement from CAW for the costs and expenses associated with the process.

## **7.3 Use of Information**

Regardless of whether CAW awards a construction contract, all SOQs submitted in response to this RFQ and proposals submitted in response to the forthcoming RFB, including the data, information, concepts and ideas contained therein, will become the property of CAW and CAW shall have the right to use such SOQs and proposals in any manner or combination it so elects, without notice or the consent of the respondent(s).

## **7.4 Confidential Information**

Per section V.D. of the Governance Committee Agreement, at the appropriate time CAW will provide the Governance Committee a copy of all responsive SOQs, proposals or bids received for the pertinent work, except for any proprietary information provided by contractors submitting responsive SOQs, proposals or bids. If respondents identify such proprietary information in their SOQs, CAW will use reasonable efforts to hold in confidence such proprietary information. Notwithstanding the foregoing, CAW will not be responsible or liable in any way for any losses that the Contractor may suffer from the disclosure of information or materials to third parties.

# MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION CONVEYANCE FACILITIES



CALIFORNIA  
AMERICAN WATER

## REQUEST FOR QUALIFICATIONS

### EXHIBIT A - CONTRACTOR'S PROPOSAL MANAGER

May 26, 2015

## CONTRACTOR'S PROPOSAL MANAGER

**Name of Contractor:**

**Contractor's Proposal Manager:**

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Firm/Company:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone No.:** \_\_\_\_\_ **Fax No.:** \_\_\_\_\_

**Email address:** \_\_\_\_\_

**E-mail this form to:**

CALIFORNIA AMERICAN WATER  
Attention: Lori Girard, Corporate Counsel  
Email: [Lori.Girard@amwater.com](mailto:Lori.Girard@amwater.com)

Note: Any substitution of Contractor's Proposal Manager for the RFQ and RFB process shall be made in writing to CAW and shall subject the DB Entity to re-evaluation. Submit written request to the above address.

# **MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION CONVEYANCE FACILITIES**



**CALIFORNIA  
AMERICAN WATER**

## **REQUEST FOR QUALIFICATIONS**

### **EXHIBIT B - QUESTIONNAIRE**

1. DECLARATION
2. CONSTRUCTION TEAM
3. LICENSURE
4. FINANCIAL INFORMATION
5. SAFETY
6. INSURANCE
7. TERMINATION/FAILURE TO COMPLETE: VIOLATION; CLAIMS

EXHIBIT 1 – GENERAL STATEMENT OF BANK CREDIT

EXHIBIT 2 – BONDS AND INSURANCE

**May 26, 2015**

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES**

**NOTICE TO CONTRACTORS**

**EXHIBIT B - QUESTIONNAIRE**

Name of Contractor: \_\_\_\_\_

**IMPORTANT – PLEASE READ AND COMPLETE QUESTIONNAIRE  
BEFORE SIGNING:**

Contractor must sign the declaration below, in addition to specific declarations as required, that the information provided in EXHIBIT B - Questionnaire is true and correct.

**1. DECLARATION**

I, \_\_\_\_\_, authorized agent of the Contractor, \_\_\_\_\_ (Contractor), hereby declare that the information provided in EXHIBIT B - Questionnaire has been prepared using reasonable diligence and is true and complete to the best of my knowledge.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**MONTEREY PENINSULA WATER SUPPLY PROJECT**  
**DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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## **2. CONSTRUCTION TEAM**

For the General Contractor, please provide the following information for each of the following three categories – (1) within California, (2) within the United States (including California), and (3) worldwide (including the United States):

1. Number of full-time employees:
  - a. Office: \_\_\_\_\_
  - b. Field: \_\_\_\_\_
2. Annual value of work your company has performed in the last three (3) years:
  - a. 2014:
  - b. 2013:
  - c. 2012:
  - d. 3 Year Average:
3. What percentage of the Three-Year Average of No. 2 was in the area of water/wastewater facilities construction (water pipelines, pumping stations, tanks, etc.): \_\_\_\_\_%.
4. Number of full-time superintendents for water/wastewater projects: \_\_\_\_\_
5. Number of project managers for water/wastewater projects: \_\_\_\_\_
6. List the types of work which will be performed by the General Contractor's own forces:
  
7. List work General Contractor will subcontract:

DRAFT

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

**2. CONSTRUCTION TEAM – (continued)**

**Specialty Contractors:**

Type : \_\_\_\_\_

Role:	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type : \_\_\_\_\_

Role:	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type : \_\_\_\_\_

Role:	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

**MONTEREY PENINSULA WATER SUPPLY PROJECT**  
**DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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Type: \_\_\_\_\_

Role:	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

DRAFT

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**2. CONSTRUCTION TEAM – (continued)**

**Construction Subcontractors:**

**Type :** \_\_\_\_\_

Role:	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

**Type :** \_\_\_\_\_

Role:	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

**Type :** \_\_\_\_\_

Role:	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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Type: : \_\_\_\_\_

Role:	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

**ATTACH ADDITIONAL SHEETS AS REQUIRED.**

DRAFT

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**3. LICENSURE**

1. All Contractors must have a **General Contractor** actively licensed in the State of California. Provide the following information.

**Company Name:**

**(under which license is held)**

\_\_\_\_\_

Contractor's State of California A or B License Number, name under which license is held, and expiration date:

**License No.** \_\_\_\_\_

**Name:** \_\_\_\_\_ **Exp. Date:** \_\_\_\_\_

- a. Has this license ever been revoked?

Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please explain below or on a separate attachment:

- b. Has the company had any violations of the Contractors' State License Law (Chapter 9 – commencing with Section 7000) of Division 3 of the Business and Professional Code), excluding alleged violations or complaints?

Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please explain each incident below or on a separate attachment:

**ATTACH ADDITIONAL SHEETS AS REQUIRED.**

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**3. LICENSURE (continued)**

2. All Contractors must include an **Engineer of Record** licensed in the State of California. Provide the following information:

**Company Name:**

\_\_\_\_\_

**Engineer's License Number, name under which license is held, and expiration date:**

**SE No.** \_\_\_\_\_

**Name:** \_\_\_\_\_ **Exp. Date:** \_\_\_\_\_

- a. Has this license ever been revoked?

Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please explain below or on a separate attachment:

- b. Has the company had any violations, disciplinary, citations, and/or criminal action from the California Board of Professional Engineers and Land Surveyors, excluding alleged violations or complaints?

Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please explain each incident below or on a separate attachment:

**ATTACH ADDITIONAL SHEETS AS REQUIRED.**

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**3. LICENSURE (continued)**

3. **Other firms** licensed in the State of California. Provide the following information:

**Company Name:**

\_\_\_\_\_

**License Number, name which license is held, and expiration date:**

**License No.** \_\_\_\_\_

**Name:** \_\_\_\_\_ **Exp. Date:** \_\_\_\_\_

a. Has this license ever been revoked?

Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please explain below or on a separate attachment:

b. Has a complaint ever been filed with the State License Board against you or your company that required a formal hearing or inquiry?

Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please explain each incident below or on a separate attachment:

**ATTACH ADDITIONAL SHEETS AS REQUIRED.**

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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#### **4. FINANCIAL INFORMATION**

##### **1. Financial Statements and Supplementary Information**

Financial pre-qualification will be established by determining capacity to perform the contract in the following manner:

- a. Working capital is determined from the most recent balance sheet submitted, by subtracting current liabilities from current assets.
- b. Available lines of credit or other credit facilities are then added to the working capital, and the sum is multiplied by ten.
- c. Uncompleted work on contracts, which have been awarded to you (backlog), will be subtracted from the amount determined in paragraph "b." above.
- d. The number resulting from paragraph "c." above must be greater than \$70,000,000.

Should the Contractor not qualify on the basis of the above calculation, CAW will consider any alternative information the Contractor can provide that, in its sole judgment, assure CAW the Contractor has the capacity to perform the Project Agreement. This information must include the required data described below, and sufficient supplementary analysis and description as needed to clearly present the Contractor's position. This information must be submitted with the SOQ. It is the Contractor's responsibility to make the above-described calculation and determine if additional information will be required to demonstrate the Contractor's ability to perform the Project Agreement.

##### **2. Information you must submit includes:**

- a. Full set of financial statements for the Contractor's (each member if partnership or joint venture) most recent three (3) complete fiscal years, accompanied by either an audit or review report prepared by an independent Certified Public Accountant. **Compiled or internally prepared financial statements will not be accepted.** Statements, which are older than six months, must be supplemented by internally prepared financial statements, which update the information to no more than six months from the date of submission. Such statements must be prepared in accordance with generally accepted accounting principles, including all required informative disclosures.
- b. Letter from a financial institution in support of available lines of credit or other facilities, if the Contractor wishes them to be considered in qualification. See Exhibit 1 (General Statement of Bank Credit) for example.
- c. Schedule indicating contracts, which have been awarded to the Contractor, and reconciling the original award, any amendments, completed portion and uncompleted portion of such contracts. This is the Contractor's backlog of work awarded but not yet complete.
- d. D&B rating, credit scores, annual reports for publicly traded firms, and a breakdown of what is owned versus what is leased, in the way of equipment/buildings.

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**4. FINANCIAL INFORMATION (continued)**

3. Surety and Bonding Requirements

- a. Approximate bonding capacity: \$\_\_\_\_\_ per project, aggregate \$\_\_\_\_\_
- b. Attach a notarized statement from the bonding company the Contractor proposes to use indicating the bonding company's commitment to provide a performance and payment bond for at least \$100,000,000. Refer to Exhibit 2 (Bonds and Insurance) attached to this Qualification Questionnaire for bonding requirements for this project.
- c. List the names of bonding companies utilized by the firm in the last five (5) years, for projects over \$70 million. (State the number of times the bonding company has completed any part of your work during the last five (5) years.

**MONTEREY PENINSULA WATER SUPPLY PROJECT**  
**DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

**5. SAFETY**

1. Provide a written safety policy, mission statement or other document addressing the company's attitude and responsibility towards worker safety and the safety of the general public during construction. (**NOTE:** Please do not send full copies of safety manuals. If desired, in addition to the above, an index or Table of Contents from the manual is sufficient.)
2. Provide your Safety Officer's qualifications, work experience, authority, job duties, percentage of time spent in fulfilling his duties as safety officer, and who this individual reports to.

**3. Safety Performance**

- a. Please consolidate your firm's injury and illness data for the last ten (10) years, on or after January 1, 2005, for the **General Contractor** and complete the table below. The information provided must be for your company as a whole, not individual office locations. **Provide copies of your OSHA 300 and OSHA 300A logs for the last 3 years.**

Event	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014
A. Average Number of Employees.										
B. Number of Fatalities. (Total from Column G of OSH 300 Log)										
C. No. of cases that involved days away from work, or cases with job transfer or restrictions, or both. (Totals from Columns H and I of OSH 300 Log)										
D. Other Recordable Cases – Medical Only. (No. of cases without lost or restricted workdays.) (Totals from Column J of OSH 300 Log)										
E. Total Recordable Cases. (Totals from Columns G +H+I+J of OSH 300 Log)										
F. Total Hours Worked.										
G. OSHA Total Recordable Incident Rate: (E above) x 200,000/Employed Hours Worked (Given Year)										
H. OSHA Lost Workday Case Incident Rate: (C above) x 200,000/Employed Hours Worked (Given Year)										

For each fatality, please attach a description of the accident, including cause, actions taken resulting from that fatality and actions taken to prevent future fatalities.

**MONTEREY PENINSULA WATER SUPPLY PROJECT**  
**DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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- b. Please list all OSHA (or other health and safety agency) violations issued against your company for the last ten (10) years, on or after January 1, 2005. Please include a description for each offense. Also, please provide us with all the names of legal entities under which you perform work.

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**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**5. SAFETY (continued)**

c. Please provide your Worker's Compensation Experience Ratings (Experience Modifier) for the past ten (10) years, on or after January 1, 2005.

1.	_____	_____
	(Year)	(EMR)
2.	_____	_____
	(Year)	(EMR)
3.	_____	_____
	(Year)	(EMR)
4.	_____	_____
	(Year)	(EMR)
5.	_____	_____
	(Year)	(EMR)
6.	_____	_____
	(Year)	(EMR)
7.	_____	_____
	(Year)	(EMR)
8.	_____	_____
	(Year)	(EMR)
9.	_____	_____
	(Year)	(EMR)
10.	_____	_____
	(Year)	(EMR)

Please attach the endorsement page from your policy listing your EMR, or have your insurance carrier or broker provide this information on their letterhead.

If your EMR exceeds 1.0 for any one or more years, please explain:

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d. Please have each subcontractor fill out this questionnaire as well.

**6. INSURANCE**

Refer to Exhibit 2 (Bonds and Insurance) attached to this Qualification Questionnaire for insurance requirements for this project. Each policy of insurance carried by the Contractor for this project shall be issued by an insurance company approved to do business in California with a rating classification of "A-" or better and a financial size category rating of "VII" or better according to the latest addition of "AM Bests."

Attach a notarized statement from the Workers' Compensation carrier specifying contractor's current Experience Modification Rating for Workers' Compensation for the State of California. Also, attach a declaration from an insurance broker that such limits as described in Exhibit 2 are obtainable by the Contractor submitting this application from an insurance company as described above.

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**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS,  
ARBITRATION AND LITIGATION**

1. Provide a declaration certifying that applying members of the Contractor have not had a performance or payment bond called, or a surety company finish work on any project on or after January 1, 2005.

Declaration:

I, \_\_\_\_\_, authorized agent of the

Contractor, hereby certifies that the members of

\_\_\_\_\_ (Contractor), have not had a performance or payment bond called, or a surety company finish work on any project on or after January 1, 2005. I hereby declare that the above information has been prepared using reasonable diligence and is true and complete to the best of my knowledge.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS,  
ARBITRATION AND LITIGATION (continued)**

2. Provide information and details below for any construction, arbitration or litigation with alleged damages totaling more than five hundred thousand dollars (\$500,000) or five (5) percent of the annual value of work performed, whichever is less, settled against any member of the Contractor on or after January 1, 2005.

a. **PROJECT:** \_\_\_\_\_

Location: \_\_\_\_\_

Amount of Claim: \$ \_\_\_\_\_ Resolution Yes  No  Date: \_\_\_\_\_

Nature of Claim: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Final Status: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. **PROJECT:** \_\_\_\_\_

Location: \_\_\_\_\_

Amount of Claim: \$ \_\_\_\_\_ Resolution Yes  No  Date: \_\_\_\_\_

Nature of Claim: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Final Status: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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c. PROJECT: \_\_\_\_\_

Location: \_\_\_\_\_

Amount of Claim: \$ \_\_\_\_\_ Resolution Yes  No  Date: \_\_\_\_\_

Nature of Claim: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Final Status: \_\_\_\_\_

**ATTACH ADDITIONAL SHEETS AS REQUIRED.**

DRAFT

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS, ARBITRATION AND LITIGATION (continued)**

- 3. Provide information and details below for any serious violations of the California Occupational Safety and Health Act, as provided in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code, settled against any member of the Contractor.

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- 4. Provide information and details of any violations of federal or state law, including, but not limited to, those laws governing the payment of wages, benefits, or personal income tax withholding, or of Federal Insurance Contributions Act (FICA) withholding requirements, state disability insurance withholding, or unemployment insurance payment requirements, settled against any member of the Contractor on or after January 1, 2005. For the purposes of this subclause, only violations by a Contractor member as an employer shall be deemed applicable, unless it is shown that the Contractor member, in his or her capacity as an employer, had knowledge of his or her subcontractor's violations or failed to comply with the conditions set forth in subdivision (b) of Section 1775 of the Labor Code.

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**ATTACH ADDITIONAL SHEETS AS REQUIRED.**

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS, ARBITRATION AND LITIGATION (continued)**

- 5. Provide information and details that the Contractor or its members, any officer of the Contractor or its members, or any employee of the Contractor or its members who has a propriety interest in the Contractor, has ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation on or after January 1, 2005, and if so explain the circumstances (Public Contract Code Section 10162).

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- 6. Provide information and details of any violations by the Contractor of the Contractor's State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code), excluding alleged violations or complaints.

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**ATTACH ADDITIONAL SHEETS AS REQUIRED.**

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS, ARBITRATION AND LITIGATION (continued)**

- 7. Provide information and details of any conviction of any member of the Contractor of submitting a false or fraudulent claim to a public agency on or after January 1, 2005.

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- 8. Violations of environmental compliance conditions resulting in issuance of a Notice of Violation or other action on or after January 1, 2005.

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DECLARATION

I, \_\_\_\_\_, authorized agent of the Contractor,

\_\_\_\_\_ (\*Contractor), hereby declare that the information provided in EXHIBIT B - Questionnaire, questions 7.2 to 7.7 has been prepared using reasonable diligence and is true and complete to the best of my knowledge.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**ATTACH ADDITIONAL SHEETS AS REQUIRED.**

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS,  
ARBITRATION AND LITIGATION (continued)**

9. Provide a declaration that the Contractor will comply with all other provisions of law applicable to the project, including, but not limited to, the requirements of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

Declaration:

I, \_\_\_\_\_, authorized agent of the Contractor, hereby declare that \_\_\_\_\_

(Contractor) will comply with all other provisions of law applicable to the Project, including, but not limited to, the requirements of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**EXHIBIT 1**

**GENERAL STATEMENT OF BANK CREDIT**

-----  
 (Date)

Bank Reference # -----

Gentlemen:

In connection with the pre-qualification of

-----,  
 (Name of Contractor)

we hereby declare that the Contractor has been extended a line of credit in a total amount not exceeding \$ \_\_\_\_\_, and that such credit will not be withdrawn or reduced without notice to CAW.

This letter is signed with the understanding that it is a document to be used by CAW only for the purpose of determining the financial resources of the Contractor available for use in performing a Construction Agreement on the Project, which may be awarded by CAW.

This General Statement of Bank Credit supersedes and replaces any General Statement of Bank Credit from the same Bank, which may have been filed with the current Contractor's Statement of Experience and Financial Condition and will EXPIRE with the Annual Contractor's Statement of Experience and Financial Condition for which the line of credit was issued.

-----  
 (Name of Bank)

-----  
 (Address)

By -----  
 (Signature of Bank Representative)

-----  
 (Printed name and Title)

-----  
 (Phone)

**PLEASE NOTE:** This form is optional and may be used to augment your Working Capital or help your firm establish a rating when completed by your bank; if they prefer, one with the same provisions may be issued on the bank's own letterhead.

**EXHIBIT 2**  
**INSURANCE**

**Insurance**

**This Exhibit 2 is illustrative of the types of insurance CAW expects to require for the Project. The specific insurance coverage required shall be identified in the RFB.**

At no expense to CAW, Contractor shall (1) obtain and keep in force during the term of this Agreement, and any renewals or extensions hereof, and (2) either extend its own insurance such that it covers its subcontractors or require its subcontractors to obtain and keep in force during the terms of their respective contracts, the following minimum insurance limits and coverage. The insurance coverage limits stated below are minimum coverage requirements, not limitations of liability, and shall not be construed in any way as American Water's acceptance of the responsibility of Contractor. This exhibit is illustrative of the requirements, the RFB will indicate the specific insurance requirements for the project.

1. Commercial General liability:

- \$1,000,000 per occurrence Combined Single Limits
- \$1,000,000 General Aggregate
- \$1,000,000 Products and Completed Operations Aggregate

CGL ISO 1996 or later Occurrence form including Premises and Operations Coverage, Products and Completed Operations, Coverage for Independent contractors, Personal Injury Coverage and Blanket Contractual Liability, and Contractors Protective Liability if the Contractor subcontracts to another all or any portion of the Work. Completed Operations shall be maintained for a period of three (3) years following Final Completion for any construction, renovation, repair and/or maintenance service.

2. Workers' Compensation

A. Applicable Federal or State Requirements: Statutory Minimum Employer's Liability:

- |                           |             |
|---------------------------|-------------|
| ▪ Each Accident           | \$1,000,000 |
| ▪ Each Employee – Disease | \$1,000,000 |
| ▪ Policy Limit – Disease  | \$1,000,000 |

B. Other States insurance.

The Workers' Compensation policy shall also include U.S. Longshoreman and Harbors Workers' Compensation Act Coverage, if any Work shall be done over or within 100 feet of any body of water, or otherwise at the sole discretion of Water Company. It shall provide maritime (Jones Act) coverage if a boat or vessel of any type is used

3. Automobile Liability (including owned, hired, borrowed and non-ownership liability)

Bodily Injury and Property Damage \$1,000,000 each accident Combined Single Limits

4. Umbrella Liability

\$50,000,000 each occurrence and annual aggregate in excess of Employer's Liability, General Liability and Automotive Liability (no more restrictive than underlying insurance)

5. Professional Liability – Professional Liability or Errors and Omissions insurance acceptable to American Water covering Contractor liabilities for loss due to error, omission, negligence, mistakes, or failure to take appropriate action in the performance of business or professional duties of their

employees in the amount of at least \$10,000,000 per claim and in the aggregate shall be procured and maintained during the contract term and for a period of at least one (1) year after completion of the contract evidenced either by renewal of the policy for one year or by endorsement or addition of an Extended Reporting (or Discovery) Period for at least one year following the policy expiration date. Policy shall be endorsed to provide contingent bodily injury and property damage liability coverage.

6. Builders' Risk – The Contractor shall be required to obtain and maintain the required insurance to be specified in the Construction contract, including builders' risk insurance during construction.
7. Environmental Impairment Liability (EIL) or Pollution Liability - The Contractor shall be required to obtain and maintain insurance covering losses caused by pollution conditions that arise from the Contractor work.

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# MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION CONVEYANCE FACILITIES



CALIFORNIA  
AMERICAN WATER

## REQUEST FOR QUALIFICATIONS

### EXHIBIT C - EXPERIENCE

- A. PROJECT PROFILES (CONTRACTOR)
- B. PROJECT PROFILES (GENERAL CONTRACTOR)
- C. PROJECT PROFILES (OTHER TEAM MEMBERS)

May 26, 2015

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**PROJECT PROFILES - INFORMATION SHEET**

**A. CONTRACTOR**

**Name of Firm:** \_\_\_\_\_

Submit profiles for five (5) projects completed on or after January 1, 2005 or under current contracts that represent similar type work as this Project. Clearly identify the relevance of each project. Photos and other graphic materials may be included. Water/wastewater experience is of importance. Submittal of an equivalent project listing form is acceptable, provided it contains the requested information.

Project Manager (for Architect): \_\_\_\_\_

Principal In Charge: \_\_\_\_\_

Project Name & Description: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_ Representative: \_\_\_\_\_ Telephone: \_\_\_\_\_

Project Type: \_\_\_\_\_ Capacity/Size (if applicable): \_\_\_\_\_

Scheduled Completion Date: \_\_\_\_\_ Actual Completion Date: \_\_\_\_\_

Explain Difference, if any: \_\_\_\_\_

Original Contract Amount: \_\_\_\_\_ Final Contract Amount: \_\_\_\_\_

Explain Difference, if any: \_\_\_\_\_

Other Relevant Factors: (Managing the construction process, cost estimating, Project Controls, etc.) \_\_\_\_\_

**ATTACH ADDITIONAL SHEETS AS REQUIRED**

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**2005 PROJECT PROFILES – INFORMATION SHEET**

**B. GENERAL CONTRACTOR**

**Name of Firm:** \_\_\_\_\_

Submit examples of relevant projects completed on or after January 1, 2005 or under current contract (at least one must be in California). Clearly identify the relevance of each project. Photos and other graphic materials may be included. Water/wastewater experience is of importance. Submittal of an equivalent project listing form is acceptable, provided it contains the requested information.

Project Manager (for \_\_\_\_\_): \_\_\_\_\_

Principal in Charge: \_\_\_\_\_

Project Name & Description: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_ Representative: \_\_\_\_\_ Telephone: \_\_\_\_\_

Project Type: \_\_\_\_\_ Capacity/Size: (if applicable) \_\_\_\_\_

Scheduled Completion Date: \_\_\_\_\_ Actual Completion Date: \_\_\_\_\_

Explain Difference, if any: \_\_\_\_\_

Original Contract Amount: \_\_\_\_\_ Final Contract Amount: \_\_\_\_\_

Explain Difference, if any: \_\_\_\_\_

Other Relevant Factors: (Managing the construction process, cost estimating, Project Controls, etc.) \_\_\_\_\_

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
DESALINATION CONVEYANCE FACILITIES - REQUEST FOR QUALIFICATIONS**

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**PROJECT PROFILES – INFORMATION SHEET**

**C. OTHER TEAM MEMBERS (PERMITTING, PROCESS, SCADA, ELECTRICAL, ETC.)**

**Name of Firm:** \_\_\_\_\_

Submit examples of relevant projects completed on or after January 1, 2005 or under current contract (at least one must be in California). Clearly identify the relevance of each project. Photos and other graphic materials may be included. Water/wastewater experience is of importance. Submittal of an equivalent project listing form is acceptable, provided it contains the requested information.

Project Manager (for \_\_\_\_\_): \_\_\_\_\_

Principal in Charge: \_\_\_\_\_

Project Name & Description: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_ Representative: \_\_\_\_\_ Telephone: \_\_\_\_\_

Project Type: \_\_\_\_\_ Capacity/Size: (if applicable) \_\_\_\_\_

Scheduled Completion Date: \_\_\_\_\_ Actual Completion Date: \_\_\_\_\_

Explain Difference, if any: \_\_\_\_\_

Original Contract Amount: \_\_\_\_\_ Final Contract Amount: \_\_\_\_\_

Explain Difference, if any: \_\_\_\_\_

Other Relevant Factors: (Managing the construction process, cost estimating, Project Controls, etc.) \_\_\_\_\_

**ATTACH ADDITIONAL SHEETS AS REQUIRED**

## DESALINATION CONVEYANCE FACILITIES

DRAFT

# MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION CONVEYANCE FACILITIES



CALIFORNIA  
AMERICAN WATER

**REQUEST FOR QUALIFICATIONS**

**EXHIBIT D – ILLUSTRATIVE LIST OF PERMITS**

**May 26, 2015**

## Illustrative List of Permits

The following is an illustrative list of permits that could be expected for the Project and the party anticipated to be responsible for obtaining such permits. The final list of permits, and the entity responsible for obtaining such permits will be provided in the RFB.

Federal Agencies		
Regulatory Agency	Regulatory Permit, Authorization or Approval	Responsible Party
U.S. Fish and Wildlife Service (USFWS), Ecological Services Branch	Biological Opinion or letter of concurrence and Incidental Take Statement as a result of coordination under Section 7 Endangered Species Act, (ESA)	CAW
National Oceanic & Atmospheric Administration (NOAA)	Consultation under Section 305(b), Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. Section 1855(b))	CAW
National Oceanic & Atmospheric Administration (NOAA), National Marine Sanctuary Program (NMSP), Monterey Bay National Marine Sanctuary (MBNMS)	Authorization under the MBNMS Management Plan and the National Marine Sanctuary Program (15 Code Fed. Regs. Part 922)	CAW
U.S. Army Corps of Engineers (USACE)	Individual or Nationwide Permit in accordance with Section 404 Clean Water Act (33 U.S.C. Section 1344)	CAW

State Agencies		
Regulatory Agency	Regulatory Permit, Authorization or Approval	Responsible Party
Regional Water Quality Control Board (RWQCB)	National Pollutant Discharge Elimination System (NPDES) General Permit For Storm Water Discharges Associated With Construction Activity (WQO No. 2009-0009-DWQ)	Contractor
	Waste Discharge Requirements (WDR) per Porter-Cologne Water Quality Control Act. (Water Code Section 13000 et seq.)	CAW
	Water Quality Certification in accordance with Section 401 Clean Water Act (33 U.S.C. Section 1341)	CAW
California State Lands Commission	Land Use Lease (Right-of-Way Permit) (Pub. Res. Code Section 6000 et seq.; 14 Cal. Code Regs. Section 1900 et seq.)	CAW
California Department of Fish and Game (CDFG)	Incidental Take Permit in accordance with the California Endangered Species Act (CESA) (Fish & Game Code Section 2081)	CAW

State Agencies		
Regulatory Agency	Regulatory Permit, Authorization or Approval	Responsible Party
California Coastal Commission (CCC)	Coastal Development Permit in accordance with the California Coastal Act (Pub. Res. Code Section 30000 et seq.)	CAW
California Department of Public Health (CDPH)	Permit to Operate a Public Water System (Health & Safety Code Section 116525)	CAW
California Department of Parks and Recreation Office of Historic Preservation	Coordination under Section 106 of the National Historic Preservation Act (NHPA) (16 USC 470 et seq.)	CAW
California Department of Transportation (Caltrans)	Encroachment Permit (Streets & Highway Code Section 660 et seq.)	CAW

Local/Regional Agencies		
Regulatory Agency	Regulatory Permit, Authorization or Approval	Responsible Party
Monterey County	Encroachment Permit (Monterey County Code Title 14 Chapter 14.040)	CAW
	Use Permit (Monterey County Code Chapter 21.74)	CAW
	Combined Development Permit Process (Monterey County Code Chapter 21.76)	CAW
	Coastal Development Permit (See CCC Above)	CAW
	Grading Permit (Monterey County Code Chapter 16.08)	CAW
	Erosion Control Plan (Monterey County Code Chapter 16.12)	CAW
	Protected Tree Removal Permit (Monterey County Code Chapter 16.60)	CAW
	Permit to Construct Facilities (Monterey County Code Chapter 10.72)	CAW
Monterey Peninsula Water Management District (MPWMD)	Water System Expansion Permit in accordance with Ordinance 96 of the MPWMD Board of Directors	CAW
Monterey Bay Unified Air Pollution Control District (MBUAPCD)	Authority to Construct in accordance with Local Rule 3.1	CAW
	Permit to Operate in accordance with Local Rule 3.2	CAW
Local City Permits	Miscellaneous local city permits	CAW/Contractor

# MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION CONVEYANCE FACILITIES



CALIFORNIA  
AMERICAN WATER

## REQUEST FOR QUALIFICATIONS

### EXHIBIT E – GUARANTOR ACKNOWLEDGMENT FORM

May 26, 2015

## GUARANTOR ACKNOWLEDGMENT FORM

(to be typed on Guarantor's Letterhead)

\_\_\_\_\_ (the "Contractor") has submitted herewith a Statement of Qualifications ("SOQ") in response to the Request for Qualifications from Prospective Contractors for the Monterey Peninsula Water Supply Project Desalination Conveyance Facilities, as amended, (the "RFQ") issued by California American Water ("CAW"), pursuant to which it is seeking to be qualified by CAW to provide the services described in the RFQ. CAW will issue a Request for Bids ("RFB") to the pre-qualified Contractors that will require the selected Contractor to enter into an agreement to perform the services, to comply with all applicable permits, licenses, approvals and other applicable law, and to perform the other related and ancillary services described in the RFB.

The Guarantor has reviewed the Contractor's SOQ which will form the basis for pre-qualification. The Guarantor hereby acknowledges and represents that it intends to guarantee pursuant to a Guaranty Agreement to be agreed upon by the Guarantor and CAW, which agreement will be based on the draft Guaranty Agreement issued with the RFB, the performance of all of the Contractor's obligations under the Construction contract to be agreed upon by the Contractor and CAW, which contract will be based on the draft Construction contract issued with the RFB, if the Contractor is issued an RFB by CAW and selected for negotiation and execution of the Construction contract.

\_\_\_\_\_  
Name of Guarantor

\_\_\_\_\_  
Name of Authorized Signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title



**Monterey Peninsula Water Supply Project Governance Committee****Meeting Date:** May 20, 2015**Information Item****Agenda Item:** 4. **California-American Water Notification #5 – Execution of Agreements Related to Source Water Infrastructure**

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**Summary:** Attached as **Exhibit 4-A** is California American Water Notification #5 - Execution of Agreements Related to Source Water Infrastructure (CAN). This CAN memorializes the process by which Cal Am presented the test well bids and received approval to award the contracts from the Governance Committee for the test slant well project.

**Recommendation:** No action required. This is submitted for information only.

**Exhibits:**

**4-A** California American Water Notification #5 -Execution of Agreements Related to Source Water Infrastructure



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**Exhibit 4-A**

MPWMD

**MONTEREY PENINSULA WATER SUPPLY PROJECT  
GOVERNANCE COMMITTEE**

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**CAL-AM NOTIFICATION # 5**

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**TO: Jason Burnett, Chair, MPWSP Governance Committee**  
**FROM: Richard Svindland, VP – Operations, California American Water**  
**DATE: May 7, 2015**  
**RE: Cal-Am Notification # 5 – Execution of Agreements Related to Source Water Infrastructure**

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This Cal-Am Notification is submitted to you to memorialize the process followed pursuant to, and in compliance with, Section V.B. of the Amended and Restated Agreement to Form the Monterey Peninsula Water Supply Project Governance Committee (the “Agreement”), as revised November 5, 2013, entered into by and among the Monterey Peninsula Regional Water Authority (“MPRWA”), the Monterey Peninsula Water Management District (“MPWMD”), the County of Monterey (“County”), and the California-American Water Company (“Cal-Am”). Capitalized terms used but not defined herein shall have the meaning set forth in the Agreement.

Cal-Am notified the Governance Committee that the following matter was ripe for presentation and consideration: execution by Cal-Am of contracts related to the Source Water Infrastructure collectively valued in excess of \$1 million, specifically the drilling of the test slant well and related monitoring wells and civil construction work for the test slant well project. Pursuant to Section V.D., Category B.2., of the Agreement, at its October 13, 2015, meeting the Governance Committee made a recommendation concerning the terms of the contracts as reflected in the minutes. Cal-Am followed the recommendation.

