

**CITY OF PHOENIX, ARIZONA  
WATER SERVICES DEPARTMENT**

**NOVEMBER 13, 2001**

**LAKE PLEASANT WATER TREATMENT PLANT  
DESIGN-BUILD-OPERATE PROJECT – WS85350004  
REQUEST FOR PROPOSALS**

**ADDENDUM NO. 3**

**ATTENTION PROPOSERS**

The following revisions to the above-referenced Request for Proposals (RFP), dated November 13, 2001, shall become a part of the RFP. This Addendum contains a cover page and 3 pages of written text, 3 proposal forms, and 0 figure. Proposers shall acknowledge receipt of this Addendum No. 3 in the respective Transmittal Letters to their Preliminary Technical Proposal, Revised Preliminary Technical Proposal and Proposal.

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Assistant Water Services Director

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Date

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Notice is hereby given that the RFP is revised as follows:

1. **Amend Section 1.3, “Glossary” on page 14 by replacing the definition of “Project Team” with the following:**

All firms and persons identified on Attachment 2 to Proposal Forms 1A through 1C.

2. **Amend RFP Table 1-2, “Background Documents List” on page 1-14, by adding the following new background document:**

63	Lake Pleasant Water Quality Data	Carollo Engineers	Nov 2001	CD
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3. **Amend Section 2.3.5.1, “Affirmative Action” on pages 2-13 and 2-14 by replacing the last sentence of the section with the following:**

Each Proposer shall clearly state its Affirmative Action Compliance number on Proposal Form 1C (Proposal Transmittal Letter).

4. **Amend Section 3.9, “Addenda or Amendments to this RFP” on page 3-9 by the fourth sentence of the section with the following:**

Each Proposer is required to acknowledge in its Transmittal Letter the receipt of all addenda at the time of the Preliminary Technical Proposal, Revised Preliminary Technical Proposal and Proposal submittals.

5. **Amend Section 4.2.2, "Number of Copies and Packaging of Documents" on page 4-1 by replacing the third full sentence of the first paragraph with the following:**

The original Preliminary Technical Proposal document must be clearly marked as the original and must contain the original Preliminary Technical Proposal Transmittal Letter (Proposal Form 1A) signed by an authorized representative of the Proposer.

6. **Amend Section 4.2.3, "Preliminary Technical Proposal Format and Content" on page 4-2 by replacing the first bullet in the table of bullets with the following:**

?? Proposal Form 1A: Preliminary Technical Proposal Transmittal Letter

7. **Amend Section 4.2.3, "Preliminary Technical Proposal Format and Content" on page 4-4 by replacing the last sentence in the first paragraph following the bullets with the following:**

As part of the Proposer's Preliminary Technical Proposal Transmittal Letter (Proposal Form 1A), each Proposer must designate the individuals who will be the Proposer's key technical and legal representatives available to respond in a timely manner to written inquiries submitted, and to attend meetings requested, by the City.

8. **Amend Section 4.3.3, "Revised Preliminary Technical Proposal Format and Content" on page 4-6 by replacing the first bullet in the list of bullets with the following:**

?? Proposal Form 1B: Revised Preliminary Technical Proposal Transmittal Letter

9. **Amend Section 4.3.3, "Revised Preliminary Technical Proposal Format and Content" on page 4-6 by replacing the last sentence in the first paragraph following the list of bullets with the following:**

As part of the Proposer's Revised Preliminary Technical Proposal Transmittal Letter (Proposal Form 1B), each Proposer must designate the individuals who will be the Proposer's key technical and legal representatives available to respond in a timely manner to written inquiries submitted, and to attend meetings requested, by the City.

10. **Amend Section 5.2, "Proposal Format" on page 5-2 by replacing item #1 under the enumerated requirements for "Volume I: Transmittal Letter and Team" with the following:**

1. Proposal Transmittal Letter – Proposal Form 1C (PF1C)

11. **Amend Section 5.5.1.1, "Transmittal Letter" on page 5-6 by replacing the reference to "(Proposal Form 1)" in the first paragraph with the following:**

(Proposal Form 1C)

12. **Amend Section 5.5.1.5, "Team Proposal Forms" on page 5-11 by replacing the reference to "Proposal Form 1 – Proposal Transmittal Letter" with the following:**

Proposal Form 1C – Proposal Transmittal Letter

13. **Delete Proposal Form 1 and replace with Proposal Forms 1A, 1B and 1C which are attached to this Addendum No. 3.**

**PROPOSAL FORM 1A**

**PRELIMINARY TECHNICAL PROPOSAL  
TRANSMITTAL LETTER**

(To be typed on Proposer's Letterhead)

[Date]

Madeline Goddard, Project Manager  
Water Services Department  
Phoenix City Hall  
200 West Washington Street, 8<sup>th</sup> Floor  
Phoenix, Arizona 85003

Re: Preliminary Technical Proposal for Lake Pleasant Water Treatment Plant DBO Project  
Project No. WS85350004

\_\_\_\_\_ (the Proposer) hereby submits its Preliminary Technical Proposal in response to the Request for Proposals for the Lake Pleasant Water Treatment Plant DBO Project (RFP) issued by the City of Phoenix (the City) on September 5, 2001, as amended.

As a duly authorized representative of the Proposer, I hereby certify, represent, and warrant, on behalf of the Proposer team, as follows in connection with the Preliminary Technical Proposal:

1. The Proposer acknowledges receipt of the RFP and the following addenda:

<u>No.</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

2. The submittal of the Preliminary Technical Proposal has been duly authorized by, and in all respects is binding upon, the Proposer. Attachment 1 to this Proposal Form is a Certificate of Authorization which evidences my authority to submit the Preliminary Technical Proposal and bind the Proposer.

3. All Project Team Members identified to date are identified in Attachment 2 to this Proposal Form.

4. All information and statements contained in the Preliminary Technical Proposal are current, correct and complete, and are made with full knowledge that the City will rely on such information and statements in clarification discussions with the Proposer.

5. The Preliminary Technical Proposal has been prepared and is submitted without collusion, fraud or any other action taken in restraint of free and open competition for the services contemplated by the RFP.

6. Neither the Proposer, the Guarantor nor any Project Team Member is currently suspended or debarred from doing business with any governmental entity.

7. The Proposer has reviewed all of the engagements and pending engagements of the Proposer and the Guarantor, and no potential exists for any conflict of interest or unfair advantage.

8. The principal contact person who will serve as the interface between the City and the Proposer for all communications is:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
PHONE \_\_\_\_\_  
FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

9. The key technical and legal representatives available to provide timely response to written inquiries submitted, and to attend meetings requested by the City are:

Technical Representative:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
PHONE \_\_\_\_\_  
FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

Legal Representative:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
PHONE \_\_\_\_\_  
FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

\_\_\_\_\_  
Name of Proposer

\_\_\_\_\_  
Name of Designated Signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
(Notary Public)

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me appeared \_\_\_\_\_, personally known to me to be the person described in and who executed this \_\_\_\_\_ and acknowledged that (she/he) signed the same freely and voluntarily for the uses and purposes therein described.

In witness thereof, I have hereunto set my hand and affixed by official seal the day and year last written above.

(seal)

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

\_\_\_\_\_  
(Name printed)

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

Attachment 1

CERTIFICATE OF AUTHORIZATION\*

I, \_\_\_\_\_, a resident of \_\_\_\_\_ in the State of \_\_\_\_\_, DO HEREBY CERTIFY that I am the Clerk/Secretary of \_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of \_\_\_\_\_; that I have custody of the records of the corporation; and that as of the date of this certification, \_\_\_\_\_ holds the title of \_\_\_\_\_ of the corporation, and is authorized to execute and deliver in the name and on behalf of the corporation the Preliminary Technical Proposal submitted by the corporation in response to the Request for Proposals for the Lake Pleasant Water Treatment Plant DBO Project, Project No. WS8535004, issued by the City of Phoenix, Arizona on September 5, 2001, as amended; and all documents, letters, certificates and other instruments which have been executed by such officer on behalf of the corporation in connection therewith.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the corporation this \_\_\_\_\_ day of \_\_\_\_\_ 2001.

(Affix Seal Here)

\_\_\_\_\_  
Clerk/Secretary

*\* Note: Separate certifications shall be submitted if more than one corporate officer has executed documents as part of the Preliminary Technical Proposal. Proposers shall make appropriate conforming modifications to this Certificate in the event that the signatory's address is outside of the United States.*

Attachment 2

**PROJECT TEAM MEMBER LIST**

Name of Project team (if any): \_\_\_\_\_

Names and roles of Proposer, Guarantor, Significant Subcontractors and all other Project team members identified to date:

<u>NAME</u>	<u>ROLE</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**PROPOSAL FORM 1B**

**REVISED PRELIMINARY TECHNICAL PROPOSAL  
TRANSMITTAL LETTER**

(To be typed on Proposer's Letterhead)

[Date]

Madeline Goddard, Project Manager  
Water Services Department  
Phoenix City Hall  
200 West Washington Street, 8<sup>th</sup> Floor  
Phoenix, Arizona 85003

Re: Revised Preliminary Technical Proposal for Lake Pleasant Water Treatment Plant DBO Project  
Project No. WS85350004

\_\_\_\_\_ (the Proposer) hereby submits its Revised Preliminary  
Technical Proposal in response to the Request for Proposals for the Lake Pleasant Water Treatment Plant  
DBO Project (RFP) issued by the City of Phoenix (the City) on September 5, 2001, as amended.

As a duly authorized representative of the Proposer, I hereby certify, represent, and warrant, on  
behalf of the Proposer team, as follows in connection with the Revised Preliminary Technical Proposal:

1. The Proposer acknowledges receipt of the RFP and the following addenda:

<u>No.</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

2. The submittal of the Revised Preliminary Technical Proposal has been duly authorized by, and in all respects is binding upon, the Proposer. Attachment 1 to this Proposal Form is a Certificate of Authorization which evidences my authority to submit the Revised Preliminary Technical Proposal and bind the Proposer.
3. All Project Team Members identified to date are identified in Attachment 2 to this Proposal Form.
4. A list of required contractor's and specialty licenses held by Project Team members is included as Attachment 3 to this Proposal Form.
5. The M/WBE information contained in Proposal Form 11 is a true reflection of the proposed subcontracts, expressed as a percentage of the Fixed Design/Build Price relating to the construction of the Facilities.
6. All information and statements contained in the Revised Preliminary Technical Proposal are current, correct and complete, and are made with full knowledge that the City will rely on such information and statements in clarification discussions with the Proposer.
7. The Revised Preliminary Technical Proposal has been prepared and is submitted without collusion, fraud or any other action taken in restraint of free and open competition for the services contemplated by the RFP.

- 8. Neither the Proposer, the Guarantor nor any Project Team Member is currently suspended or debarred from doing business with any governmental entity.
- 9. The Proposer has reviewed all of the engagements and pending engagements of the Proposer and the Guarantor, and no potential exists for any conflict of interest or unfair advantage.
- 10. The principal contact person who will serve as the interface between the City and the Proposer for all communications is:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
PHONE: \_\_\_\_\_  
FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

- 11. The key technical and legal representatives available to provide timely response to written inquiries submitted, and to attend meetings requested by the City are:

Technical Representative:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
PHONE: \_\_\_\_\_  
FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

Legal Representative:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
PHONE: \_\_\_\_\_  
FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

\_\_\_\_\_  
Name of Proposer

\_\_\_\_\_  
Name of Designated Signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
(Notary Public)

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2002, before me appeared \_\_\_\_\_  
\_\_\_\_\_, personally known to me to be the person described in and who executed this \_\_\_\_\_  
\_\_\_\_\_ and acknowledged that (she/he) signed the same freely and voluntarily for the uses and  
purposes therein described.

In witness thereof, I have hereunto set my hand and affixed by official seal the day and year last written  
above.

(seal)

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

\_\_\_\_\_  
(Name printed)

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

Attachment 1

CERTIFICATE OF AUTHORIZATION\*

I, \_\_\_\_\_, a resident of \_\_\_\_\_ in the State of \_\_\_\_\_, DO HEREBY CERTIFY that I am the Clerk/Secretary of \_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of \_\_\_\_\_; that I have custody of the records of the corporation; and that as of the date of this certification, \_\_\_\_\_ holds the title of \_\_\_\_\_ of the corporation, and is authorized to execute and deliver in the name and on behalf of the corporation the Revised Preliminary Technical Proposal submitted by the corporation in response to the Request for Proposals for the Lake Pleasant Water Treatment Plant DBO Project, Project No. WS8535004, issued by the City of Phoenix, Arizona on September 5, 2001, as amended; and all documents, letters, certificates and other instruments which have been executed by such officer on behalf of the corporation in connection therewith.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the corporation this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

(Affix Seal Here)

\_\_\_\_\_  
Clerk/Secretary

*\* Note: Separate certifications shall be submitted if more than one corporate officer has executed documents as part of the Revised Preliminary Technical Proposal. Proposers shall make appropriate conforming modifications to this Certificate in the event that the signatory's address is outside of the United States.*

Attachment 2

**PROJECT TEAM MEMBER LIST**

Name of Project team (if any): \_\_\_\_\_

Names and roles of Proposer, Guarantor, Significant Subcontractors and all other Project team members identified to date:

<u>NAME</u>	<u>ROLE</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



**PROPOSAL FORM 1C**

**PROPOSAL TRANSMITTAL LETTER**

(To be typed on Proposer's Letterhead)

[Date]

Madeline Goddard, Project Manager  
Water Services Department  
Phoenix City Hall  
200 West Washington Street, 8<sup>th</sup> Floor  
Phoenix, Arizona 85003

Re: Proposal for Lake Pleasant Water Treatment Plant DBO Project  
Project No. WS85350004

\_\_\_\_\_ (the Proposer) hereby submits its Proposal in response to the Request for Proposals for the Lake Pleasant Water Treatment Plant DBO Project (RFP) issued by the City of Phoenix (the City) on September 5, 2001, as amended.

As a duly authorized representative of the Proposer, I hereby certify, represent, and warrant, on behalf of the Proposer team, as follows in connection with the Proposal:

1. The Proposer acknowledges receipt of the RFP and the following addenda:

<u>No.</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

2. The submittal of the Proposal has been duly authorized by, and in all respects is binding upon, the Proposer. Attachment 1 to this Proposal Form is a Certificate of Authorization which evidences my authority to submit the Proposal and bind the Proposer.

3. All Project Team Members identified to date are identified in Attachment 2 to this Proposal Form.

4. A list of required contractor's and specialty licenses held by Project Team members is included as Attachment 3 to this Proposal Form.

5. The Proposer's Affirmative Action Compliance number is \_\_\_\_\_.

6. The M/WBE information contained in Proposal Form 11 is a true reflection of the proposed subcontracts, expressed as a percentage of the Fixed Design/Build Price relating to the construction of the Facilities.

7. The Proposal contains the requisite Proposal security for assuring that the Proposer will enter into the Service Agreement if determined to be the Selected Proposer. The Proposer has reviewed and understands the requirements of the RFP and all addenda thereto and, if determined to be the Selected Proposer, agrees to execute the Service Agreement.

8. The Proposer's obligations under the Service Agreement will be guaranteed absolutely and unconditionally by \_\_\_\_\_, as evidenced by the Guarantor Acknowledgment certificate submitted as Proposal Form 7. Attachment 1 to Proposal Form 7 is a Certificate of

Authorization, which evidences the signer's authority to submit the Guarantor Acknowledgment certificate and enter into a Guaranty Agreement with the City.

9. The Performance Bond issued on behalf of \_\_\_\_\_ as the Construction Subcontractor of the Proposer assuring that the Construction Subcontractor will perform its duties in accordance with the terms of the Service Agreement, will be provided by \_\_\_\_\_.
10. The Payment Bond issued on behalf of \_\_\_\_\_ as the Construction Subcontractor of the Proposer assuring that the Construction Subcontractor will perform its duties in accordance with the terms of the Service Agreement, will be provided by \_\_\_\_\_.
11. The Design/Build Period Letter of Credit, as required by the City as security for its Design/Build Period obligations under the Service Agreement, will be provided by \_\_\_\_\_ (or another banking institution approved by the City), as evidenced by such banking institution's letter of intent submitted as Proposal Form 8.
12. An Operations Period Letter of Credit, as required by the City as security for its Operation Period obligations under the Service Agreement, will be provided by \_\_\_\_\_ (or another banking institution approved by the City), as evidenced by such banking institution's letter of intent submitted as Proposal Form 9.
13. The Required Design/Build Period Insurance required by the Service Agreement will be provided or brokered by \_\_\_\_\_.
14. The Required Operation Period Insurance required by the Service Agreement will be provided or brokered by \_\_\_\_\_.
15. All information and statements contained in the Proposal are current, correct and complete, and are made with full knowledge that the City will rely on such information and statements in selecting the Selected Proposer and executing the Service Agreement.
16. The Proposal has been prepared and is submitted without collusion, fraud or any other action taken in restraint of free and open competition for the services contemplated by the RFP.
17. Neither the Proposer, the Guarantor nor any Project Team Member is currently suspended or debarred from doing business with any governmental entity.
18. The Proposer has reviewed all of the engagements and pending engagements of the Proposer and the Guarantor, and no potential exists for any conflict of interest or unfair advantage.
19. No person or selling agency has been employed or retained to solicit the award of the Service Agreement under an arrangement for a commission, percentage, brokerage or contingency fee or on any other success fee basis, except bona fide employees of the Proposer or the Guarantor.
20. The principal contact person who will serve as the interface between the City and the Proposer for all communications is:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

21. The key technical and legal representatives available to provide timely response to written inquiries submitted, and to attend meetings requested by the City are:

Technical Representative:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
PHONE \_\_\_\_\_  
FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

Legal Representative:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
PHONE \_\_\_\_\_  
FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

22. The Proposer has carefully examined all documents constituting the RFP and the addenda thereto and, being familiar with the work and the conditions affecting the work contemplated by the RFP and such addenda, offers to furnish all plant, labor, materials, supplies, equipment, facilities and services which are necessary, proper or incidental to carry out such work as required by and in strict accordance with the RFP and the Proposal, all for the prices set forth in the Proposal Forms.

\_\_\_\_\_  
Name of Proposer

\_\_\_\_\_  
Name of Designated Signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
(Notary Public)

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2002, before me appeared \_\_\_\_\_  
\_\_\_\_\_, personally known to me to be the person described in and who executed this \_\_\_\_\_  
\_\_\_\_\_ and acknowledged that (she/he) signed the same freely and voluntarily for the uses and  
purposes therein described.

In witness thereof, I have hereunto set my hand and affixed by official seal the day and year last written  
above.

(seal)

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

\_\_\_\_\_  
(Name printed)

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

Attachment 1

CERTIFICATE OF AUTHORIZATION\*

I, \_\_\_\_\_, a resident of \_\_\_\_\_ in the State of \_\_\_\_\_, DO HEREBY CERTIFY that I am the Clerk/Secretary of \_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of \_\_\_\_\_; that I have custody of the records of the corporation; and that as of the date of this certification, \_\_\_\_\_ holds the title of \_\_\_\_\_ of the corporation, and is authorized to execute and deliver in the name and on behalf of the corporation the Proposal submitted by the corporation in response to the Request for Proposals for the Lake Pleasant Water Treatment Plant DBO Project, Project No. WS8535004, issued by the City of Phoenix, Arizona on September 5, 2001, as amended; and all documents, letters, certificates and other instruments which have been executed by such officer on behalf of the corporation in connection therewith.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the corporation this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

(Affix Seal Here)

\_\_\_\_\_  
Clerk/Secretary

*\* Note: Separate certifications shall be submitted if more than one corporate officer has executed documents as part of the Proposal. Proposers shall make appropriate conforming modifications to this Certificate in the event that the signatory's address is outside of the United States.*

Attachment 2

**PROJECT TEAM MEMBER LIST**

Name of Project team (if any): \_\_\_\_\_

Names and roles of Proposer, Guarantor, Significant Subcontractors and all other Project team members identified to date:

<u>NAME</u>	<u>ROLE</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

