

**Sites Project Authority
Request for Proposals No. 25-06
Reservoir Package Construction Manager at Risk**

Addendum 04

This addendum provides clarification to a question on the RFP, additional clarification regarding the interview schedule, and applicable changes to the RFP.

Question and Answer

1. Please confirm the insurance requirements for the construction phase have not been issued yet. Please also confirm that pricing for construction phase insurance will not need to be included in the proposal.
 - a. Response: Refer to RFP Revisions 4.1 and 4.3 through 4.7. Proposers should note that there is no need to price insurance or bonds as part of the Indicative Pricing exercise. Additionally, proposers should not assume that insurance or bonds are embedded in the overhead markup percentage. Insurance will be treated as a pass-through cost.

Additional Clarification

1. Scheduled interview dates/times for each Short-listed Respondent are listed in Table 2-1 on pages 2 –3 of this addendum based on reverse alphabetical order. If the identified date/time does not work for your team, please notify the Contact Person via phone/email as soon as possible.

Revisions to the RFP

- 4.1 In RFP Section 1.3 Updates to Background Information, replace the third paragraph in its entirety with the following:

Reservoir Package Insurance Requirements -- Preconstruction phase insurance requirements are described in Attachment 2 to the Draft CMAR Contract. The Sites Authority is currently evaluating various approaches for providing insurance for the overall Sites Project. As a result, the preferred approach for construction period insurance for the Reservoir Package has not yet been established. The Sites Authority expects to work closely with the Reservoir Package CMAR Contractor in establishing the approach to the insurance program for the Reservoir Package. Should the Sites Authority elect to have the Reservoir Package CMAR Contractor provide the insurance for the Reservoir Package, the types, limits, and other requirements for coverage are expected to be substantially similar to the coverages, limits and

requirements set forth in RFP Attachment B: Reservoir Package Preliminary Construction Insurance Requirements. As described in RFP Section 4, Proposers will be required to submit written confirmation from their insurance broker that certain insurance programs and limits can be procured by the selected Reservoir Package CMAR Contractor.

4.2 Replace RFP Table 2-1 in its entirety with the following:

Table 2-1. Anticipated Procurement Schedule

Activity or Milestone	Anticipated Date
RFP issued	July 18, 2025
Deadline to submit to the Contact Person via email the signed Proprietary Meeting waiver and the name(s) and number of Reservoir Package CMAR Team members who will be in attendance at the site tour and Proprietary Meeting	3 days prior to the site tour
Site Tour and Proprietary Meeting with Barnard	August 4, 2025: site tour starting at 9am at 5329 Maxwell Sites Rd, Maxwell, CA August 5, 2025: Proprietary Meeting from 9am to 1pm at 122 Old Highway 99 West Maxwell, CA 95955
Site Tour and Proprietary Meeting with FlatironDragados-Obayashi	August 5, 2025: site tour starting at 9am at 5329 Maxwell Sites Rd, Maxwell, CA August 6, 2025: Proprietary Meeting from 9am to 1pm at 122 Old Highway 99 West Maxwell, CA 95955
Site Tour and Proprietary Meeting with Kiewit	August 6, 2025: site tour starting at 9am at 5329 Maxwell Sites Rd, Maxwell, CA August 7, 2025: Proprietary Meeting from 9am to 1pm at 122 Old Highway 99 West Maxwell, CA 95955

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Activity or Milestone	Anticipated Date
Deadline for questions on the RFP	September 10, 2025 at 1pm PST
Date for final addendum	September 19, 2025
Proposal submittal	October 10, 2025 at 1pm PST
Interview with Kiewit	November 4, 2025: 9am to 11am PST at 122 Old Highway 99 West Maxwell, CA 95955
Interview with FlatironDragados-Obayashi	November 4, 2025: 1pm to 3pm PST at 122 Old Highway 99 West Maxwell, CA 95955
Interview with Barnard	November 5, 2025: 9am to 11am PST at 122 Old Highway 99 West Maxwell, CA 95955
Conclusion of evaluation period / clarifications	November 6 – November 20, 2025
Reservoir Committee / Authority Board Meeting	November 21, 2025
Contract negotiations with highest ranked proposer	November – December 2025
Sites Authority approves Reservoir Package CMAR Contractor and preconstruction services	Q1 2026

- 4.3 In RFP Section 3.1 Overview, replace the fifth paragraph in its entirety with the following:

Proposers should also note that preconstruction phase insurance requirements are described in Attachment 2 to the Draft CMAR Contract. The Sites Authority is currently evaluating various approaches for providing insurance for the overall Sites Project. As a result, the preferred approach for construction period insurance for the Reservoir Package has not yet been established. The Sites Authority expects to work closely with the Reservoir Package CMAR Contractor in establishing the approach to the insurance program for the Reservoir Package. Should the Sites Authority elect to have

the Reservoir Package CMAR Contractor provide the insurance for the Reservoir Package, the types, limits, and other requirements for coverage are expected to be substantially similar to the coverages, limits and requirements set forth in RFP Attachment B: Reservoir Package Preliminary Construction Insurance Requirements. Proposers are asked to confirm their ability to meet these requirements as part of Proposal Section 1.1.

- 4.4 In RFP Table 4-1 Proposal Organization and Submittal Requirements, Section 1.1: Ability to Provide Required Insurance, Payment and Performance Bonds, replace the first paragraph under submittal requirements in its entirety with the following:

Provide a letter (See Form B in Attachment G to this RFP) from your insurance agent(s) or broker(s), confirming your ability to provide insurances meeting the requirements of RFP Attachment B: Reservoir Package Preliminary Construction Insurance Requirements. If you are unable to obtain any of the required coverages, please identify those coverages and what you would propose as an alternative for insuring against that particular risk.

- 4.5 In RFP Table 4-2 Evaluation Criteria and Considerations, Section 1.1: Ability to Provide Required Insurance, Payment and Performance Bonds, add the following as the second paragraph of Evaluation Considerations:

Has Proposer provided a narrative explaining its proposed deviations, if any, to the insurance requirements?

- 4.6 Replace RFP Attachment B: Reservoir Package Minimum Insurance Requirements in its entirety with Attachment B: Reservoir Package Preliminary Construction Insurance Requirements included on pages 5 - 7 of this addendum.
- 4.7 In RFP Attachment G, replace Form B Insurance Company Letter of Intent Regarding Required Insurance in its entirety with the version included on page 8 of this addendum.

Attachment B:

Reservoir Package Preliminary Construction Insurance Requirements

Preconstruction phase insurance requirements are described in Attachment 2 to the Draft CMAR Contract.

Preliminary construction phase insurance requirements are described as follows:

- **Primary General Liability:** \$2,000,000 per occurrence, \$4,000,000 general aggregate, \$4,000,000 products/completed operations with the following key provisions:
 - Completed operations coverage for the full California Statute of Repose or 10 years, whichever is longer;
 - Primary and noncontributory clause;
 - Additional insured coverage to the Sites Authority and its members during both construction operations and completed operations;
 - If a term policy and project-specific policy, a provision that provides one time reinstatement of aggregate limits during the term. If a corporate policy, annual reinstatement of limits and a per project aggregate endorsement;
 - No exclusion for wildfire;
 - Waiver of subrogation in favor of the Sites Authority and its members;
 - Separation of insureds clause, and
 - No subcontractor warranty endorsement limiting coverage to the first name insured for failing to monitor its subcontractor's insurance compliance.
- **Excess Liability:** Not less than \$300,000,000 per occurrence and aggregate with the following key provisions:
 - Follow form coverage with no restrictions in coverage pursuant to coverage afforded within the primary liability program's coverage terms and conditions;
 - Coverage of at least \$25,000,000 for employer's liability; and
 - Coverage of at least \$10,000,000 for automobile liability.

- **Workers' Compensation and Employer's Liability:** Statutory workers' compensation coverage and \$1,000,000 employer's liability each for bodily injury each accident, bodily injury by disease each employee, and bodily injury by disease policy limit.
- **Commercial Automobile Liability:** Not less than \$2,000,000 primary combined single limit per accident with the following key provisions:
 - Coverage shall extend to liability arising out of any auto including owned, hired, and non-owned autos;
 - The Sites Authority and its members are additional insureds under the policy; and
 - The policy includes a MCS-90 endorsement to include coverage for hauling or transporting hazardous materials.
- **Contractor's Pollution Liability:** Not less than \$25,000,000 per occurrence and aggregate occurrence to include the following key provisions:
 - Occurrence-based policy form;
 - Coverage for bodily injury, property damage, personal injury and environmental site restoration including fines and penalties in accordance with applicable Environmental Protection Agency or state regulations;
 - The Sites Authority and its members are additional insureds during construction and throughout the full completed operations period; and
 - Coverage should extend to completed operations up to 10 years following Final Completion.
- **Contractor's Professional Liability:** Not less than \$10,000,000 per claim and aggregate with the following key provisions:
 - Retroactive date shall be on or prior to the effective date of the Contract;
 - Maintain coverage for 3 years following Final Completion or, alternatively, procure and maintain an extended reporting period of at least 3 years following Final Completion.
- **Builder's Risk:**
 - All-peril coverage written on a replacement cost basis for the term of the project commensurate with a mutually agreed loss limit between the CMAR and Sites Authority but not less than a limit pursuant to PCC Section 7105(b)(2); and
 - Sub limits of at least \$100,000,000 each for earthquake, flood, and wildfire.

Notes:

- The required coverages outlined above can be met in any combination of primary and excess / umbrella liability policies;
- Some of the required coverages outlined above can be met in a Contractor Controlled Insurance Program; and
- The required coverages can be met in any combination of corporate and project-specific policies as long as the structure of the insurance program is the most economical way to meet the requirements without compromising coverage to the project and to the Sites Authority.

Form B

**Insurance Company
Letter of Intent Regarding Required Insurance**

(To be typed on Insurance Company's Letterhead and modified for any proposed deviations to the requirements of Attachment B)*

Sites Project Authority

XXX

Re: Sites Project Authority Reservoir Package Construction Manager at Risk Request for Proposals RFP No. 25-06 – Letter of Intent to Insure

Dear Sites Project Authority,

_____ (the "Proposer") has submitted its Proposal (the "Proposal") in response to the Request for Proposals (the "RFP") for the Sites Project Authority Reservoir Package Construction Manager at Risk (CMAR) package issued by the Sites Project Authority (the "Sites Authority") on July 18, 2025 , as amended, pursuant to which the Proposer is seeking to be selected to enter into a CMAR contract (the "Contract") with the Sites Authority for the Reservoir Package work including all Addenda .

We have reviewed the Proposer's Proposal and the RFP. Based on this review, Proposer is able to secure insurance within the limits and deductibles indicated in the RFP including RFP Attachment B: Reservoir Package Preliminary Construction Period Insurance Requirements.

We understand that the insurance requirements set forth in RFP Attachment B: Reservoir Package Preliminary Construction Period Insurance Requirements are preliminary and agree to cooperate with the Sites Authority to establish and provide the final construction period insurances for the Reservoir Package.

Name of Insurance Company

Name of Designated Signatory

Signature

Title

*This letter of intent may be provided by an insurance company or an insurance broker. References to "Insurance Company" in this form shall be changed to "Insurance Broker" if provided by an insurance broker.