



**CITY OF HOUSTON**  
**Administration and Regulatory Affairs Department**  
Strategic Purchasing Division

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October 24, 2011

**SUBJECT:** Letter of Clarification 4

**REFERENCE:** Janitorial Cleaning and Associated Services Bid No.: S46-L24093  
L24094 and L24095 for ALL Departments

**TO:** All Prospective Bidders:

**This Letter of Clarification is issued for the following reasons:**

- **To respond to Vendor Questions: received by ITB question due date of October 12, 2011: Please note that questions and applicable responses apply to and will be posted to each solicitation.**

- **VENDOR QUESTIONS: AND CITY OF HOUSTON (COH) RESPONSE**

1. **Vendor Questions::** I am asking to see if we need to be certified with the City of Houston in order to place a bid for the Janitorial bids? please let me know thank you

**COH Response:** You are required to be certified by the City of Houston if you are a MWBE business partnering with a company that will be responding to these solicitations as a Prime.

2. **Vendor Questions:** Will the prebid conference be a mandatory for this bid?

**COH Response:** No

3. **Vendor Questions:** What is the current contract number?

**COH Response:** OA 4600001080

4. **Vendor Questions:** Can you provide the previous bid price tab including successful bidder?

**COH Response:** Yes, the current contract is posted to the e-bid website as Exhibit C-1 - Amendment 1 - OA 4600001080

5. **Vendor Questions:** Who is a current contractor providing service at these facilities? How long has the current service provider had the contract?

**COH Response:** McLemore Building Maintenance, since 2005

6. **Vendor Questions:** What is the precise contract value for the most recent twelve month period of each facility? Is this contract value including the cost of supplies?

**COH Response:** Please refer to Exhibit C-1.

7. **Vendor Questions:** Is it possible to get the current supply usages from the current contractor?

**COH Response:** The current contract includes both service and supplies.

8. **Vendor Questions:** Is the scope/size of this bid identical with the current contract?

**COH Response:** The bid-tab reflects the current requirements. Additional information can be found on Exhibit C-1

9. **Vendor Questions:** Have there been any changes from the previously awarded contract to current request for bid?

**COH Response:** Yes, the Pay or Play, Hire Houston First as well as the wage table.

10. **Vendor Questions:** What are the criteria for awarding the contract?

**COH Response:** This solicitation is an Invitation to Bid, lowest responsive and responsible bidder meeting specifications.bid.

11. **Vendor Questions:**Will it be awarded to single vendor or multiple vendors?

**COH Response:** The City anticipates awarding a sole contract to the lowest responsive and responsible bidder meeting specifications.bid.

12. **Vendor Questions:** Will the local business; City of Houston area be preferred to be awarded contract?

**COH Response:** Yes, per the following Hire Houston First Ordinance.

**HIRE HOUSTON FIRST (NON-PROFESSIONAL SERVICES):**

[http://purchasing.houstontx.gov/forms/hire\\_houston\\_first\\_ordinance.pdf](http://purchasing.houstontx.gov/forms/hire_houston_first_ordinance.pdf)

***Hire Houston First*** – (Award of Procurement of **\$100,000 or More** for Purchase of Non-Professional Services)

The City will award this procurement to a "local business," as that term is defined in Section 15-176 of the City of Houston Code of Ordinances, if the bid of the local business is the lowest responsible bid or is within **3% of the lowest bid received**. If there is no bid of a local business that meets these criteria, the City will award the procurement to the lowest responsible bidder.

***Hire Houston First*** – (Award of Procurement **Under \$100,000** Purchase of Non-Professional Services)

The City will award this procurement to a "local business," as that term is defined in Section 15-176 of the City of Houston Code of Ordinances, if the bid of the local business is the lowest responsible bid or is within **5% of the lowest bid received**. If there is no bid of a local business that meets these criteria, the City will award the procurement to the lowest responsible bidder.

13. **Vendor Questions:** Eric, does Sec. 15-181 (a) apply to this opportunity? Texas Ordinance No. 2011-766 also known as Hire Houston First. It's on page 6 of 59 in the Bid.

**COH Response:** Yes

14. **Vendor Questions:** I am contacting you about the City of Houston Bids. Bid Invitation No.'s 24093, 24094 and 24095. Do they have a Performance Bond, or Bid Bond? What page is it on?

**COH Response:** No

15. **Vendor Questions:** Is there no bid bond or performance bond associated with these bids?

**COH Response:** No

16. **Vendor Questions:** If the Prime Bidder is a MWBE will there also be a requirement for a MWBE subcontractor?

**COH Response:** Yes

17. **Vendor Questions:** Does these projects come under the Mayors new Hire Houston 1st Project?

**COH Response:** Yes

18. **Vendor Questions:** I was unable to locate a posting on the website for the upcoming janitorial bid walks for L24093 & L24095. Have these been posted?

**COH Response:** Yes, please refer to Letter of Clarification 1.

19. **Vendor Questions:** Mr. Alexander you mentioned during Friday, 10/7 pre bid meeting that no Bid Bond is required. Does this apply to all three RFP's for Janitorial Services ?

**COH Response:** That is correct, please refer to our response to Q14

20. **Vendor Questions:** Is Paper and cleaning products provided by the City of Houston for all three RFP's ?

**COH Response:** No

21. **Vendor Questions:** Regarding window cleaning for S46-L24095, was there a previous contract awarded for the window cleaning of the 53 buildings listed in the RFP? If so, what is the contract number?

**COH Response:** Yes, the amended contract for 1 year.

22. **Vendor Questions:** What do the Letters at the tops of the Exhibits stand for? (J-P-WW-RC)

**COH Response:** Janitorial, Porter, Window Washing and Recycling

23. **Vendor Questions:** What dose Cart and Dump stand for on the Exhibits?

**COH Response:** The type of containers used for recycling.

24. **Vendor Questions:** If we submit the bid electronically, is there any paper work that must also be mailed in?

**COH Response:** Please refer to each solicitation document page 2 regarding the submittal requirements. You are required to submit two (2) hardcopy sealed bids to the City Secretary' Office.

25. **Vendor Questions:** Can the City define "similar in size and scope" as used in this Questionnaire? For example, is there a mandatory minimum number of square feet and/or buildings required to be cleaned to meet this requirement?

**COH Response:** This can be another municipality/governmental agency that is similar in size/scope to the amount of (buildings, sq. footage) that the City of Houston is requiring in the scope. This can be a very large University such as University of Texas etc. Or this can include a very large private sector firm that has various offices or several floors in a high-rise building.

26. **Vendor Questions:** This same Questionnaire indicates it is not due w/the bid submission. This directly conflicts w/Table 1 - Required Forms on p. 3 of 61. Please clarify.

**COH Response:** Page 4, Contractor Questionnaire is revised as follows:

**CONTRACTOR'S QUESTIONNAIRE**

In order to receive bid award consideration, the Bidder must be able to demonstrate that they are currently providing or have had at least one Contract, as a prime Contractor, for **Janitorial Cleaning and Associated Services** that is similar in size and scope to this Contract. **Bidder must have references documenting that it has performed** Janitorial Cleaning and Associated **Services**. The reference(s) should be included in the space provided below. Please attach another piece of paper if necessary. ~~If references are not included with the Bid, the Bidder shall be required to provide such references to the City of Houston within five working days from receipt of a written request from the City of Houston to do so.~~ **Bidder's capability and experience shall be a factor in determining the Contractor's responsibility.**

1. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City & State: \_\_\_\_\_  
Name & Phone Number of Contact: \_\_\_\_\_ Years of Services: \_\_\_\_\_

2. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City & State: \_\_\_\_\_  
Name & Phone Number of Contact: \_\_\_\_\_ Years of Services: \_\_\_\_\_

3. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City & State: \_\_\_\_\_  
Name & Phone Number of Contact: \_\_\_\_\_ Years of Services: \_\_\_\_\_

**SITE INSPECTION**

The City of Houston reserves the right to inspect the Bidder's current place of business to evaluate equipment condition and capabilities, staff experience, training and capabilities, and storage capabilities as they relate to the performance of this contract.

**QUALITY AND WORKMANSHIP**

The Bidder must be able to demonstrate upon request that it has satisfactorily performed services similar to the services specified herein. The Bidder will provide records of warranty and repair services upon request by City. The City of Houston shall be the sole judge as to whether the services performed are similar to the scope of services contained herein and whether the Bidder is capable of performing such services.

Please remove Page 4 and replace with attached Page 4 marked Revised – October 24, 2011.

27. **Vendor Questions:** If the Bidder's capability and experience shall be a factor in determining the Contractor's responsibility, respectfully request that the City clarify if this Questionnaire is a Pass/Fail or Go/No-Go factor.

**COH Response:** Please refer to COH Response to question 26

28. **Vendor Questions:** In addition to the experience of the prime contractor, will the City favorably consider the experience of Team Members particularly subcontractors?

**COH Response:** The City will assess the Prime Contractor's experience to determine if they are the lowest responsive and responsible bidder meeting specification.

29. **Vendor Questions:** Ref. - "shall be liable on Contractor's performance bond", Please clarify

**COH Response:** A performance bond is not required, all references will be removed.

30. **Vendor Questions:** How will the City confirm/verify a Contractor is paying the prescribed mandatory minimum wages, e.g., certified payroll requirements, Section 9.0 Inspections and Audits (p. 51 of 61)?

**COH Response:** This project does not require certified payrolls...however random conversations with workers performing cleaning services will be performed by the Mayor' Office of Business Opportunity (MOBO) to ensure that minimum wages, time and half after 40 hours etc. are being executed.

31. **Vendor Questions:** Does the City consider the current levels of cleanliness acceptable for this procurement?

**COH Response:** Yes

32. **Vendor Questions:** Day labor support: Exhibit B1 lists a porter sheet with (18) porters, also the electronic bid sheet lists (18) porter locations. B1 column G listed (26) porter locations with hours identified, which is correct?

**COH Response:** Exhibit B-1 has been revised to reflect the current requirements.

- **THIS SECTION HAS BEEN REVISED TO REMOVE THE PERFORMANCE BOND REQUIREMENT**

**14.0 PAYMENT OF EMPLOYEES AND SUBCONTRACTORS**

- 14.1 Contractor shall make timely payments in accordance with applicable state and federal law to all persons and entities supplying labor, materials or equipment for the performance of this Agreement including Contractor's employees.
- 14.2 Contractor shall defend and indemnify the City from any claims or liability arising out of Contractor's failure to pay its subcontractors as required by law. Contractor shall submit disputes relating to payment of M/WBE subcontractors to arbitration in the same manner as any other disputes under the M/WBE subcontract.

Please remove Page 45 and replace with attached Page 4 marked Revised – October 24, 2011.

When issued, Letter(s) of Clarification shall automatically become a part of the solicitation documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Letter(s) of Clarification. It is the responsibility of the proposers to ensure that they have obtained any such previous Letter(s) associated with this solicitation. By submitting a proposal on this project, proposers shall be deemed to have received all Letter(s) of Clarification and to have incorporated them into this solicitation.

If you have any questions or if further clarification is needed regarding this BVB, please contact Eric Alexander at 832-393-8704.

Sincerely,

*Eric Alexander*

Senior Procurement Specialist  
City of Houston, Strategic Purchasing Division

cc: L24093, L24094 and L24095 Solicitation Files

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- 1. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City & State: \_\_\_\_\_  
Name & Phone Number of Contact: \_\_\_\_\_ Years of Services: \_\_\_\_\_
  
- 2. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City & State: \_\_\_\_\_  
Name & Phone Number of Contact: \_\_\_\_\_ Years of Services: \_\_\_\_\_
  
- 3. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City & State: \_\_\_\_\_  
Name & Phone Number of Contact: \_\_\_\_\_ Years of Services: \_\_\_\_\_

**SITE INSPECTION**

The City of Houston reserves the right to inspect the Bidder's current place of business to evaluate equipment condition and capabilities, staff experience, training and capabilities, and storage capabilities as they relate to the performance of this contract.

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## End of Letter of Clarification 4