



**CONSTRUCTION LEGAL SERVICES  
REQUEST FOR PROPOSALS NO. 24-01  
ADDENDUM 01**

The following provides an addendum to the subject Request for Proposals (RFP).

The RFP stated:

**3.0 General Proposal Requirements**

The Request for Proposal (RFP) 24-01 issue date is January 5, 2024. Prospective RFP respondents may submit written questions about this RFP by Noon PST on January 15, 2024 via email to: [jtrapasso@sitesproject.org](mailto:jtrapasso@sitesproject.org).

The following questions were received by the noon January 15, 2024 deadline. Responses to the questions are provided below. RFP Addendum 01 will be posted to the Sites website.

**Question No. 1:** Does the 20-page limit apply to each scope separately? If we submit for both scopes of work, is it 20 pages for each scope or 20 pages for both combined?

**Response No. 1:** The Sites Authority has considered the comment. An extra 3 pages (total of 23 pages) will be allowed for firms that are submitting for both scopes of work. The extra pages are primarily for Section 3.2 Item No. 6, Work Plan/Scope of Services.

**Question No. 2:** Page 10 of the RFP mentions Appendix D: Additional Information on Disclosure of Legal Actions and Conflict. However, the description of the appendices on pg. 13 – 14 does not include that appendix and lists Proposed Billing Rates as Appendix D. Please clarify the location of “Additional Information on Disclosure of Legal Actions and Conflict” and the requirements for that section.

**Response No. 2:** The listing of Appendices on page 10 is incorrect. RFP line D. Disclosure of Legal Actions, Conflicts of Interest, or other Potential Conflicts should be removed. The line that states Proposed Billing Rates should now be identified as Appendix D.

**Question No. 3:** We note the requirement in Section 1.2 that all attorneys in the firm who will provide services must be members in good standing of the State Bar of California. (a) Please confirm our understanding that paralegals or consultants included in the team would not be required to be members in good standing of the State Bar of California? (b) Can attorneys admitted in other states be included in the proposal if they are in the process of applying to the California bar and would be otherwise supervised in accordance with California law while performing any services until they are admitted?



**Response No. 3:** The answer to question (a) is yes, paralegals and consultants included on the team do not need to be in good standing of the State Bar of California. The answer to question (b) is, consistent with the requirement that the firm’s conduct on behalf of the Sites Authority comply with all applicable laws, rules and regulations, the arrangements must adhere to the Rules of Professional Conduct and other laws and rules governing the authorized practice of law in California. The Sites Authority will not make a determination in its response as to whether a particular practice does or does not conform to such rules.

**Question No. 4:** Have all federal funding sources authorized the use of CMAR, design build and design build operate as federally compliant delivery methods?

**Response No. 4:** The scope of work of work includes the review of federal documents to ensure procurement methods are allowable and meet federal requirements.

**Question No. 5:** Has the Authority determined what type of projects will be performed under the Environmental Mitigation procurement(s)? We assume there will be standard habitat rehabilitation types efforts, etc. but, will all Environmental Mitigation efforts be procured independent of the Civil Works procurement? For example, Mitigation Measure WILD-1.27 requires “Construct Overhead Power Lines and Associated Equipment Following Suggested Practices to Reduce Bird Collisions with Power Lines” which appears to be a logical part of the Civil Works contractor’s work. However, Attachment D (final paragraph on page 3 of 4) seems to imply that all mitigation activities will be procured under one specialty package.

**Response No. 5:** The Sites Authority is continuing to develop its mitigation strategy and would like to engage with the selected contractor on the strategy. In general, the Sites Authority is proposing to mitigate permanent impacts. Construction contractors would be obligated to mitigate temporary impacts. Some mitigation measures would be implemented in part or in whole through design efforts (such as Mitigation Measure WILD-1.27).

In terms of the Sites Authority’s efforts, a limited amount of mitigation may be completed on site. The remaining mitigation is expected to be a mix of existing mitigation banks and specialty package(s). More than one specialty package may be possible.

Additional information is available on the Sites Authority’s website at <http://www.sitesproject.org/contractor-outreach/> under “Mitigation Providers and Construction Contractors Workshop”. The Sites Authority’s mitigation strategy is in development and may change.