

From: [Charuni Patibanda](#)
To: [Garces, Nympha \(Federal\)](#)
Cc: [Karl Muller](#)
Subject: AltaSea Quarterly Reports
Date: Friday, April 27, 2018 2:34:33 PM
Attachments: [image002.png](#)
[SF-425_FederalFinancialReport signed.pdf](#)
[EDA Quarterly Report signed.pdf](#)

Nympha,

Please find our quarterly reports attached. Let me know if you have any questions.

Glaser Weil

Charuni Patibanda | Attorney

333 S. Hope St., Suite 2610, Los Angeles, CA 90071

Main: 310.553.3000 | Direct: 310.282.6236. | Fax: 213.620.5754

E-Mail: cpatibanda@glaserweil.com | www.glaserweil.com



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From: [Keith Kaneko](#)
To: [Garces, Nympha \(Federal\)](#)
Cc: [Charuni Patibanda \(cpatibanda@glaserweil.com\)](#); [Eric Johnson \(Ericj@Victory-Group.com\)](#); [Karl Muller](#)
Subject: RE: AltaSea EDA Notes
Date: Thursday, March 1, 2018 2:34:55 PM
Attachments: [image009.png](#)

Hi Nympha,

Will you be able to take multiple calls from you phone number below? I'll be calling in from my mobile while traveling.

Char and Eric may also be calling in from different locations.

Thanks,



Keith K. Kaneko, AIA

Sr. Project Manager

direct 858.875.0039 | main 213.593.1027 | mobile 310.490.2009

660 South Figueroa Street, Suite 1790 | Los Angeles, CA 90017 | www.gafcon.com

WE DELIVER COMPLEX PROJECTS THAT POWER VIBRANT COMMUNITIES



-----Original Appointment-----

From: Garces, Nympha (Federal) [mailto:Ngarces@eda.gov]

Sent: Tuesday, February 27, 2018 5:23 PM

To: Garces, Nympha (Federal); Charuni Patibanda

Cc: Keith Kaneko; Karl Muller; Eric Johnson (Ericj@Victory-Group.com)

Subject: AltaSea EDA Notes

When: Thursday, March 1, 2018 4:00 PM-4:30 PM (UTC-08:00) Pacific Time (US & Canada).

Where: 206-220-7729

From: Garces, Nympha (Federal)

Sent: Tuesday, February 27, 2018 5:22 PM

To: 'Charuni Patibanda' <cpatibanda@glaserweil.com>

Cc: Keith Kaneko <kkaneko@gafcon.com>; Karl Muller <kmuller@altasea.org>; Eric Johnson (Ericj@Victory-Group.com) <Ericj@Victory-Group.com>

Subject: RE: AltaSea EDA Notes

Hi Char,

I will not be at work Friday but I can be available Thursday at 4pm, I can send an invite, you may call my desk no. 206-220-7729.

R/Nympha

From: Charuni Patibanda [<mailto:cpatibanda@glaserweil.com>]
Sent: Tuesday, February 27, 2018 10:05 AM
To: Garces, Nympha (Federal) <Ngarces@eda.gov>
Cc: Keith Kaneko <kkaneko@gafcon.com>; Karl Muller <kmuller@altasea.org>; Eric Johnson (Ericj@Victory-Group.com) <Ericj@Victory-Group.com>
Subject: RE: AltaSea EDA Notes

Thanks Nympha. Can we set another call with you to discuss the specifics of our project? We have a few more follow up questions. We are available Thursday after 4pm and are open most of the day on Friday.

We really appreciate all your attention to this matter.

Best,
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From: Garces, Nympha (Federal) [<mailto:Ngarces@eda.gov>]
Sent: Friday, February 23, 2018 1:21 PM
To: Charuni Patibanda <cpatibanda@glaserweil.com>
Cc: Keith Kaneko <kkaneko@gafcon.com>; Karl Muller <kmuller@altasea.org>
Subject: RE: AltaSea EDA Notes

Hi Char,

Please refer to the regulation carefully. Qualification based and “not” using the lowest responsive bid as a basis for contract selection is only allowed for “Professional services such as for the Architectural and Engineering firms”. We discussed about your third party Construction

Management Services that is still to be contracted (Inspection Services budget), this is the one that can include qualification based RFP. General Construction requires lowest responsive bids as the basis for selection of successful bid.

If you use an architect as a general contractor and use the CFR 200.320 (d) (5) selection process, the actual construction part will not pass under the procurement regulation and will not be eligible for EDA participation, only the construction management part is going to follow the procurement regulation. This is one reason why the CMGC / DBB or any other alternative method for construction although allowed, is actually complicated in that the procurement, cost principles and other regulations still has to be met.

If you are going to bid both projects at the same time, please note that everything has to be clearly itemized/separated. There are going to be harder items to split such as general requirements - administrative, mobilization/demobilization, temporary offices/facilities and supplies, security, and maybe more but you have to have a way to separate them and assign correctly to the right project.

Hope this is clear, if not, let me know so we can discuss further.

R/Nympha

From: Charuni Patibanda [<mailto:cpatibanda@glaserweil.com>]
Sent: Wednesday, February 21, 2018 3:21 PM
To: Garces, Nympha (Federal) <Ngarces@eda.gov>
Cc: Keith Kaneko <kkaneko@gafcon.com>; Karl Muller <kmuller@altasea.org>
Subject: AltaSea EDA Notes

Nympha,

Thanks again for the call last week. We are very excited to be working with on the AltaSea project. To make sure we are on the right track, please confirm that the below procurement process is acceptable:

Because AltaSea's design phase is complete, AltaSea may issue a Bid-Build Request for Proposal for General Contractor pursuant to C.F.R 200.320(d)(5). AltaSea may issue an RFP that includes a qualification section and may be scored on a best value basis as opposed to a strict low bid basis because of the specialized skills required to complete the project.

AltaSea's project includes both infrastructure improvements and improvements to the physical warehouse structures. The RFP can include both of these scopes of work. AltaSea will clearly denote the EDA/infrastructure work separately from the other work in the bidding documents.

Thanks so much for your help!

Best,
Char

§ 200.320 Methods of procurement to be followed.

(d) Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type [contract](#) is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- (1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- (2) Proposals must be solicited from an adequate number of qualified sources;
- (3) The [non-Federal entity](#) must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
- (4) [Contracts](#) must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
- (5) The [non-Federal entity](#) may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.



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From: [Charuni Patibanda](#)
To: [Keith Kaneko](#); [Garces, Nympha \(Federal\)](#)
Cc: [Eric Johnson \(Ericj@Victory-Group.com\)](#); [Karl Muller](#)
Subject: RE: AltaSea EDA Notes
Date: Thursday, March 1, 2018 2:36:19 PM
Attachments: [image002.png](#)

Hi Keith, I'll gather everyone and call Nympha directly.

Please just send me your best number.

Thanks!

Char

Glaser Weil

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From: Keith Kaneko [mailto:kkaneko@gafcon.com]
Sent: Thursday, March 1, 2018 2:35 PM
To: Garces, Nympha (Federal) <Ngarces@eda.gov>
Cc: Charuni Patibanda <cpatibanda@glaserweil.com>; Eric Johnson (Ericj@Victory-Group.com) <Ericj@Victory-Group.com>; Karl Muller <kmuller@altasea.org>
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From: Charuni Patibanda [<mailto:cpatibanda@glaserweil.com>]

Sent: Tuesday, February 27, 2018 10:05 AM

To: Garces, Nympha (Federal) <Ngarces@eda.gov>

Cc: Keith Kaneko <kkaneko@gafcon.com>; Karl Muller <kmuller@altasea.org>; Eric Johnson (Ericj@Victory-Group.com) <Ericj@Victory-Group.com>

Subject: RE: AltaSea EDA Notes

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Sent: Friday, February 23, 2018 1:21 PM

To: Charuni Patibanda <cpatibanda@glaserweil.com>

Cc: Keith Kaneko <kkaneko@gafcon.com>; Karl Muller <kmuller@altasea.org>

Subject: RE: AltaSea EDA Notes

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Sent: Wednesday, February 21, 2018 3:21 PM
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Cc: Keith Kaneko <kkaneko@gafcon.com>; Karl Muller <kmuller@altasea.org>
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- (4)** [Contracts](#) must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
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qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.



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From: [Charuni Patibanda](#)
To: [Garces, Nympha \(Federal\)](#); [Keith Kaneko](#)
Cc: [Karl Muller](#)
Subject: RE: Shore Power Drawings
Date: Monday, April 16, 2018 3:31:26 PM
Attachments: [image002.png](#)

Hi Nympha,

Please let us know if you need to discuss with us. We look forward to your approval of the design for the shower power project.

thanks

char

From: Charuni Patibanda
Sent: Wednesday, April 11, 2018 3:22 PM
To: Garces, Nympha (Federal) <Ngarces@eda.gov>; Keith Kaneko <kkaneko@gafcon.com>
Cc: Karl Muller <kmuller@altasea.org>
Subject: Shore Power Drawings

Hi Nympha!

We are working toward putting together a bid package for our first phase of construction. This is the item we discussed a few weeks back regarding the Second Shore Power Connection, so that Research Vessels can plug into shore power while docking at AltaSea. A second connection will allow us to be able to accommodate more vessels and thus more economic activity at the site.

Attached to this email is our the single line electrical plans that we will be the basis for the bid package. Before we have our electrical engineer write specs, I was wondering if you could look at these drawings and approve them.

Thanks so much, we are available if you have questions.

Best,

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From: [Charuni Patibanda](#)
To: [Garces, Nympha \(Federal\)](#); [Keith Kaneko](#)
Cc: [Karl Muller](#)
Subject: RE: Shore Power Drawings
Date: Monday, April 23, 2018 9:07:17 AM
Attachments: [image002.png](#)

Hi Nympha,
Following up on our first construction project.

Please let me know if you have any questions.

Best,
char

Glaser Weil

Charuni Patibanda | Attorney

333 S. Hope St., Suite 2610, Los Angeles, CA 90071

Main: 310.553.3000 | Direct: 310.282.6236. | Fax: 213.620.5754

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From: [Charuni Patibanda](#)
To: [Garces, Nympha \(Federal\)](#); [Keith Kaneko](#)
Cc: [Karl Muller](#)
Subject: Shore Power Drawings
Date: Wednesday, April 11, 2018 3:27:48 PM
Attachments: [image002.png](#)
[To LADWP.PDF](#)

Hi Nympha!

We are working toward putting together a bid package for our first phase of construction. This is the item we discussed a few weeks back regarding the Second Shore Power Connection, so that Research Vessels can plug into shore power while docking at AltaSea. A second connection will allow us to be able to accommodate more vessels and thus more economic activity at the site.

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