

**Request for Proposals  
Okanagan Lake New Crossing Services  
Addendum Six**

**Amendments to RFP**

**1. Table of Contents, FORMS**

After Form D, insert the following:

“Form E: Letter Agreement”

**2. Section 2.1(c)**

Replace “Westside Works” with “MoT Section Works”

**3. Section 3.3.2(b)**

Replace “Westside Works” with “MoT Section Works”

**4. Section 3.8**

Replace “Westside Works” with “MoT Section Works”

**5. Section 3.9**

Replace “Westside Works” with “MoT Section Works”

**6. Section 4.5**

Delete the last sentence of the last paragraph, beginning with “RFP Proponents...”

**7. Section 6.2.1**

Delete paragraph (c) of Section 6.2.1 and replace it with the following:

“(c) (i) in the case of each Technical Proposal, include one original and five copies, all of which should be unbound or in three ring binders, with every page numbered sequentially, together with 20 CDs containing the Technical Proposal; and

(ii) in the case of each Commercial Proposal, include one original and two copies, all of which should be unbound or in three ring binders, with every page numbered sequentially, together with 5 CDs containing the Commercial Proposal;”

**8. Section 10**

In the definition of “Project”, replace “Westside Works” with “MoT Section Works”.

Delete the definition of “Westside Works” and replace it with the following new definition:

“MoT Section Works” has the meaning defined in the Definitive Concession Agreement.

## **Amendments to Schedule Two**

### **9. Section 1**

Insert the following after the last paragraph in Section 1:

"The Province may request clarification and rectification from the RFP Proponents beginning on or about December 14, 2004. RFP Proponents must submit their responses by the time and date stated in the request for clarification and rectification. Typically, RFP Proponents will be required to respond within 48 hours of the Province’s request for clarification or rectification. If the Province does not receive the required clarification and/or rectification response from the RFP Proponent by time and date included in the request for clarification and rectification, the Province, in its sole and absolute discretion, may either make its own determination of the expected response from the RFP Proponent to that requested clarification and/or rectification, risk adjust the Proposal and/or disregard any portion of the Proposal in respect of which the clarification and/or rectification was requested.

RFP Proponents will be required to attend a presentation to the Evaluation Committee on their Commercial Proposals. These presentations are scheduled to occur in Victoria BC on December 21 to 22, 2004. RFP Proponents shall include in their commercial presentation all previously submitted clarification and rectification responses.”

## **Amendments to Schedule Three**

### **10. Section 5.4.1**

Replace “September, 2004” with “Spring, 2005”

### **11. Section 5.4.2 – Site Investigation**

Add the following after the first sentence:

“Also, Dr. Peter Byrne has prepared an additional analysis on “1000 Year Return Period Seismic Loading and Estimated Soil Lateral Displacements” which is available in the Data Room”

**12. Section 6.3 - Traffic Management**

Add the following after the first sentence:

“The RFP Proponent’s traffic management plan shall demonstrate compliance with the lane closure and detour restrictions included in the Construction Output Specifications”.

**13. Sections 8.1(a) and 8.2(a)**

Delete the phrase “Communications Output Specifications”.

**14. Section 8.2**

Insert the word “Management” between the words “Traffic” and “Output”.

**15. Sections 8.1 and 8.2**

Replace “Westside Works” with “MoT Section Works”

## **Amendments to Schedule Four**

**16. Section 3**

Insert the following after the last paragraph in Section 3:

"The Province may request clarification and rectification from the RFP Proponents beginning on or about December 8, 2004. RFP Proponents must submit their responses by the time and date stated in the request for clarification and rectification. Typically, RFP Proponents will be required to respond within 48 hours of the Province’s request for clarification or rectification. If the Province does not receive the required clarification and/or rectification response from the RFP Proponent by time and date included in the request for clarification and rectification, the Province, in its sole and absolute discretion, may either make its own determination of the expected response from the RFP Proponent to that requested clarification and/or rectification, risk adjust the Proposal and/or disregard any portion of the Proposal in respect of which the clarification and/or rectification was requested.

“RFP Proponents will be required to attend a presentation to the Evaluation Committee on their Technical Proposals. These presentations are scheduled to occur on December 16 to 18, 2004. RFP Proponents shall include in their technical presentation all previously submitted clarification and rectification responses.”

**17. Section 4. Evaluation Criteria**

Replace the following item:

“5) Structural Design (10 pages) demonstrates that member stresses are within allowable limits and foundation/pile loads do not exceed allowable foundation capacities as stated in the geotechnical section of the Technical Proposal Submission Requirements”

with the following:

“5) Structural Design (10 pages) is based on proven technologies, methods and materials which have been demonstrated to be successfully applied for this application and compliance with the Functional Requirements. Also, it shall demonstrate that the structural design will comply with mandatory applicable codes, standards and specifications and clearly identifies any deviations from reference only, standards, specifications, manuals etc.”

## **Amendments to Schedule 8**

**18. Section 3.3**

Replace “Westside Works” wherever it occurs with “MoT Section Works”

**19. Section 10**

Add a new Section 10, Lead Paint, as follows:

“Lead paint was used on the Existing Bridge. The following table sets out the Province’s knowledge on this issue:

# Okanagan Lake Bridge No. 1458

## Paint Systems for Steelwork

| Area  | Description   | Date         | Primer / 1 <sup>st</sup> Coat   | Topcoat(s)                       |
|---|---|--------------|---|----------------------------------|
| All Areas except those listed below                           | Original Paint System   | 1950's       | Red Lead Paint No.1*  | Aluminum Paint No.1 and No.2*    |
| Fence Posts and Fence Panels                                  | Original Paint System   | 1950's       | Red Oxide of Iron and Graphite Paint No.2*                                    | Black Graphite Paint No.3*       |
| Transition Spans and Lift Spans, <i>below deck level only</i> | Repainted all areas below the deck level (and maybe the railings) | 1988         | Unsure at this time. Extent of removal of original lead paint is not certain. | Thought to be Epoxy based System |
| Elevated Deck Steelwork on top of pontoons                    | Repainted particular areas  | Early 1990's | Unsure at this time. Extent of removal of original lead paint is not certain. | Thought to be Epoxy based System |

\* Painted in accordance with Section 308 of the Department of Public Works General Specifications for Highway Bridges at that time.

## Addition of Forms

20. After Form D, insert Form E as attached to this Addendum Six.

## FORM E

### Letter Agreement

TO: The Selected Proponent

Following the submission of your RFP Proposal and the subsequent clarification meetings and clarification exchanges between us, we are writing to you to set out the terms of the agreement between us. By counter-signing this letter, each organization executing this letter confirms its acceptance of all its terms.

The writing clarifications raised by the Province together with your responses are contained in ● ***[CD Rom, Clarification Schedule]*** issued by the Province (the “Proponent Post-Proposal Clarifications”). It is agreed and acknowledged that the Proponent Post Proposal Clarifications clarify or amend aspects of your RFP Proposal. The RFP Proposal shall be construed as clarified or amended by the Proponent Post Proposal Clarifications and the terms of this letter.

Subject to the matters listed in this letter and where, to the extent outstanding, the satisfactory resolution thereof, the Province has decided to appoint ● as the Preferred Proponent. Subject to the Province having obtained all necessary approvals, including approval from Treasury Board and an Order in Council under the Transportation Investment Act, the Preferred Proponent and the Province agree to execute the final form of the Concession Agreement in accordance with the Proposal Agreement and the Selection Process by March 31, 2005.

***[summarize various major clarifications or amendments to the RFP Proposal]***

All Team Members of the Proponent, the Concessionaire, the Contractor, Operator, Designer, Funders are required to execute this letter where indicated below confirming approval of the terms of the appointment of ● as the Preferred Proponent and agreeing to the terms of this letter.

The Province acknowledges that the execution of this letter by the Funders is not a direct commitment by each of them to lend or to underwrite (as appropriate), and that such commitment is subject only to final credit committee approval following satisfactory legal, technical and insurance due diligence. The potential Funders’ positions are as set out in their respective support letters.

The organizations signing below acknowledge that the Province may call upon the letter of credit of ● in accordance with the Proposal Agreement if ● does not provide the “Security Deposit” as set out in section 4 of the Proposal Agreement.