

The following questions were received regarding the RFQ for CM services for the 431 E Street project. Answers are highlighted in yellow.

1. Please clarify the intent behind the inclusion of prevailing wage requirement and DIR registration. We typically do not see these as requirements for CM services on Public Agency projects.

Sections 1720 and 1771 of the California Labor Code require prevailing wage to be paid on “public works” projects. Under section 1720(a)(1) of the California Labor Code, “public works” includes construction, where construction is defined more broadly to also cover “work performed during the design and preconstruction phases of construction, including, but not limited to, inspection and land surveying work.” While construction management services may not typically fall within the scope of this definition of “construction” and “public works,” the scope of construction services contemplated for SCP’s project may include preconstruction work of this kind, including, for instance inspection work. For that reason, SCP has included the prevailing wage requirements in its sample agreement. Section 1725.5 of the California Labor Code then requires DIR registration.

2. Would the Agency be willing to share the current construction budget for the project?

Current estimates range from \$5-7M

3. Under Section 3 Payment of the Construction Agreement, it states time spent to be recorded in 1/10th hour increment for each billable entry. Is this negotiable as we do not typically see 1/10th hr. time recording requirement.

This can be negotiated

4. Based on the time recording requirements, we are assuming that the contract will be Time & Materials with a Not to Exceed limit, not lumpsum.

This is correct.