

APPENDIX A

Definitions

“Acceptance” means approval by the City that the Contractor has successfully performed the Initial and Final Acceptance Tests and successfully met all conditions of Acceptance for the Facilities as specified in the Contract.

“Acceptance Test” means the test for Initial and Final Acceptance of the Facilities.

“ASTM” means the American Society for Testing and Materials.

“AWWA” means the American Water Works Association. **“ADA”** means the Americans with Disabilities Act.

“Applicable Law” means: (1) any federal, state or local law, code, regulation or consent order or agreement having the force of law; (2) any formally adopted and generally applicable rule, requirement, determination, standard, policy, implementation schedule or order of any governmental or regulatory agency having appropriate jurisdiction; (3) any established interpretation of law or regulation utilized by an appropriate governmental or regulatory agency if such interpretation is documented by such governmental or regulatory agency and generally applicable; (4) any governmental or regulatory agency approval, in each case applicable from time to time: (a) to the siting, permitting, design, acquisition, construction, equipping, financing, ownership, possession, start-up, testing, operation, maintenance, repair, replacement or management of the Facilities; (b) to the supply, treatment or delivery of treated water; (5) consistent with Section 11 of Section 00800-Supplemental Conditions.

“BDR” means Basis of Design Report.

“CEQA” means the California Environmental Quality Act.

“Change Order” means a written order of the City authorizing and approving a change in the scope of work in accordance with the terms of the Contract.

“Charter” means the Charter of the City of Stockton.

“Chemical Use Standard” means the quantity of each chemical used per million gallons of finished water produced annually.

“City” means the City of Stockton, California.

“City Charter” means the Charter of the City of Stockton, California.

“City Code” means the Codified Ordinances of the City of Stockton, California.

“City Contact Person” means the exclusive point of contact for Respondents to communicate with the City and its consultants.

“City Council” means the Council of the City of Stockton, California.

“City Ordinance” means Section 3-100 et. seq. of the City Code.

“Commissioning Period” means the period of time from Initial Acceptance to Final Acceptance.

“CMMS” means a computerized maintenance management system. **“Confidential”** means known or conveyed to a select group of people. **“CSI”** means Construction Specifications Institute.

“Contractor” means the private entity that will execute the Contract with the City.

“Contract” means the agreement(s) executed between the City and the preferred Qualified Respondent for the performance of the requested services.

“CPM” means critical path method.

“Design-Build” means the completion of a project with all design and construction services provided by a single entity.

“DMS” means Document Management System as described in Section 3.2.1 of this RFP.

“Energy Use Standard” means the quantity of electricity and/or natural gas used per million gallons of finished water produced annually.

“Engineer of Record” means the engineer or engineering firm that prepared the design.

“Environmental/Nuisance Abatement” has the meaning as set forth in the RFP.

“EPA” means the United States Environmental Protection Agency and any successor agency.

“ESA” means Environmental Site Assessment.

“Facilities” means the South Stockton Groundwater Well Rehabilitation at Well SSS8.

“Final Acceptance” means approval by the City that the Contractor has successfully performed the Final Acceptance Test and successfully met all conditions of Final Acceptance as specified in the Contract.

“Final Acceptance Date” means the date on which the Final Acceptance of the Facilities occurs or is deemed to occur.

“Final Acceptance Test” means the test for Final Acceptance of the Facilities.

“Final Design” means sufficient design to construct the Facilities.

“HVAC” means heating, ventilation and air conditioning.

“Initial Acceptance” means approval by the City that the Contractor has successfully performed the Initial Acceptance Test and successfully met all conditions specified by the Contract.

“Initial Acceptance Date” means the date on which the Initial Acceptance of the Facilities occurs or is deemed to occur.

“Initial Acceptance Test” means the test for Initial Acceptance of the Facilities.

“Maintenance” means the routine and recurring activities required or recommended by the equipment manufacturers and consistent with good industry practice to maximize the service life of equipment and materials comprising the Facilities.

“MGD” means millions of gallons per day.

“Milestone” means a principal event, an intermediate completion point of a separately identifiable part of the work, or a period of time within which to complete a separately identifiable part of the work prior to Substantial Completion.

“MUD” means Municipal Utilities Department of the City of Stockton.

“NEPA” means the National Environmental Policy Act.

“Notice to Proceed” means written notice from the City authorizing the start of work.

“O&M” means operations and maintenance.

“Operations Manual” means the description of Facilities operations consistent with the design intent as required by SWRCB.

“OSHA” means the Occupational Safety and Health Administration, U.S. Department of Labor.

“Performance Requirements” has the meaning set forth in this RFP.

“P&ID” means process and instrumentation diagram.

“Progressive Design/Build” means a two-step design-build contract with Phase 1 involving initial design and preparation of a Phase 2 Proposal and Phase 2 involving final design and construction.

“Proposal” means a document submitted for consideration in response to the RFP.

“PSSC” means Professional Service Selection Committee.

“QA/QC” means quality assurance and quality control.

“Respondent” means the entity that submitted a proposal in response to the September 2021 RFP.

“RFP” or “Request for Proposals” means this Request for Proposals.

“Scheduled Initial Acceptance Date” means the assigned calendar date for Initial Acceptance as

written into the Contract.

“Scheduled Substantial Completion Date” means the assigned calendar date for Substantial Completion as written into the Contract.

“Scope of Services” means those services to be provided by the Contractor.

“Site” means the City property upon which the Contractor shall construct the Facilities.

“SWRCB” means State Water Resources Control Board.

“Performance Requirements” has the meaning as set forth in this RFP.

“Phase 1” has the meaning as set forth in this RFP.

“Phase 1 Proposal” has the meaning as set forth in this RFP.

“Phase 2” has the meaning as set forth in this RFP.

“Phase 2 Proposal” has the meaning as set forth in this RFP.

“SSS8” means South Stockton System 8.

“State” means the State of California.

“Submission Due Date and Time” has the meaning as set forth in this RFP.

“Substantial Completion” typically means compliance with all requirements of Contract and completion of all Work required by Contract to permit Owner’s full utilization of the Facilities for their intended use, after receipt of all necessary approvals from applicable governmental or regulatory agencies and subject only to completion of minor punch-list items. For the purpose of this RFP, Substantial Completion means that the Initial Acceptance Tests are complete, and the Facilities are functional in accordance with the Performance Requirements and available for City operation.

“SCADA” means supervisory control and data acquisition system.

“System Integrator” means a contractor that takes complete responsibility for the provision, programming, factory and field testing, and performance of all instrumentation and controls comprising the SCADA system.

“Utilities” means any and all utility services and installations whatsoever (including gas, water, electricity, telephone, and telecommunications), and all piping, wiring, conduits, and other fixtures of every kind whatsoever related thereto or used in connection therewith.

“Warranty Period” means the time period during which warranty provisions apply.