



CITY OF HOUSTON

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May 10, 2013

SUBJECT: Letter of Clarification No. 3 Janitorial Cleaning and Associated Services for Various Departments

REFERENCE: Best Value Bid (BVB) No. S46-L24595

TO: All Prospective Bidders:

This Letter of Clarification is issued for the following reasons:

• **The following questions and City of Houston responses are hereby incorporated and made a part of the Request for Proposal:**

1. Missing EXHIBIT#1 CONTRACTOR'S QUESTIONNAIRE and EXHIBIT #II.MINORITY/WOMEN BUSINESS ENTERPRISES CONTRACT REQUIRMENT on your bid package #24595 and L24596
Do we need this page or not ?

Answer: All required forms including but not limited to the "Exhibit 1 – Contractor Questionnaire and Exhibit II – Minority/Women Business Enterprise Contract Requirements can be found on the City of Houston e-bid site. Please refer to Exhibit W – Forms.

2. Is it possible can you inform us the current Sub Contractors working with the current Prime- Contractor for the two open City of Houston bids..I understand we can pull the list of Contractors under MWBE but it is listing primes with that list.

Answer: A copy of the current contracts which contains a list of the current MWBE partners are posted to the e-bid site. Please refer to Exhibit D1.

Solicitation	Current Contract
L24595 – Janitorial Cleaning and Associated Service for Various Departments	OA 4600011595
L24596 – Janitorial Cleaning and Associated Service for Houston Police Department	OA 4600011594

3. The following locations are listed in the Exhibit B1 Schedule but are not listed in Exhibit B1 Porters services

- Braesner WIC 2 hour day porter 5 days per week
- Kashmere Multi Service Center 6 hour Day Porter 5 days a week
- North West WIC 2 hour day porter 5 days per week

Answer: Please refer to the table below for the applicable service requirements per location.

Location	Service Requirements
Braesner WIC	2 hour day porter 5 days per week

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Kashmere Multi Service Center	6 hour Day Porter 5 days a week
North West WIC	2 hour day porter 5 days per week

4. The following locations are listed in the Exhibit B1 Porter services but are not listed in Exhibit B1 Schedule

- Jesse Jones Library no porter hours information
- Houston Trastar no porter hours information
- 3301 Commerce Missing cleanable sq/ft

Answer: *The updates to the locations are as follows.*

1. Jesse Jones
 - 1 - JHJ Day Porter M-T-W-T-F, 9am – 6pm - 8hrs
 - 1 - JHJ Day Porter M-T-W-T-F, 6am - 3pm - 8hrs
 - 1 - JHJ Night Porter M-T-W-T-F 1pm to 9pm - 8hrs
 - 1 - JHJ Day Porter – Sat - 8hrs
 - 1 – JHJ Day Porter - Sunday - 8hrs
2. Houston Transtar
 - 1- day porter, 8 hours a day 5 days a week (Monday thru Friday)
 - Day cleaning on weekends 2 hours a day (Saturday and Sunday from 12:00pm to 2:00pm)
 - Night cleaning 5 days a week (Monday thru Friday 7:00pm to 3:00am)
3. 3301 Commerce – 2,000 SQUARE FT.

5. I was reviewing potential bids this morning and noticed both L24595 and L24596. These would appear to be re-bids of L24480 (Janitorial Cleaning and Associated Services for Various Departments) and L24484 (Janitorial Cleaning and Associated Services for Houston Police Department). How might we find out the reason for the decision to re-bid these two opportunities?

Answer: *As indicated on the top of page 2 of each solicitation.*

The previous solicitation for Janitorial Cleaning and Associated Services was canceled in accordance with Chapter 15, Section 15.46 of the City of Houston Code of Ordinances for the following reasons:

- All bids received exceeded the department director’s or purchasing agent’s estimated costs and the director or purchasing agent determined that the bids appear to be excessive.
- The department director or purchasing agent determined that the City’s design or specifications for the project or bid should be revised and new bids should be taken.

Please review this solicitation carefully as some provision have been revised and consider making the lowest reasonable bid your organization can afford. The City reserves the right to accept or reject, in whole or in part, any or all bids and to make award on the basis of individual items or combination of items, as it is deemed most advantageous or in the best interest to the City. An Offer that takes exception to a material requirement of any part of the solicitation, including terms and conditions or prices, may be rejected.

6. Are the pre-bid conference for the janitorial services solicitations for HPD (L24596) and Various Depts. (L24595) mandatory to attend, since we already attended the previous one a few months ago?

Answer: *No.*

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7. hi my name is larry smith,im currently trying to find cleaning and power washing jobs in my area of Houston

Answer: *The City of Houston has included our cleaning and power washing requirements in solicitation L24595 – Janitorial Cleaning and Associated Service for Various Departments*

8. We received notification yesterday regarding this morning's meeting and unfortunately we are unable to attend today. Please note EULEN AMERICA will submit a bid for the Janitorial Cleaning and Associated Services for Various Departments.

Answer: *Duly noted. The pre-bid was not mandatory.*

9. Will the pre bid meeting that is scheduled for tomorrow at 9 am be mandatory? And could you tell me why the last janitorial bid was rejected?

Answer: *The pre-bid was not mandatory. Please refer to the top of page 2 of each solicitation.*

10. It appears the COH intent is that all employees or workers on this contract should be paid the "minimum wage" and subject to "pay or play" provisions. However, Section 5, Minimum Wage and Employee Benefits, only refer to "Contractor Employees". There appears to be a loop pool and therefore we ask the following questions:

10a. Does the minimum wage apply to workers on this contract that are hired as an independent contractor (1099)?

10b. Are there any flow down provisions of this contract that apply to subcontractors i.e., minimum wage, pay or play, labor relations plan?

10c. What type of verification, if any, is required as evidence or compliance with the minimum wage?

10d. Are weekly certified payroll reports required?

10e. Will this contract be monitored by the contract compliance division of COH OBO?

Answer: *The City of Houston does intend that all workers providing janitorial services under this contract be paid the Minimum Hourly Rates set forth in Section 3.0 / 5.0 of the Scope of Work. The revised Solicitation clarifies this by referring to them as "Personnel", a new term defined to include the winning contractor's employees, its subcontractor's workers, and any independent contractors. To further clarify that it applies to every worker, the term "Subcontractor" is defined to include all sub-subcontractors. The revised Solicitation also incorporates the City's practice in other contracts for the winning contractor to submit regular certified payroll for its Personnel to the City's Office of Business Opportunity. This new provision can be found in Section 3.6 / 5.6 of the Scope of Work, entitled "Compliance Verification." These provisions in the Scope of Work will become part of the final contract as Exhibit B.*

With regard to the Pay or Play provisions, they also apply to most subcontractors. Section 4.2 of the Mayor's Executive Order No. 1-7 states, "This Program applies to subcontracts for services in which the total value of the subcontract, including contingencies, amendment, supplemental terms and/or change orders equals or exceeds \$200,000." The exceptions contained in this section do not apply to the proposed janitorial services contract. Furthermore, Section 4.2 provides, "Covered employees – This program applies to employees of a covered contractor or subcontractor, including contract labor, who are over age 18, work at least 30 hours per week and work any amount of time under a covered City contract or subcontract."

Finally, with regard to the labor relations plan requirement, the winning contractor and its subcontractors must provide a plan(s) under the revised Section 4.0 / 6.0 of the Scope of Work if a contract is awarded. For its bid to be considered complete, however, only the Offeror must submit a labor relations plan. A form has been developed to aid the Offeror. If the Offeror has a complex business arrangement with subcontractors and/or contract labor, it may provide additional pages explaining how it will maintain labor peace.

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11. The prior solicitation was cancelled as the bids received exceeded the COH estimated cost and budget. What is the COH estimated budget cost for this contract?

Answer: *The city will not provide a budget for these contracts. Please review the requirements and provide your pricing based on the requirements per location.*

12. Item #11 - City Hall and Item #12 - City Hall Annex on Exhibit B-1 J-Services Type Fields are blank. Was this intentional?

Answer: *Yes, janitorial services for City Hall and City Hall Annex are provided by the City of Houston*

13. Item #28 Jesse Jones Library regarding "J-Services Type" states Day Porter and Night Porter but no Janitorial. How will paper, chemical, and supplies be provided? Was this intentional?

Answer: *Yes, janitorial supplies will be supplied by the City of Houston*

14. Exhibit B-1 Item #2 and Item #9 have Day Porter but no Janitorial under service type, however, Janitorial is listed on the spreadsheet as a service. Please confirm what type of janitorial, if any, is needed.

Answer: *Item 2 - African American Library, 1-day porter 8 hrs M-T-W-T-F
Item 9 - Carnegie Library, 1-day porter, M-T-W-T-F, 6hr per day*

15. Exhibit B-1 # 28 Jesse Jones Library has day porter and night porter but no janitorial? If only Day Porter is needed how many are needed and how many hours?

Answer: *Hours of operation have changed – Jesse H. Jones Library M-T-W-T-F- 10-8, Saturday 10-5 and Sunday 10-6*

*1 - JHJ Day Porter M-T-W-T-F, 9am – 6pm - 8hrs
1- JHJ Day Porter M-T-W-T-F, 6am - 3pm - 8hrs
1- JHJ Night Porter M-T-W-T-F 1pm to 9pm - 8hrs
1- JHJ Day Porter – Sat - 8hrs
1 – JHJ Day Porter - Sunday - 8hrs
City of Houston provides janitorial supplies*

16. On Items #8, #32, # 41 you request day porters and specify quantities but in bid L24480 - Exhibit B-1: Porter Services there is no place to input these numbers.

Answer: *Please refer to Exhibit B-1 Columns O, P, Q, R, S. Please note that ALL pricing is to be inserted into the City of Houston e-bid site where you should select "Place a Bid".. Pricing submitted via Exhibit B-1 will not be accepted.*

17. Item 31 Julia Ideson Library , 53 Houston Transfer and 1 Houston Transfer (PWE) has day porter, however, none are indicated on the spreadsheet. How many are required and what hours?

Answer: *Item 31 - 3 -JIB day porters M-T-W-T-F, 8 hrs 8-5, 1- JIB day porter, Sat, 8hrs 9-5;*

Hours of operation have changed Julia Ideson Library Mon -10-6, Tue - 10-6, Wed -10-8,Thur -10-6, Fri -10-6, Sat 10-5

Item 53 - Houston TransStar – 1 day porter, 8hrs 7am to 3:30pm, M-T-W-T-F, 1- EC evening cleaning service. M-T-W-T-F

18. General – Exhibit B-1 - there are differences in the "J Service Type" and the services listing on the far right side of the this sheet. Please confirm which service request should we price.

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Answer: DP – Day Porter; NP – Night Porter, EC - Evening Crew Service, NC – Roving crew service, FCO Floor Care only. Please note that ALL pricing is to be inserted into the City of Houston e-bid site where you should select “Place a Bid”.. Pricing submit via Exhibit B-1 was not be accepted

19. Pre-Bid Conference if we attended the previous pre-bid conference did we need to go again today?

Answer: No.

20. Additionally; do we resubmit information that was missing only or the whole package?

Answer: Please refer to Exhibit X – Sample Bid Response for a sample of all required information and documents.

When issued, Letter(s) of Clarification shall automatically become a part of the proposal documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Letter(s) of Clarification. All revisions, responses, and answers incorporated into the Letter(s) of Clarification are collaboratively from both the Strategic Purchasing Division and the applicable City Department(s). It is the responsibility of the proposers to ensure that it has obtained all such letter(s). 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 proposal.

If you have any questions or if further clarification is needed regarding this BVB, please contact me

Eric Alexander

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END OF LETTER OF CLARIFICATION 3

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Council Members: Helena Brown Jerry Davis Ellen Cohen Wanda Adams Dave Martin Al Hoang Oliver Pennington Edward Gonzalez
James G. Rodriguez Mike Laster Larry Green Stephen C. Costello Andrew Burks Melissa Noriega C.O. “Brad” Bradford
Jack Christie **Controller:** Ronald C. Green