

# CITY OF WENATCHEE – PROGRESSIVE DESIGN-BUILD

## CONFLUENCE PARKWAY PROJECT

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### City's Responses

March 21, 2023

The City's responses are presented in bold dark blue color font in the original question list.

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1. Does the agency have any apprentice utilization requirements for this project?

**The Project is funded through federal aid and the City is delivering the Project in accordance with WSDOT Local Agency Guidelines. The City will follow WSDOT's apprentice utilization requirements defined in Section 1-07.9(3).1 of the General Provisions for design-build projects, which is no less than 15%.**

2. Please describe your subcontractor outreach and how you will encourage MBE/WBE/SBE participation. Do you have any specific procurement strategies to evaluate a DB's ability to meet MBE/WBE/SBE requirements of Federal Funding?

**As described in the City's application, we are committed to providing the maximum practicable inclusion opportunities. Planning for MWBE/SVBE will be included as part of the City's Project goals defined in our Request for Qualifications (RFQ) and Request for Proposal (RFP). The RFQ and RFP will require each submitter to provide an Inclusion Manager as key personnel. The shortlisted finalist will develop inclusion plans for MWBE/SVBE, which will be submitted as part of the proposer's proposal and scored.**

**The City's Project materials such as Project Notices, Fact-Sheets, and other materials will include outreach to the MWBE/SVBE community to inform firms of the opportunity to work as subcontractors/subconsultants on the Project as part of a Design-Builder's team. In addition, the City may host voluntary industry meet and greets during the RFQ/RFP process to provide a space for interested primes and MWBE/SVBE subcontractors/subconsultants to connect with one another as they develop Project proposals.**

**The City will develop the criteria to evaluate the proposer's inclusion plans. We'll work with WSDOT Local Programs to confirm that the process complies with Federal Funding requirements.**

3. Does the City plan to conduct one-on-one meetings with the shortlisted firms between RFP issuance and Proposal due date? If not, please explain why.

**The City plans to hold a Proposer's Meeting and at the City's discretion, Proposer Interviews. The City will hold Interactive Meetings with the Proposers to engage the proposed Key Personnel with the City's staff. These Interactive Meetings have been shown to be highly effective in PDB procurement.**

4. Does the "Preliminary DB Services" activity, listed in the table in Section 3 (*Anticipated Project Design and Construction Schedule*), mean geotechnical and utility investigations, final design, permitting of final design by applicable jurisdictions, etc.? If yes, the 9-month time frame (*Dec 2023 – Sept 2024*) appears to be tight.

**The Project is divided into two segments identified as the Confluence Parkway South and Confluence Parkway North. The City plans to develop the PDB scope of work and contract between these two segments. The City's approach to the PDB scope is two phases; Phase 1 (Preliminary Design to GMP); and Phase 2 (Final Design thru Construction). The Preliminary DB Services listed in Section 3, represents the time planned for Phase 1, for the Confluence Parkway South segment, described below.**

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The September 2024 date is to meet the INFRA Grant obligation terms, which is for Confluence Parkway South segment. The time planned for the Preliminary DB Services listed in Section 3, is based on preliminary engineering, pricing, and other work to reach a Guaranteed Maximum Price (GMP), for the south segment. The City recognizes the design may not be final due to the limited time. The City will collaborate with the Design-Builder in defining risks and contingency as part of establishing the GMP, based on the design level of completion. Upon agreement to GMP, the Phase 2 final design activities will continue beyond the 9 months.

The City intends to perform geotechnical explorations and utility investigations for the South segment concurrent with the PDB procurement. This early work will be provided to the Design-Builder, which will help expedite its design work.

The Confluence Parkway North segment's timing can be independent of the South segment schedule, due to it not being part of the INFRA Grant obligation term deadline. The City plans to include early design work activities such as, geotechnical explorations, utility investigations, and permitting as part of the Design-Builder's scope of work. We see advantages in collaborating with the Design-Builder in establishing reasonable schedules for the North segment.

The City recognizes the limited time frame to meet the INFRA Grant obligation terms. We believe that the approach described above provides the best opportunity to achieve these obligation commitments.

5. Pertaining to the discussion in Section 4 about the design and construction of the new Wenatchee River bridge, has the City obtained any of the long-lead environmental permits required for working around, in, or above the river? (*For example – The US Army Corps of Engineers permits, US Coast Guard permit, and DOE permits.*) Or would those permits be the responsibility of the DB to procure?

The City has considered the various requirements and timing of the environmental permitting as part of our Environmental Documentation work but has not obtained permits. These permits will be part of the Design-Builder's scope of work.

As described in our response to question 4, the Project is divided into two segments identified as the Confluence Parkway South and Confluence Parkway North. The North segment includes the Wenatchee River bridge. The City believes there is notable advantages to having the Design Builder develop and procure these permits, especially with items such as further developed design plan, construction means and methods, scheduling, and minimizing potential environmental impacts. We see opportunities both from a cost, time, and risk share perspective for the Project.

Since the North segment's timing can be independent of the INFRA Grant obligation deadline, these long-lead environmental permits can be developed much more effectively by the Design-Builder's design and environmental permitting team.

6. Section 4 mentions, "The potential for dewatering activities and hazardous materials are other factors that are best solved by a Design-Builder."
- a. Does the City feel they have conducted adequate geotechnical investigations to inform the RFP?

To aid in the City's permitting and preliminary engineering, a limited number of geotechnical explorations have been conducted, consisting of approximately 6 borings: one at North Miller Street, two at McKittrick Street, two at Wenatchee River and one for a potential wall location.

For a PDB procurement, yes, the City believes we have conducted adequate preliminary investigations to inform the potential proposers. Proposers are not pricing construction work, which could be attributed to these activities, as they would under a traditional design-build procurement. The selected Design-Builder will be able to price the results of the geotechnical

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**investigations into the negotiated Contract Price. These investigation materials will be provided to proposers as reference information for consideration in their proposals.**

- b. Does the City or the Design-Builder own the risks associated with groundwater and hazardous materials?

**Who owns the risk associated with groundwater and hazardous materials will be defined through Phase 1 (Preliminary Design to GMP). Each party will bear a portion of the responsibility for these risks. The Design-Builder will perform investigatory work during Phase 1, and the Design-Builder will be responsible for those risks that are reasonably discoverable during that investigatory time frame. The Design-Builder will have the opportunity to price these risks as part of its GMP. The City will own those risks that are not reasonably discoverable and that constitute differing site conditions under the contract.**

**PDB provides the opportunity for the City and Design-Builder to collaborate during Phase 1 to better understand, assign, and develop mitigation strategies to address the overall Project risks. Who owns these risks or how the risks are shared will be established during Phase 1.**

7. Is the secured funding of \$92M from INFRA Grant need to be spent by Sept 2024?

**The INFRA Grant funding does not need to be spent by September 2024. The September 2024 date is described as the obligation date in the INFRA Grant terms. The obligation date can be achieved by agreement on a GMP and execution of Design-Builder's contract to complete the design and to construct the Project. In addition to the Design-Builder's contract, environmental, and right-of-way processes will be complete consistent with Washington State design-build delivery methods.**

- a. Does the City have a plan for where/when it makes sense to "cap" or "redefine" the scope of the project in the event the additional \$85M of funding cannot be secured (timely)? If yes, please explain the plan.

**The status of the \$85M Move Ahead Washington funding should be known before the release of the RFP. The overall purpose and scope of the Project would not change as described in the environmental documents. However, the City would adjust the RFP scope of work to focus on the South segment with the available INFRA Grant funds. The North segment would be developed as a future Project and be advanced when additional funding is secured.**

**Building the South segment provides public benefit by eliminating two at grade BNSF Railway crossings and provides multi-use access to this area, which is now constrained by the railroad tracks. The South segment will provide benefits to traveling public, while funding for the North segment is identified.**

8. Key members of the Owners consultant support team appear to be from out of state and not on common project teams. How does City plan to pull this team together to ensure consistent and cohesive collaboration with the DB team?

**A key part of the City's selection process was the Owners Advisor's approach and commitment to this very question. A key consideration was to select an Owner Advisor team with ample skilled, professional staff resources providing a national perspective and expertise with local knowledge, experience, and Project understanding. Jacobs Project Management Co. (Jacobs) and its subconsultants will represent the City, serving as an extension of our staff. Jacobs Project Manager, Kim Nokes, who is from eastern Washington, will lead the day-to-day interaction and collaboration with the Design-Builder team. Kim has notable experience delivering design-build projects with diverse teams from multiple locations. This experience provides Kim the capability to ensure consistent and cohesive collaboration with the City's team and the Design-Builder's team.**

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As part of the Phase 1(Preliminary Design to GMP) work, Joseph Howard, KPG, will be a key contributor as our team Design Coordinator. Mr. Howard was the lead designer on the alternatives studied as part of the environmental studies. He will work directly with the Design-Builder's Team of designers and coordinate technical subject matter experts to assist in collaborative solution development with the Design-Builder's Team. During Phase 2 (Final Design through Construction), Jacobs and its subconsultants will represent the City as our Construction Manager performing oversight of the Design-Builder's work.

Robynne Thaxton is from Washington and will provide advice to ensure that the project is performed consistent with Washington best practices and Washington law.

The City recognizes how important colocation is to the success of this work. Kim, Joseph, and other key team members from the Jacobs Team and the Design-Builder's Team will be collocated during the Project. In addition, the effective and mindful use of virtual meetings will be an important component of engaging the right people to deliver the Project. Regular task force meetings will be held face-to-face and virtually where the Design-Builder's Team and the City's Team will be active participants in developing the Project.

A Project Management Plan defining role, responsibilities, decision processes, issue escalation steps, and various other work-flows necessary for effectively administrating the Project will be implemented. Guidelines for communications between the Design-Builder, stakeholders, and other 3rd Parties will be specified to promote consistent and cohesive cooperation. To align the City's Team, we plan on conducting team Chartering sessions to gain endorsement from our team members.

Finally, key members of the Owner's team have worked together for over 25 years, and together they've successfully delivered major transportation alternative delivery projects throughout the country. Our Project leads have personal connections to the region and are committed to be in Wenatchee to as needed to ensure project success. These relationships and commitments are evident in the work the team has delivered to date.

9. The City demonstrates a robust Capital Program of DBB projects. The transition from Owner design "lead" to Owner design "reviewer" can be difficult, especially for City O&M teams. What preparations has the City made to make this transition successful?

A key benefit of PDB is the process allows for more engagement from O&M personnel than traditional design-build. In PDB, the design is progressed along with price estimating collaboratively with the City and Design-Builder's Team. This allows for O&M input into functional elements and features it may consider beneficial to its operations. Such features can be priced and either included or not depending on the overall Project price.

As part of our Project Management Plan, we'll provide training in PDB best practices to help O&M staff become more familiar with the processes. Robynne Thaxton has assisted numerous first time owners with implementing large, complex progressive design-build projects. She has conducted countless trainings in PDB, specifically for new owners, including Bonneville Power Administration, Toronto Transit Commission, Western Washington University, and many others.

The City has hired Jacobs Project Management Co. (Jacobs), to lead the reviewer role for the Project. They bring the design-build administrative experience, and they will work directly with our O&M team to help navigate such situations.