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July 14, 2015
Addendum No. 3 to
Request For Proposal
Maintenance, Diagnostic and Repair Services of
Traffic Operations System (TOS) Devices

Dear Bidder:

This letter is Addendum No. 3 to the Request For Proposals (RFP) for Maintenance, Diagnostic and Repair Services of Traffic Operations System (TOS) Devices dated May 19, 2015, as amended on June 18, 2015 and June 25, 2015. Where text is revised, deleted text is shown in strike-through format; added text is *italicized*. The RFP is revised as follows:

- Dave Cortese, Chair*
Santa Clara County
- Jake Mackenzie, Vice Chair*
Sonoma County and Cities
- Alicia C. Aguirre*
Cities of San Mateo County
- Tom Azumbrado*
U.S. Department of Housing and Urban Development
- Jason Baker*
Cities of Santa Clara County
- Tom Bates*
Cities of Alameda County
- David Campos*
City and County of San Francisco
- Dorene M. Giacomini*
U.S. Department of Transportation
- Federal D. Glover*
Contra Costa County
- Scott Haggerty*
Alameda County
- Anne W. Halsted*
San Francisco Bay Conservation and Development Commission
- Steve Kinsey*
Marin County and Cities
- Sam Liccardo*
San Jose Mayor's Appointee
- Mark Luce*
Napa County and Cities
- Julie Pierce*
Association of Bay Area Governments
- Bijan Sartipi*
California State Transportation Agency
- Libby Schaaf*
Oakland Mayor's Appointee
- James P. Spering*
Solano County and Cities
- Adrienne J. Tissier*
San Mateo County
- Scott Wiener*
San Francisco Mayor's Appointee
- Amy Rein Worth*
Cities of Contra Costa County
- Steve Heminger*
Executive Director
- Alis Bockelman*
Deputy Executive Director, Policy
- Andrew B. Fremier*
Deputy Executive Director, Operations

<u>Addendum Item</u>	<u>Reference</u>	<u>Change</u>
1.	RFP, Appendix F, MTC Standard Contractor Contract, Attachment E, <u>Insurance and Financial Security (Bond) Provisions, item 4, Page 85</u>	Umbrella Insurance in the amount of <i>\$10,000,000</i> \$1,000,000 providing excess limits over Employer's Liability, Automobile Liability, and Commercial General Liability Insurance. Such umbrella coverage shall be following form to underlying coverage including all endorsements and additional insured requirements.
2.	RFP, Appendix F, MTC Standard Contractor Contract, Attachment E, <u>Insurance and Financial Security (Bond) Provisions, item 5, Page 85</u>	<u>Errors and Omissions Professional Liability Insurance</u> for errors and omissions and the resulting damages, including, but not limited to, economic loss to MTC <i>and each Stakeholder Agency</i> , and having minimum limits of \$1,000,000 per claim. The policy shall provide coverage for all work performed by CONTRACTOR and any work performed or conducted by any subcontractor/contractor working for or performing services on behalf of the CONTRACTOR. No contract or agreement between CONTRACTOR and any subcontractor/contractor shall relieve CONTRACTOR of the responsibility for providing this Errors &

		Omissions or Professional Liability coverage for all work performed by CONTRACTOR and any subcontractor/contractor working on behalf of CONTRACTOR on the project.
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The remaining provisions of the RFP remain unchanged. In the event of a conflict between this Addendum and the previous version(s), this Addendum takes precedence.

Questions and Answers regarding this RFP are enclosed with this Addendum.

Any questions concerning this addendum to the RFP should be directed to Kaki Cheung, Project Manager, at (510) 817-5752 or kcheung@mtc.ca.gov.

Sincerely,

DocuSigned by:
Steve Heminger
021DA2847D43405...
Steve Heminger
Executive Director

SH: KC

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**REQUEST FOR PROPOSAL (RFP)
FOR MAINTENANCE, DIAGNOSTIC, AND REPAIR SERVICES OF TRAFFIC
OPERATIONS SYSTEM (TOS) DEVICES,
DATED MAY 19, 2015**

**QUESTIONS RECEIVED FROM PROPOSERS' CONFERENCE HELD ON
JULY 6, 2015,
AND OTHER QUESTIONS SUBMITTED**

Q1: There seems to be some overlap in the duties to be performed by the QA / QC firm and the firm who will be awarded the TOS Devices contract, can MTC describe the difference in the work?

A1: Please refer to Figure 1: *Contract Task Flow Chart*, on Page 7 of the Request for Proposals, to see a depiction of the working relationships between various parties. The maintenance contractor is mainly responsible for providing comprehensive maintenance, diagnostic and repair services of the various traffic operation system devices. The consultant performing the oversight work will act as an extension of MTC and Caltrans staff. This consultant will actively monitor the maintenance contractor's work quality and performance, verify data entered into the Transportation Operation System Equipment Management System (TEMS) database, authorize maintenance work, perform field inspections and verify work completed.

Q2: The prevailing wage rates for the Electrician classification and the Telecommunications Technician classification are different. Is there a requirement to use one in lieu of the other for performing routine maintenance work?

A2: The use of either an Electrician or a Telecommunications Technician would be acceptable for performing routine maintenance work.

Q3: Can a firm who is awarded work as a subcontractor or primary contractor for this contract be eligible to perform the contractor oversight/quality control work?

A3: No.

Q4: Page 85 of the RFP, Appendix F, MTC Standard Contractor Contract, Attachment E, Insurance and Financial Security (Bond) Provisions, item 4 states:

4. Umbrella Insurance in the amount of \$1,000,000 providing excess limits over Employer's Liability, Automobile Liability, and Commercial General Liability Insurance. Such umbrella coverage shall be following form to underlying coverage including all endorsements and additional insured requirements.

The Limit requested above is different from Appendix G, Insurance Requirements, on page 93 of the RFP. Can MTC clarify the amount?

A4: Please see Addendum Item No.1 listed above.

Q5: Page 5 of the RFP, II. Proposer Minimum Qualification, item 8 states:

Prime contractor's Project Manager (PM) shall be a licensed Electrical or Civil Engineer in the State of California with ten years of experience in managing TOS/Transportation Management System related projects.

Can a subcontractor who is a registered engineer act as a Project Manager for this project?

A5: No, the Project Manager must be employed by the prime contractor.

Q6: Page 85 of the RFP, Appendix F, MTC Standard Contractor Contract, Attachment E, Insurance and Financial Security (Bond) Provisions, item 5 states:

5. Errors and Omissions Professional Liability Insurance for errors and omissions and the resulting damages, including, but not limited to, economic loss to MTC and having minimum limits of \$1,000,000 per claim.

The policy shall provide coverage for all work performed by CONTRACTOR and any work performed or conducted by any subcontractor/contractor working for or performing services on behalf of the CONTRACTOR. No contract or agreement between CONTRACTOR and any subcontractor/contractor shall relieve CONTRACTOR of the responsibility for providing this Errors & Omissions or Professional Liability coverage for all work performed by CONTRACTOR and any subcontractor/contractor working on behalf of CONTRACTOR on the project.

Can MTC amend this item to match a previous MTC Contract No. BAIFA-200 (An excerpt of that contract verbiage is below)?

“Errors and Omissions Professional Liability Insurance for errors and omissions and the resulting damages, including, but not limited to, economic loss to BAIFA and each Stakeholder Agency and having minimum limits of \$1,000,000 per claim. Such policy will contain cyber risk coverages including network and internet security liability coverage, privacy liability coverage and media coverage. The policy will provide coverage for all work performed by you and any work performed or conducted by any subcontractor/consultant working for or performing services on your behalf. No contract or agreement between you and any subcontractor/consultant will relieve you of the responsibility for providing this Errors & Omissions or Professional Liability coverage for all work performed by you and any subcontractor/consultant working on your behalf on the project.”

A6: Please see Addendum Item No. 2 listed above.

Q7: Can a firm propose as a prime contractor or subcontractor in a proposal submitted in response to MTC's Maintenance, Diagnostic and Repair Services of Traffic Operations System Devices RFP (RFP) and also propose as a prime contractor or subcontractor in a statement of qualifications (SOQ) submitted in response to MTC's TMS Technical Services Bench Contractor Oversight/Quality Control of Traffic Operations Devices Fieldwork Request for Qualifications (RFQ)?

A7: Yes; however, MTC believes that the same firm performing on both contracts would lead to a conflict of interest that cannot be mitigated. As such, if the same firm is listed on the proposer team for both procurements, the cover letters for the proposal and SOQ

should indicate how the proposing prime contractor chooses to address the conflict of interest, as follows:

Proposed role of Firm on RFP team	Proposed role of Firm on RFQ team	If both RFP team and RFQ team are highest ranked...
Prime	Prime	Cover letters should state whether the RFP proposal or RFQ SOQ is withdrawn.
Prime	Subcontractor	Cover letters should state whether RFP proposal is withdrawn or new subcontractor will be substituted at the same or lower price in RFQ SOQ. If the latter, the substitute contractor should be named/described in the SOQ.
Subcontractor	Prime	Cover letters should state whether RFQ SOQ is withdrawn or new subcontractor will be substituted at the same or lower price in RFP proposal. If the latter, the substitute contractor should be named/described in the RFP proposal.
Subcontractor	Subcontractor	Cover letters should state whether new subcontractor will be substituted at the same or lower price in RFP proposal or new subcontractor will be substituted at the same or lower price in the RFQ SOQ. In both cases, the proposed substitute contractor should be named/described in the RFQ SOQ and RFP proposal.