

California High-Speed Rail Authority



Request for Proposals for the Track & Systems Construction Contract

RFQ No.: HSR25-89

Questions and Responses

Round	Date
10	April 3, 2026]

No.	Proposer Question	Authority Response
614	<p>Are the SB and DVBE participation requirements indeed mandatory, or are they good faith/best effort?</p>	<p>The Contract is subject to <i>Government Code</i> §§ 4532-4535 and <i>Military and Veterans Code</i> §999, respectively. In addition, the Authority implements a 25 percent Small Business (SB) Program goal, that includes a 3 percent Microbusiness (MB) carve-out goal, on all procurements and contracts that are subject to the SB Program. The MB carve-out is included within the 25 percent SB Program goal and not in addition. The newer Small Business for the purpose of Public Works (SB-PW) is counted within the 25 percent SB Program goal. To implement <i>Military and Veterans Code</i> §999, the Authority implements a 3 percent Disabled Veteran Business Enterprise (DVBE) goal on all procurements and contracts that are subject to the SB Program.</p> <p>“Good Faith Efforts (GFE)” is a term and a standard specific to the federal US Department of Transportation (USDOT) Disadvantaged Business Enterprise (DBE) Program under <i>49 CFR Part 26</i> and have no bearing on meeting California state small business participation goals.</p>
615	<p>If SB and DVBE participation requirements are mandatory, and the contractors fail to achieve the required participation levels, what is the penalty to the Prime Contractor and how is that calculated?</p>	<p>At Time of Bid:</p> <p>There is no penalty for failing to meet the SB Program goals when competing for Authority solicitations, including RFPs and RFQs. At the time of bid, all bidders will be assessed on their commitments and planned utilization of SBs, including MBs, SB-PWs, as well as DVBEs, and DBEs (if the procurement is subject to a DBE goal). Bidders may earn up to a maximum of 5 points for meeting and/or demonstrating a successful plan to meet the SB Program goals throughout the life of the project, including the SB Communication Plan, as detailed in “Section 7 – Scoring” and “Attachment B: Criteria for Awarding Points for the Proposal,” found in the RFP HSR25-89 “Instructions to Proposers.”</p> <p>SB Program Compliance Post Award:</p> <p><u>State 25 Percent SB Goal</u></p> <p>All prime contractors awarded Authority contracts must demonstrate effective efforts to meet and/or exceed the SB Program goals and may be deemed in contractual breach for failure to comply with the SB Program Plan, a material term for all contracts subject to the SB Program. Additionally, prime contractors may be</p>

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		<p>required to report to the Authority Board of Directors for continued failure to meet SB Program goals and may be deemed an irresponsible bidder for future opportunities.</p> <p>To assist prime contractors in successfully achieving SB Program goals, the Authority published Efforts to Achieve Participation (EAP) to provide detailed guidance. The EAP includes the development of innovative contracting strategies and providing necessary supportive services to promote and ensure the success of SB, MB, SB-PW, DVBE, and DBEs in all aspects and phases of the Authority's contracting program. Please refer to the Authority's SB Program Plan – revised 2023 (also called the HSR Business Program Plan) for details on meeting the requirements of the SB Program and achieving the SB, MB, DVBE, and DBE goals.</p> <p><u>DVBE Data Reporting</u> At contract closing, DVBE data must be accurately completed on the Prime Contractor's Certification DVBE Subcontracting Report (STD 817). The Authority shall withhold \$10,000, or full payment if less than \$10,000, from a prime contractor's final payment pending receipt of a complete and accurate STD 817 (<i>Military and Veterans Code</i> § 999.5(d), 999.55, 999.7(a)).</p> <p><u>Federal DBE Goal</u> In compliance with the USDOT DBE Interim Final Ruling (IFR), issued on October 3, 2025, the Authority has temporarily paused imposition of the 10 percent DBE goal on all procurements released and contracts awarded since October 3, 2025. The Authority's DBE Program will remain paused until receiving further direction from the USDOT.</p> <p>Please note: Once the 23 CFR 26.111 reevaluation process for a business is completed by an applicable Unified Certification Program (UCP), the Authority will resume counting DBE participation towards the 10 percent DBE goal in this</p>

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		Agreement. The Authority and its consultants will comply with all applicable USDOT and appropriate USDOT modal agency modifications to the federal DBE program. Accordingly, to the extent necessary for compliance purposes, the DBE contract requirements in this Agreement are subject to revision.
616	Following the issue of the latest addendum, can the Authority confirm that they will accept an RFP submission even if the addendum reference in the right-hand margin refers to a different addendum number (the content of the form or certificate is identical to the previous addendum)?	Proposers may populate and submit forms published in prior addenda, as long as those forms contain no changes in subsequent addenda. If a Proposer chooses to populate and submit a version of a form published in a prior addendum, the Proposer is responsible for ensuring that no changes were made to that form in subsequent addenda.
617	Can Proposers input “TBD” in any pricing fields in ITP Form J1?	No. Proposers that input “TBD” in required pricing fields in ITP Form J1 may be deemed non-responsive.
618	From November 20, 2025, Board Meeting Agenda Item #3, the anticipated Contract Award and NTP 1 date was presented as being issued by July 2026, is this date still valid?	The Authority is striving to execute the TSCC contract within the month of June 2026, and to issue NTP 1 in June 2026, or as soon as the contract is executed. To meet this target, the Authority anticipates in-person negotiations, both the limited negotiations prescribed by the ITP and those necessary to prepare NTP 1, commencing within 24 hours (and no later than 1 business days) after publication of the Notice of Proposed Award (NOPA).