



ADRIENNE J. TISSIER, CHAIR
San Mateo County

October 11, 2012

AMY REIN WORTH, VICE CHAIR
Cities of Contra Costa County

Addendum No. 1

TOM AZUMBRADO
U.S. Department of Housing
and Urban Development

to

**Request For Qualifications Bid Invitation (RFQBI)
Freeway Service Patrol FY 2014**

TOM BATES
Cities of Alameda County

Dated September 24, 2012

DAVID CAMPOS
City and County of San Francisco

Dear Bidder:

DAVE CORTESE
Santa Clara County

This letter is Addendum No. 1 to the Request For Qualifications Bid Invitation (RFQBI) for Freeway Service Patrol FY 2014 - FY 2018, dated September 24, 2012. Deleted text is shown in strike-through format and added text is shown in *italicized* format. The RFQBI is revised as follows:

HILL DODD
Napa County and Cities

DORENE M. GIACOPIN
U.S. Department of Transportation

<u>Addendum Item</u>	<u>Reference</u>	<u>Change(s)</u>
1.	RFQBI, Letter of Invitation, <u>Scope of Work, Period of Performance, and Funding</u> , Page 3, 2 nd Paragraph	At this time, MTC SAFE anticipates awarding sixteen (16) 48-month contracts covering sixteen (16) beats. Tow operations under contracts resulting from this RFQBI will begin on or after July 1, 2013 and conclude approximately June 30, 2017 . Please refer to the proposed Implementation Plan for the exact patrol route, contract period of performance, and scheduled time of service. Any award of contracts under this RFQBI is contingent upon final funding approval. All beats may be funded, in part, with federal funds. Accordingly, federal contracting requirements are in <u>Appendix E, Department of Transportation Requirements</u> .
2.	RFQBI, III. <u>General Conditions, K. Disadvantaged Business Enterprise (DBE) Policy</u> , Page 12, 2 nd paragraph	MTC has established a Disadvantaged Business Enterprise (WDBE) contract goal of 0% for this contract. The selected Bidder(s) are not allowed to subcontract towing services awarded under this RFQBI. Respondents are required to document their activities in the solicitation and selection of subconsultants on Form M-1, and M-2 the Local Agency Proposer DBE Commitment (Consultant Contract) (Exhibit 10-O1), and Form M-2, Local Agency Proposer DBE Information (Consultant Contract). For the complete DBE participation provisions applicable to this procurement, see Appendix D of the RFQBI.

FEDERAL D. GLOVER
Contra Costa County

MARK GREER
Association of Bay Area Governments

SCOTT HAGGERY
Alameda County

ANNE W. HALSTED
San Francisco Bay Conservation
and Development Commission

STEVE KINSEY
Marin County and Cities

SAM LICCARDO
Cities of Santa Clara County

JAKE HACKENZIE
Solano County and Cities

KEVIN MULLIN
Cities of San Mateo County

BILLY SARTINI
State Business, Transportation
and Housing Agency

JAMES P. SPERING
Solano County and Cities

SCOTT WIENER
San Francisco Mayor's Appointee

STEVE HEMINGER
Executive Director

ANDREW B. FREMIER
Deputy Executive Director

<u>Addendum Item</u>	<u>Reference</u>	<u>Change(s)</u>
3.	RFQBI, Appendix A, <u>Scope of Work</u> , Table 2, <u>Proposed Implementation Plan</u> , Page 16	# of Midday Trucks column has been added [see highlighted cell in Attachment #1, Table 2: Proposed Implementation Plan (Revised)]
4.	RFQBI, Appendix A, <u>Scope of Work</u> , Table 2, <u>Proposed Implementation Plan</u> , Beat ID 19, Page 16	Estimated Total Service Hours 13,958 20,937 [see highlighted cell in Attachment #1, Table 2: Proposed Implementation Plan (Revised)]
5.	RFQBI, Appendix A, <u>Scope of Work</u> , Table 2, <u>Proposed Implementation Plan</u> , Beat ID 21, Page 16	Estimated Total Service Hours 13,916 20,874 [see highlighted cell in Table 2: Proposed Implementation Plan (revised) attached]
6.	RFQBI, Appendix A, <u>Scope of Work</u> , IX. <u>Compensation</u> , H. <u>Non-Allowable Cost</u> , Page 30, 2 nd bullet	2. Budgeting to account for backup service <i>hours</i> that may be needed from other contractors throughout the duration of the contract. <i>Backup service hours are not guaranteed to be performed. However, fixed costs such as the cost of the backup truck may be included in the price proposal.</i>
7.	RFQBI, Appendix B, <u>Step 1: Qualification Requirements and Standard Proposal Documentation</u> , Form G, <u>Insurance</u> , Item 7, Page 40	(7) Umbrella insurance in the amount of \$5,000,000 \$2,000,000 providing excess limits over Employers Liability, Automobile Liability, and Commercial General Liability Insurance. Form G, <u>INSURANCE</u> , is deleted in its entirety and replaced with Form G, <u>INSURANCE, (Revised)</u> , as attached. [see Attachment #2, Form G, <u>INSURANCE (Revised)</u>]
8.	RFQBI, Appendix D, <u>Sample Contract</u> , Section 4.0, <u>Payment</u> , C. <u>Fuel Adjustment</u> , 2 nd paragraph, Page 69	Each month, depending on what fuel range the average of the first three week's fuel price fall between, <i>as published by the Department of Energy</i> , the corresponding hourly rate shall be the rate in which the Contractor is compensated for service in that month.

9.	RFQBI, Appendix D, <u>Sample Contract</u> , Section 10.0, <u>Insurance</u> , Item 7, Page 73	(7) Umbrella insurance in the amount of \$5,000,000 \$2,000,000 providing excess limits over Employers Liability, Automobile Liability, and Commercial General Liability Insurance.
10.	RFQBI, Appendix D, <u>Sample Contract</u> , <u>Annual Allocation Fund Agreement</u> , Section 3.0, <u>Payment</u> , Page 86	* Numbers are for illustrative purposes only and assumes <i>the average fuel price from January, February, and March 2013, as published by the Department of Energy is \$4.25 and an hourly rate bid of \$63.80.</i> The Fuel Price² figure, used to calculate the tow service Hourly Rate³ within a given Department of Energy Range⁴, is the mid-point within that given range. Should the fuel cost fall above or below the above ranges, MTC SAFE shall adjust the hourly rate using the same methodology.

The remaining provisions of the Request for Qualifications Bid Invitation, dated September 24, 2012, remain unchanged. In the event of a conflict between this addendum and the previous version(s), this addendum shall take precedence. Questions and Answers related to this RFQBI are attached.

Any questions concerning this addendum to the RFQBI should be directed to Stefanie Pow, FSP Project Manager, at (510) 817-5965 or spow@mtc.ca.gov.

Sincerely,



Steve Heminger
Executive Director

SH: sp

J:\CONTRACT\Procurements\Operations & Support Svcs\RFPs\FSP FY 13-14\FY 2014 RFQBI Addendum 1_final.doc

ATTACHMENT #1

Table 2: Proposed Implementation Plan (Revised)

TABLE 2: Proposed Implementation Plan

BEAT ID	LOCATION		BEAT LIMITS	CALTRANS ONE WAY LENGTH (IN MILES)	START DATE	ENDING DATE	PROPOSED WEEKDAYS			SUNDAY PM SHIFT	# OF TOW TRUCKS	# OF PICKUP TRUCKS	# OF MIDDAY TOW TRUCKS	# OF FLATBED TRUCKS	# OF BACKUP TRUCKS	See Notes	Estimated Total Service Hours	BEAT ID
	COUNTY	ROUTE					AM SHIFT	MIDDAY SHIFT	PM SHIFT									
1	ALA	980	Interstate 580 to Interstate 880	2.03	7/29/13	7/28/17	07:00-10:00		15:00-19:30	2					b	15,195	1	
	ALA	880	7th Street to Jackson Street	2.04														
	ALA	24	Interstate 580 to Contra Costa County Line	4.39														
	CC	24	Contra Costa County Line to Oak Hill Road	6.25														
	CC/ALA	13	State Route 24 to Redwood Avenue	(4.23)														
2	ALA	80	Powell Street to Contra Costa County Line	4.25	7/28/13	7/28/17	06:00-10:00	10:00-15:00	15:00-19:00	12:30-19:00	2	1	1		b, c, g	31,421	2	
	CC	80	Alameda County Line to San Pablo Dam Road	4.34														
	ALA/CC	580	Interstate 80 to Western Drive/Pt. Molate	6.01														
4	ALA	880	Broadway to State Route 238	10.55	7/29/13	7/28/17	06:00-10:00	10:00-15:00	15:00-19:00		2		1		b	21,177	4	
	ALA	238	Interstate 880 to Interstate 580	2.11														
6	SM	101	Millbrae Ave to SF City Limit	8.10	7/8/13	7/7/17	06:00-10:00	10:00-15:00	15:00-19:00		2		1		1	b	21,129	6
7	SM	92	Interstate 101 to Foster City Boulevard	6.00	7/29/13	7/28/17	06:00-10:00		15:00-19:00		1	1			b	15,952	7	
	SM	101	State Route 92 to Millbrae Ave.	1.40														
8	SCL	101	Blossom Hill Road to Ellis Street	18.40	7/8/13	7/7/17	06:00-10:00		15:00-19:00		3	1		1	b	32,144	8	
	SCL	237	Highway 101 to Lawrence Expressway	2.12														
12	CC	80	San Pablo Dam Road to Cummings Skyway	8.39	7/11/13	7/14/17	06:00-10:00		15:00-19:00		2				b	16,224	12	
14	ALA	880	Mowry Avenue to Alvarado Niles Road	5.84	7/25/13	7/28/17	06:30-09:30		15:00-19:00		2				b	13,986	14	
	ALA	84	Thornton Avenue to Interstate 880	2.26														
18	SCL	880	Junction Route 237 to Alameda County Line	2.08	7/11/13	7/7/17	06:30-10:30		15:00-19:00		2				b	15,904	18	
	ALA	880	SCL County Line to Mowry Avenue	7.18														
19	SCL	880	Junction Route 237 to Junction Route 17	8.42	7/8/13	7/7/17	06:00-09:00		15:00-19:00		2	1			b	20,937	19	
	SCL	17	Junction Interstate 880 to Junction Route 9	6.88														
	SCL	237	Junction Interstate 880 to Lawrence Expressway	4.70														
21	ALA	680	Scott Creek to Alcosta Boulevard	21.35	7/11/13	7/7/17	06:30-09:30		15:00-19:00		2	1		1	b	20,874	21	
23	SCL/ALA	680	Highway 101 to Scott Creek Road	10.17	7/11/13	7/7/17	06:30-09:30		16:00-19:00		2				b	11,928	23	
25	CC	4	Hillcrest Avenue to Interstate 680	16.10	7/18/13	7/14/17	05:30-09:30		15:30-19:00		3	1			b	29,820	25	
	CC	242	State Route 4 to Interstate 680	3.60														
	CC	4	Alhambra Ave to Interstate 680	(3.10)														
26	ALA	580	Harrison Street/Oakland Avenue to Junction Route 238	13.47	7/18/13	7/14/17	06:30-09:30		15:30-18:30		2			b	11,928	26		
	ALA	13	Redwood Avenue to Interstate 580	(1.00)														
28	MRN/SON	101	State Route 37 to East Washington Blvd.	13.10	7/18/13	7/14/17	06:00-09:00		15:00-19:00		2			1	b	13,916	28	
32	SCL	85	El Camino Real to Cottle Road	19.78	7/18/13	7/14/17	05:30-09:00		15:30-19:00		2				b	13,916	32	
16											33	6	3	0	5	306,451		

b	Refer to the Holiday Schedule. Sunday Service cancelled if Monday is a holiday
c	Sunday service shall consist of one FSP tow truck
e	Coverage is provided on this segment intermittently or on an as needed basis.
g	Sunday service consists of two tow trucks only

ATTACHMENT #2

Form G INSURANCE (Revised)

Each selected Contractor must have original insurance certificates and the required endorsements approved by MTC SAFE on file before contract performance begins. Insurance carriers shall be required to have an established place of business in California.

Contractor acknowledgement to obtain and maintain, at its own expense, in effect for the duration of the contract the following insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, or employees:

Yes (√)	<p>Please certify by checking the boxes at left that required coverages will be provided before contract performance begins.</p>
	(1) Workers' Compensation insurance as required by the State of California with Statutory limits. Such policy shall contain a Waiver of Subrogation endorsement in favor of MTC SAFE;
	(2) Employer's Liability of at least \$1,000,000 per accident for bodily injury or disease;
	(3) Commercial General Liability of at least \$1,000,000 per occurrence for bodily injury, personal injury and property damage (if Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project location or the general aggregate limit shall be twice the required occurrence limit). Such policy shall contain a Waiver of Subrogation in favor of MTC SAFE;
	(4) Owned, Non-Owned and Hired Automobile Liability of at least \$1,000,000 per accident for bodily injury and property damage;
	(5) On-hook Insurance of at least \$80,000 per accident;
	(6) Inland Marine Floater Insurance of at least \$10,000 or the replacement cost of the equipment supplied by MTC SAFE, whichever is higher; and
	(7) Umbrella insurance in the amount of \$2,000,000 providing excess limits over Employers Liability, Automobile Liability, and Commercial General Liability Insurance.
	(8) Deductibles and Self-Insured Retentions: CONTRACTOR shall be responsible for payment of any deductible or retention on CONTRACTOR's policies without right of contribution from MTC SAFE. Deductible and retention provisions shall not contain any restrictions as to how or by whom the deductible or retention is paid. Any deductible or retention provision limiting payment to the Named Insured is unacceptable. Other Insurance Provisions: The general liability and automobile liability policies are

to contain, or be endorsed to contain, the following provisions:

1. MTC SAFE, the California Highway Patrol (CHP), Caltrans, their Commissioners, directors, officers, employees and agents are to be covered as additional insured under the coverages specified herein Form G, as respects: general liability arising out of activities performed by or on behalf of CONTRACTOR; automobiles owned, leased, hired or borrowed by CONTRACTOR. The coverage shall contain no special limitations on the scope of protection afforded to MTC SAFE, the CHP, Caltrans, their Commissioners, directors, officers, employees and agents.
2. For any claims related to this project, CONTRACTOR's insurance coverage shall be primary insurance as respects MTC SAFE, the CHP, Caltrans, their Commissioners, directors, officers, employees and agents. Any insurance or self-insurance maintained by MTC SAFE, the CHP, Caltrans, their Commissioners, directors, officers, employees and agents shall be excess of CONTRACTOR's insurance and shall not contribute with it.
3. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to MTC SAFE, the CHP, Caltrans, their Commissioners, directors, officers, employees and agents.
4. CONTRACTOR's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
5. CONTRACTOR must notify MTC SAFE if any of the above required coverages are non-renewed or cancelled. The failure to procure or maintain required insurance and/or an adequately funded self-insurance program will constitute a material breach of this Agreement.

By signing below, you acknowledge and agree to provide the required certificate of insurance providing verification of the minimum insurance requirements listed above before contract performance begins.

(Signature of Authorized Official)

(Type/Write Name of Authorized Official)

(Type or Write Name of Company)

NOTE: If you were unable to check “Yes” for any of the required minimum insurance coverages listed above, a request for exception to the appropriate insurance requirement(s) must be brought to MTC SAFE’s attention no later than the closing date and time for requests for clarifications/exceptions. If such objections are not brought to MTC SAFE’s attention consistent with the protest provisions of this RFQBI, compliance with the insurance requirements will be assumed.

October 11, 2012

**Requests for Qualifications Bid Invitation (RFQBI)
For the Freeway Service Patrol FY 2014- FY 2018**

**Questions & Answers:
From Bidders' Conference held on October 1 & 2, 2012 and
Clarifications/Exceptions received by October 5, 2012**

- Q1: Can Bidders combine beats into one bid?
A1: No, please submit one price proposal for each beat.
- Q2: Are dedicated midday trucks in addition to the number of trucks shown in Table 2: Proposed Implementation Plan?
A2: Yes, Addendum #1 provides clarification that Beat 2, 4, and 6 must have an additional tow truck to service the midday shifts only.
- Q3: What are pickup trucks? Can MTC SAFE explain their functionality?
A3: Not all FSP incidents require towing, so some beats have pickup (service) trucks to supplement the tow trucks in providing FSP service.
- Q4: How does MTC SAFE calculate the 20 minute from office to beat requirement?
A4: The office in which the Bidder will conduct FSP business must be 20 minutes from the beat it wishes to bid for. This 20 minute requirement is calculated from the time it takes to travel at the posted speed limit from the office to the beat prior to the beat start time.
- Q5: Why are dedicated trucks required? Can the dedicated truck rule only be applicable to new bidders?
A5: The purpose of having dedicated FSP trucks is to keep wear and tear on the FSP vehicles to a minimum as the contract period has increased from three years to four years. In addition, having dedicated FSP vehicles allows for better monitoring of the fleet. Therefore dedicated trucks are applicable to all contractors under the FSP program.
- Q6: Can Bidders obtain information regarding the number of times that backup trucks are used?
A6: From July 2011 through June 2012, Beat 5 provided backup service on 71 different shifts for a total of 243 hours whereas Beat 6 provided backup service on 59 different shifts for a total of 220.5 hours. Please note that backup service requests and hours can vary greatly.
- Q7: Is MTC SAFE setting a fuel rate as part of the bidding process?
A7: No, Bidders must make their own assumptions on fuel rates over the contract period.
- Q8: Can MTC SAFE clarify the number of beats that a company can obtain if the Contractor currently holds 2 expiring beats?

- A8: Contractors with two or more beats can hold a total of one more than they currently have. So a Contractor with 2 expiring beats may be awarded a total of 3 beats from this procurement round.
- Q9: Can a backup truck back up their own beat?
A9: Yes. The reference to in-house backup in the procurement document refers to the Bidder's own tow vehicles that are not the designated FSP backup truck.
- Q10: If the cost of a tow truck goes up or down between the time of bid submittal and the time of the purchase, can the agreed upon bid rate be modified?
A10: No, Bidders must account for such potential changes in their price proposal. Price proposals may not be modified after submittal.
- Q11: Can MTC SAFE extend FSP shifts that are 3 hours long to 4 hours? It becomes difficult to schedule drivers to work shorter shifts.
A11: No, changes to the shifts on each FSP beat were made based on the peak times of commutes and FSP assists to improve the effectiveness of the program.
- Q12: Financing for 4-year contracts is difficult because standard truck financing is for 5 years. Will MTC SAFE consider going to 5-year contracts?
A12: At this time, contracts will continue to be 4-year contracts, but may change in the future.
- Q13: Do trucks that are inspected under Step 2: Inspections need to be FSP vehicles?
A13: No, but trucks must be light duty tow trucks (not flatbed or pickup trucks).
- Q14: What is the Department of Energy website for historical diesel fuel prices in California?
A14: Diesel fuel prices for California can be found at: http://www.eia.gov/dnav/pet/pet_pri_gnd_dcus_sca_w.htm. The same website will also be used when calculating the monthly average fuel price over the contract period.
- Q15: Can MTC SAFE clarify the language on Page 30, Item 2 in the RFQBI regarding backup service reimbursement?
A15: See Addendum #1, Item #6.
- Q16: Where can Bidders access bid information on the beats currently in service?
A16: Interested bidders may pay for photocopies of the price proposals for contracts up for bid, which will be available in the MTC library through December.
- Q17: How many copies of the RFQBI forms are required?
A17: For Step 1, Bidders must submit one (1) original and three (3) hard copies; it is not necessary to submit forms for every beat the Bidder wishes to qualify for. For Step 2 & 3, Bidders must submit one (1) original and three (3) hard copies, but Forms P and U must be filled out for each beat separately.