



TULE RIVER TRIBAL COUNCIL

TULE RIVER INDIAN RESERVATION

REQUEST FOR PROPOSALS TRTC-22-2019 ADDENDUM NO. 1

June 24, 2019

TO: PROSPECTIVE PROPOSERS

FROM: Corina Harris, Director of Procurement

This Addendum No. 1 forms a part of the Contract Documents and modifies the original Request for Proposals dated May 28, 2019. Acknowledge receipt of this and all subsequent addendum on the space provided on the form attached as Exhibit 1. *This form must be included with your Proposal and failure to do so may subject Proposer to disqualification.*

This Addendum consists of six (6) pages and the following attached documents:

- i) Attachment 1 - Fee Proposal
- ii) Attachment 2 – Acknowledgement of Receipt of Addendum

CORRECTIONS / CLARIFICATIONS:

1. **RFP Closing Date:** The RFP closing date has been extended. All proposals must be received by (as provided in the RFP) by 5:00pm Pacific Time on July 10, 2019.
2. **Assumption for Pre-Design Phase I:** Section 8.1(b)(1) of the request for Proposal (RFP) is corrected to read as follows: “The above activities will occur over approximately a period of three (3) months, consisting of due diligence, master Planning, EE development, consultant RFP development and selection and a public outreach process.”
3. **Design Phase 2-Project Budget; Delivery Plan:** The Tribe has determined the Project Delivery Plan (Construction Management at risk) and has already developed a Rough Order of Magnitude project budget. Therefore, respondents **should not** include the following within the scope of work in its proposal:
 - a. Review the various design and construction delivery options with the Tribe, advise on risks, rewards and challenges of each, developing, as a deliverable, a recommended Project Delivery Plan.

- b. Provide, as a *deliverable*, a capital development Rough Order of Magnitude (ROM) project budget for the Project concept developed during the feasibility phase through coordination with the Tribe's existing consultants.
4. **Fee Proposal:** The Tribe is requesting all respondents to provide the fee proposal in the format attached here to as Attachment #1.
5. **Assumptions:** Design Phase 2 will occur over a 15 month durations which includes bid and award.

CLARIFICATION TO QUESTIONS

- 1) A question was raised regarding if the land is in Trust yet? If not, when do you suspect it will be in Trust?

Clarification: The land is currently not held in trust. While the Tribe cannot guarantee when the land will be transferred into trust, the Tribe hopes to receive a favorable decision by summer 2020.

- 2) A question was raised regarding whether if financing is in place? If not, will we be involved in helping prepare lender required documents?

Clarification: Financing is not currently in place. The Tribe anticipates coordination of all its consultants with respect to the Project, including financing and compliance with the covenants for the same. Your firm may be asked to assist in the preparation of lender required documents, including commenting on specific lending covenants, requirements, documents, etc., but the Tribe has a financial consultant and legal counsel to take the lead on preparing lender required documents.

- 3) A question was raised regarding the knowledge of the lender pay application process? If so, can you give some general guidelines? The process can be extensive. We just want to be sure we have included the time necessary to process payments.

Clarification: With regard to lender pay application process, The Tribe has not secured financing to date; however, the Tribe anticipates standard payment protocols to be observed.

- 4) A question was raised regarding what is the status of the Declination Letter if in the works?

Clarification: Financing for the project is still in its initial stages and a declination letter has not been submitted to the National Indian Gaming Commission to date.

- 5) A question was raised regarding are we subject to TERO fees in our fee? If so, what %?

Clarification: The Tribe does not have a TERO in place at this time.

- 6) A question was raised regarding the scope; will it be listed in one phase or multiple? If multiple phases, please advise how to be phased.

Clarification: The scope applicable to this RFP will be in two phases. All responses should include Pre-Design Phase 1 and Design Phase 2. The project overall will be in three phases (Pre-Design Phase 1, Design Phase 2, and Construction phase 3). Construction Phase 3 will be priced and awarded at a later date.

- 7) A question was raised is there an estimated cost for all projects? If so, please provide and what scope is included-design; construction; FF&E.

Clarification: The Tribal Council will make the final determination on overall project budget, which could range between \$200M to \$350 M.

- 8) A question was raised regarding planning to visit Eagle Mountain Casino and the new casino proposed site. Our goal is to familiarize ourselves with the surrounding area and educate us on this exciting project. Is there any item critical to the project we should pay close attention to during our visit? Is there any reason this visit would be deemed unacceptable per this RFP?

Clarification: Please contact Ralene Clower, Project Manager, prior to any site visits. The location of the waste water treatment facility should be noted. It will be located off-site, adjacent to the site on property owned by the city of Porterville.

- 9) A question was raised regarding pulled preliminary master plan down from the Tule River Tribe website during our research. Are there any other drawings that can be shared with us at this time?.

Clarification: There are no drawings that can be shared at this time.

- 10) A question was raised is there a list of existing Tule River Tribe consultants that can be shared with us at this time?

Clarification: The following are the existing consultants working on the project:

1. Procopio, Cory, Hargreaves & Savitch (Kerry Patterson)-Legal Counsel
2. Sovereign Finance (Mathew Eden)-Financial Advisor

- 11) A question was raised regarding if we should plan to have any contracts or other consultants assigned by the Tule River Tribe to us under our contract?

Clarification: The Tribe does not anticipate assigning any contracts or consultant to the Preferred Respondent.

- 12) A question was raised regarding Section 5.6 of the RFP indicates we will have 30 days to negotiate and sign the contract. May we ask for a "generic" non-binding copy of a standard Tule River Tribe contract to review before award allowing us more time?

Clarification: The Tribe will not be providing a standard contract in advance of selection.

- 13) A question was raised regarding there are a few items in the RFP's qualifications list that we interpret as our not being fully compliant. Would that completely exclude us, as it stated in section 5.5, or are we okay if we exclude them in writing, as per section 6.3 "Acceptance of

Terms” (i.e. We’ve become aware that our gaming license has lapsed, but we would make note in our response that “if/when the work is awarded, we should secure the appropriate licenses.” Is this acceptable or would we automatically be disqualified due to the lack of Gaming Licenses at the time of response?)We would like to submit a response to the RFP, but would like clarification before making a determination.

Clarification: Respondents are not required to obtain a gaming license prior to selection. Upon selection, the Preferred Respondent will be required to secure any required gaming licenses.

14) A question was raised regarding section 5.5-will the selection committee be internal to the Tribal Council or external?

Clarification: The composition of the selection committee has not been determined. The selection committee will consist of representatives from the Tribal Government and various tribal entities.

15) A question was raised regarding if the Preliminary Project Program available that we can review other than what’s included?

Clarification: A Preliminary Project Program is not available at this time.

16) A question was raised regarding section 2.0 Doesn’t stipulate whether the existing facilities could/would remain as part of the master planning exercise. Is the intent to keep the existing facilities/office buildings, etc. to repurpose, or is it to remove and reclaim/rebuild area?

Clarification: Determination on the future of the existing facilities will be made once the overall budget is determined, which may occur after the selection of the Owner’s Representative.

17) A question was raised regarding Section 6.6 To clarify – what does this mean “all components required for system, process or management of the program have been identified in the proposal or will be provided by the Successful Respondent at no charge”? Are you speaking of management tools such as Dropbox, or are you referring to vendors that must be outsourced, which must be accounted for in the proposal and provided at no extra charge?.

Clarification: In regards to Section 6.6, “all components” refer to any management tools or additional resources (including sub-consultants or vendors) necessary to meet the requirement of the RFP. The respondent will need to identify any outside resource, or consultant or vendor; within the proposal, or it will be assumed the respondent is providing all services as an in-house resource. Respondent will not be allowed to submit any “excluded” component(s) as an add services(s) after selection as an amendment to their proposal or agreement. Exclusion of any of the required components by the respondent will deem their submitted proposal as non-responsive.

Thank you.

ATTACHMENT #1

Fee Proposal

All fee proposals must be provided in the format below. Please use additional pages to provide any narrative support for the cost items.

Deliverable	Fee (US Dollars)
Pre-Design Phase 1:	
<i>Overall design management and schedule development</i>	
<i>Project Scoping</i>	
<i>Consultant Engagement – RFP development and selection</i>	
<i>Overall Project Coordination and Outreach</i>	
<u>Total Pre-Design Phase 1</u>	
Design Phase 2:	
<i>Design Management and estimating</i>	
<i>Program level estimate and 100% schematic design and design development estimate and 50% construction document estimate (include value engineering and reconciliation meetings)</i>	
<i>Constructability review at 95% construction document and include with a back check)</i>	
<u>Total Design Phase 2</u>	
Travel & Other Reimbursable Expenses	
Other:	
TOTAL FEE PROPOSAL	

ATTACHMENT #2

TULE RIVER TRIBAL COUNCIL

REQUEST FOR PROPOSALS

Number TRTC-22-2019

I/We the undersigned, acknowledge that we have received and read the Addendum(s) as listed to the Request for Proposals, No. TRTC-22-2019 for the Engineering Design Services.

Addendum No. _____ Dated _____

By: _____ (print name)

By: _____ (sign)

Company: _____

Date: _____ 2019