



To: All Interested Parties

From: Sandra Amorim
 Purchasing Manager
 Monterey-Salinas Transit

Re: RFP #19-10 Automatic Passenger Counters – Addendum Number 1

This Addendum Number 1 to the above referenced RFP responds to a clarification question asked with the MST response. **MST is extending proposal deadline to December 17, 2018 by 5:00 PM PST.**

| Question | | Response |
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| 1 | In Section 1.04, Page 5, there is the request for vendors to submit proprietary information in a separate, sealed envelope prominently marked with 'Exempt from Public Disclosure'. Will MST accept sections in the APC proposal marked with 'Exempt from Public Disclosure' rather than a separate, sealed envelope? | Yes |
| 2 | In Section 1.07, in addition to the one (1) complete original and two (2) complete copies of the APC proposal, does MST desire an electronic copy of the proposal on a jump drive? | We do not require an electronic copy of the proposal. |
| 3 | Does MST have a DBE participation goal for this project? If so, please provide. | No |
| 4 | Operationally, are there MST bus deployment constraints/practices that should be taken into consideration when establishing the minimum number of APC-equipped buses in Phase I? If so, please describe. Examples of bus deployment constraints include: branded buses deployed to certain Routes, certain sized buses deployed to certain Routes, the same bus deployed on the same Block/Driver each day, switching buses at relief points, etc. | Vehicles are deployed to certain routes based on branding, size and some grant constraints. Beyond that there is no requirement for a bus to be deployed each day to the same driver or block. |
| 5 | What is the minimum amount of time between AM and PM runs that a bus remain in the garage? | There is no standard for the minimum time between a bus pulling in then pulling out again. The shortest time on our current schedule is about 45 minutes. |

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| 6 | For NTD reporting, what is the allocation of MST Routes to Categories of Service per Operating Division in for NTD reporting? An example may be a certain series of buses operating from a specific division are assigned to certain Routes. | MST and selected supplier will need to address this level of specificity after contract award. |
| 7 | Section 2.06 M and N refers to 'baseline sampling', can MST elaborate on what is meant by this? We are assuming this refers to the initial manual vs APC comparisons that must be done for NTD certification, but want to clarify. | The selected consultant will guide MST in selecting a sample number of trips against which to validate APC data (APC versus manual counts via on-board cameras), and in the process needed to compare UPTs and PMT. The consultant will guide MST as to which trips in the sample should be removed for valid reasons. |
| 8 | Section 2.06 O What is meant by 'benchmarking plan'? | Once the sample, whose average error in both UPT and PMT is less than 5%, the consultant will write a benchmarking plan and results so that MST can submit them to NTD for approval. Refer to the 2018 NTD Policy Manual for additional guidelines. |
| 9 | 2.06 P What is meant by 'maintenance plan'? Does this refer to a general plan for maintaining the APC system or is this specifically relating to NTD certification (i.e. older generations of NTD guidelines refer to 'maintenance sampling')? | The selected consultant will write a maintenance plan related to NTD guidelines which MST will execute every 3 years to confirm the validity of its APC measurements of UPT and PMT. Refer to the 2018 NTD Policy Manual for additional guidelines. |
| 10 | Page 15 in Section 2.0 "Scope of Work", Section 2.02 "Project Description" states that "MST operates these 32 routes with an active fleet of 6 MCI over-the-road coaches, 78 Gillig 35 and 40-foot buses, 1 Ford Aerolite, 6 trolley buses, and 35 mini buses", which totals to 126 vehicles. However, on Page 6, Section D, it is stated that there are 135 vehicles. a. Can MST please confirm the total number of buses that proposers are to quote? b. Can MST provide a fleet inventory that includes the following information: bus type, make, model, number of doors, and door width? | Quote a total of 135 buses. MST wants the ability to purchase from this contract for a three year period. We anticipate our fleet will grow by approximately 9 vehicles. See Attachment A |
| 11 | Can MST provide a summary of how the direct-operated and contract-operated fleets are used to meet service? | See Attachment B |
| 12 | Does MST's scheduling system indicate which scheduled trips are run by direct-operated service and which by contract-operated service? | It is not directly indicated by trip in the scheduling system but is inferred by our block numbering scheme, where <u>scheduled fixed route block numbers</u> for contracted service uses a '9' for the |

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| | | penultimate digit (191, 2492, 9191). |
| 13 | Does MST require the contractor of this RFP to provide certification and NTD reporting for both direct-operated service and contract-operated service | Yes |
| 14 | Does MST require a ridership and NTD reporting solution that stores data in a SQL Server database? | MST requires a hosted solution. We would expect to be able to request data to be sent in CSV format |
| 15 | Does MST require a ridership and NTD reporting solution that stores data for entire fiscal year in one database, and stores data for all future fiscal years in one database? | MST expects to be able to receive "scrubbed" passenger data in csv format. We would require 5 years of data to be available. Storage would be at the hosted site |
| 16 | Section 2.09 of the scope of work states that Award of contract is January 25th, 2019 and requires installation of Phase 1 with NTD certification by June 30th, 2019. The process to provide a quality installation that includes detailed documentation for each vehicle type, validation of the APC accuracy, as well as the NTD process which includes multiple steps - some of which are dependent on MST – can be theoretically accomplished within the 5 month window allotted; however, this is very aggressive. Will MST accept a solution without imposing liquidated damages, and that guarantees results but with a longer schedule? | No |
| 17 | Page 4, Section 1.0 “Term of Contract” states that the desired contract term is 36 months. The top of Page 51 describes a guarantee of 1 year after final payment. Page 18, Section 2.08 “Software Updates and Upgrades” of the RFP states that vendors will provide software updates for a minimum period of 5 years. What is the desired warranty term? | The desired term for any hardware updates is 5 years. The desired warranty term is 1 year. |
| 18 | As the RFP specifies a two-phased approach, and Phase 2 is undefined at this time, can MST please confirm that warranty for Phase 1 will begin at the completion of Phase 1 and warranty for Phase 2 will begin at the completion of Phase 2? a. If not, will MST please clarify how proposers should price warranty? | Yes, warranty will begin upon installation date and run through a 1 year period. |

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| 19 | Can MST please elaborate on how the agency will evaluate "Service and Warranty" and "Price" in the evaluation criteria? | Most favorable price balanced with service factors, such as length of warranty and ability to meet MST stated objectives. |
| 20 | Page 11, Section 1.20 "List of Mandatory Forms and Documents" mentions a "Firm Information Form". Can MST please confirm that this refers to the "AFFIDAVIT AND INFORMATION REQUIRED OF BIDDERS" / "AFFIDAVIT OF NON-COLLUSION" sections beginning on page 61? | Yes |
| 21 | NTD certification is dependent on how the direct-operated service and the contract-operated service are managed. Does MST have a common fleet for direct-operated service and contract-operated service, or are these distinct and separate fleets? | The directly operated fleet is distinct and separate from the contracted fleet. There is no daily switching of vehicles between contracted service and directly operated service although a vehicle may sometimes be transferred from one to the other (DJ) |
| 22 | <p>Page 5 of the RFP states that if "any information is confidential or proprietary in nature, the Vendor must submit all such information in a separate, sealed envelope".</p> <p>a. In lieu of a separately sealed envelope, would MST accept a redacted copy of the proposal submitted on a USB drive? This would allow for easier review of the hard-copy proposals, as some material would not need to be separated/referenced.</p> <p>b. If not, does MST require only one hard copy of this confidential material or three copies, as specified for the non-confidential material?</p> | Yes |
| 23 | <p>Section 1, Clause 1.06, Preparation of Submittals, D.</p> <p>As per MST's e-mail dated November 14 and titled "Release of RFP 19-10", MST indicated that the total number of buses to be equipped with APCS be reduced from 170 to 135. Para D indicates that the vendor is to indicate the fleet necessary to achieve NTD certification. This number will be implemented as Phase 1. Further in paragraph D, it is indicated that the remaining 135 vehicles will be part of phase two which makes for a greater total of 135. Are we to assume that the number of vehicles to be equipped with APCS in phase 1 will be deducted from the 135 total vehicles to be equipped with APCS for phase 2?</p> | Yes, Phase 1 will be deducted from the 135 vehicles. The remainder will be Phase 2 and possibly a Phase 3, based on negotiations with APC firm. |
| 24 | Would it be possible to do an inspection of each bus type prior to the proposal submission deadline? | Yes, arrangements would need to be made as soon as possible. |

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| 25 | Are the buses equipped with a router? If yes, please provide make and model. | MST currently has 15 vehicles equipped with Cradlepoint routers. A solution would need to be offered by the vendor for communicating with the MST WLAN. In the next 2 years there is a possibility that all vehicles will be equipped with routers in order to interface other real-time systems, as well as passenger loads but this will not be in place until after the first phase of this project |
| 26 | Section 2, Scope of Work, Clause 2.01, Second paragraph states that vendors may include a quote for a WLAN. Clause 2.06 B, states that the APC system has provision for wireless data transfer between each transit vehicle and a server through a wireless local area network at the MST garage. Is a WLAN already available at the MST garage? Why is a quote for a WLAN required? Please clarify. | MST has WLAN infrastructure in place at the garages. If and when MST installs modems on all buses, Real-time data upload is desired for passenger load information |
| 27 | Section 2, Scope of Work, Clause 2.02, second paragraph. MST indicates that it operates an active fleet of 126 buses of various types. Making reference to Question 4, it is indicated that the total fleet to be equipped with APCs is 135. Which is right? | Projected total over a 3 year contract period is 135. MST has 126 vehicles currently identified that we want to install APC units on. |
| 28 | Section 2, Scope of Work, Clause 2.02, second paragraph. Can MST please confirm the number of doors and door widths of the following bus types: 6 MCI: 1 Door each, Front door width of 2 5/8 ft 78 Gillig: 69 with 2 doors and 9 with 1 door, Front door width 3 ft and Back door width 2 1/2 ft 1 Ford Aerolite: 1 Door, Front door with 2 ft 6 Trolleys: 1 Door, Front door width 3 ft 3in 35 Mini Bus: 1 Door, Front door with 2 ft | This is our best measurement. Measurements will need to be confirmed by selected proposer. |
| 29 | Section 2, Scope of work, Clause 2.06, B This clause indicates transfer of data to the wayside server through WLAN or Cellular mode. Which is required or is the Cellular mode to be indicated as an option? | Transfer via WLAN when at MST garages. If and when MST installs modems on all buses, Real-time data upload is desired for passenger load information |
| 30 | Section 2, Scope of Work, Clause 2.06 Is the backend software to be hosted or installed on MST premises? | Backend SW to be hosted |

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| 31 | Section 4, Mandatory Forms Can MST re-format the forms so as they do not overrun one over the other (i.e. Buy America form mixed with Debarment Certificate, etc.). | Yes. See forms at the end of this document. |
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Other than those specifically listed above, no other sections, terms or conditions of the above cited solicitation are being altered at this time. All other sections conditions and language not specifically cited as altered in this document are still in full and original effect.

Submitted:

Sandra Amorim

Sandra Amorim, Purchasing Manager

Dated: December 6, 2018

The person signing the certification shall state his address and official capacity.

BUY AMERICA PROVISION

(Only for Contracts above \$100,000)

This procurement is subject to the Federal Transportation Administration (FTA) Buy America Requirements in 49 CFR part 661.

The contractor agrees to comply with 49 U.S.C. 5323(j) and 49 C.F.R. Part 661, which provide that Federal funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States, unless a waiver has been granted by FTA or the product is subject to a general waiver. General waivers are listed in 49 C.F.R. 661.7, and include final assembly in the United States for 15 passenger vans and 15 passenger wagons produced by Chrysler Corporation, and microcomputer equipment and software. Separate requirements for rolling stock are set out at 49 U.S.C. 5323(j)(2)(C) and 49 C.F.R. 661.11. Rolling stock must be assembled in the United States and have a 60 percent domestic content.

A bidder or offeror must submit to the FTA recipient the appropriate Buy America certification (below) with all bids or offers on FTA-funded contracts, except those subject to a general waiver. Bids or offers that are not accompanied by a completed Buy America certification must be rejected as nonresponsive. This requirement does not apply to lower tier subcontractors.

A false certification is a criminal act in violation of 18 U.S.C. 1001. Should this procurement be investigated, the successful bidder/proposer has the burden of proof to establish that it is in compliance.

A waiver from the Buy America Provision may be sought by MST if grounds for the waiver exist.

Section 165(a) of the Surface Transportation Act of 1982 permits FTA participation on this contract only if steel and manufactured products used in the contract are produced in the United States.

BUY AMERICA CERTIFICATE

SELECT AND COMPLETE **ONLY ONE** CERTIFICATE FOR BUY AMERICA

Certification requirement for procurement of steel, iron, or manufactured products.

Certificate of Compliance with 49 U.S.C. 5323(j)(1)

The bidder or offeror hereby certifies that it will meet the requirements of 49 U.S.C. 5323(j)(1) and the applicable regulations in 49 CFR Part 661.5.

Date _____

Signature _____

Company Name _____

Title _____

Certificate of Non-Compliance with 49 U.S.C. 5323(j)(1)

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j)(1) and 49 C.F.R. 661.5, but it may qualify for an exception pursuant to 49 U.S.C. 5323(j)(2)(A), 5323(j)(2)(B), or 5323(j)(2)(D), and 49 C.F.R. 661.7.

Date _____

Signature _____

Company Name _____

Title _____

DEBARMENT AND SUSPENSION CERTIFICATE

CERTIFICATION OF POTENTIAL CONTRACTOR REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

If unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.

The primary participant, _____ certifies or

(firm name/principal) affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. sections 3801 et seq. are applicable thereto.

Signature and Title of Authorized Official

Date

CERTIFICATION REGARDING LOBBYING

The undersigned [Contractor] certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96)].

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, *et seq.*, apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official _____

Name and Title of Contractor's Authorized Official _____

Date _____

AFFIDAVIT AND INFORMATION REQUIRED OF BIDDERS

AFFIDAVIT OF NON-COLLUSION

I hereby swear (or affirm) under penalty for perjury:

1. That I am the bidder or an officer or employee of the bidding corporation having authority to sign on its behalf (if the bidder is a corporation);
2. That the attached bid or bids has been arrived at by the bidder independently and have been submitted without collusion and without any agreement, understanding, or planned course of action with any other vendor of materials, supplies, equipment, or service described in the invitation to bid, designed to limit independent bids or competition;
3. That the contents of the bid or bids has not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid or bids, and will not be communicated to any such person prior to the official opening of the bid or bids; and,
4. That I have fully informed myself regarding the accuracy of the statement made in this affidavit.

SIGNED _____

FIRM NAME _____

Subscribed and sworn to before me this _____ day of _____, 2018

Notary Public

My commission expires _____, _____

Bidder's E.I. Number _____

(Number used on employer's Quarterly Federal Tax Return)

DISADVANTAGED BUSINESS ENTERPRISE

If you desire to qualify for Disadvantage Business Enterprise (DBE) status the web address for California Unified Certification Program (UCP) is:

<http://www.dot.ca.gov/hq/bep/ucp.htm>

If you are a DBE, please provide a copy of your UCP certificate.

AFFIDAVIT FOR DISADVANTAGED BUSINESS ENTERPRISE

STATE OF _____:

COUNTY OF _____ (CITY) OF _____

I HEREBY DECLARE AND AFFIRM THAT I AM THE _____ (Title)

and duly authorized representative of _____ (name of corporation/firm) whose address is _____.

I hereby declare and affirm that my firm is a certified Disadvantaged Business Enterprise or Women-Owned Business Enterprise as defined by California Unified Certification Program. The above, named firm will provide MST with a copy of the document from the California Unified Certification Program so affirming their DBE status.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING DOCUMENT ARE TRUE AND CORRECT, AND THAT I AM AUTHORIZED, ON BEHALF OF THE ABOVE FIRM, TO MAKE THIS AFFIDAVIT.

_____ (Name) _____ (DATE)

STATE OF _____:

COUNTY (CITY) OF _____:

On this _____ day of _____, 2018

MONTEREY-SALINAS TRANSIT DISTRICT

ADDENDUM

ACKNOWLEDGEMENT

Proposer/Bidder acknowledges receipt of the following addenda which are attached to the proposal/bid:

Addendum No. _____ Date _____

Failure to acknowledge receipt of all addenda may cause the proposal to be considered non-responsive.