



CITY OF HOUSTON

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November 26, 2013

SUBJECT: Letter of Clarification No. 3

Residual Transportation Services for the Public works and Engineering Department

REFERENCE: Request for Best Value Bid No. S46-L24777

TO: All Prospective Bidders

This Letter of Clarification is issued for the following reason:

- **To revise the above referenced solicitation as follows:**
- **The following questions and City of Houston responses are hereby incorporated and made a part of the Request for Proposal:**

1. "If the goal is to confirm that the Contractor has local fleet available to cover surges, shouldn't the eligible equipment list include the surrounding counties in the Houston metropolitan area, not be limited to Harris County?"

Response: The goal of the requested information is not only to confirm that the Contractor has an adequate fleet to cover surges. However, see Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraph 7.2.2.

2. "For clarification, the standard container size should be 25 cu yards, not 24, please confirm."

Response: See Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraph 3.1.5.1.

3. "Since there is no MWBE vendor associated with landfill disposal, shouldn't the cost associated with landfill disposal be excluded from the "value of the Agreement" for which the MWBE% is calculated?"

Response: Pass through costs associated with landfill disposal (e.g., tipping fees, trailer washout, etc.) will not be subjected to the overall MWBE

4. "All members of the selected Contractor's staff are required to participate in a 2 hour Biosolids Management Program Awareness training class within 2 weeks of the Notice to Proceed? Does the City recommend a particular 3rd party training program?"

LETTER OF CLARIFICATION 3
Residual Transportation Services
SOLICITATION NO. S46-L24777

Response: See Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraph 3.4.1.10.

5. "Can you clarify and confirm the contract length?"

Response: See Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Uniform Instructions to Offeror(s), Paragraph 8.0 and General Terms & Conditions/Specimen Contract, Section IV (Term and Termination), Paragraph 1.0 (Contract Term).

6. "Are bidders required when submitting proposals electronically to attach items listing in the uniform instructions to offerer(s) 2.3, Table 1 or do we just submit these items as hard copies with our bid that is mailed in?"

Response: Bidders are required to submit your bid in hardcopies. Please refer to bid Submittal Instructions - 1.1
Sealed bids, two (2) hard copies of the Bid package, including one (1) printed original must be signed in ink on the Official Signature Page by an authorized officer of the Offering Company. Additionally, the Bid package must include the hard copy of the Electronic Bid Form and five (5) additional electronic thumb drives or CD copies of the Bid Forms as referenced in Section 2.3 below are required to be submitted in a separate sealed envelope/box bearing the assigned Solicitation Number, located on the first page of the BVB document to:

7. Can you clarify whether water that is released from the road tractors air conditioning units will be allowed to be drained onto City property or will it need collected?

Response: Reference applicable federal, state, and local regulations, applicable City and contractor permits, etc.

8. Will the City consider excluding the landfill tipping fees (not the 15% add on but just the landfill fees) from being included in the calculation that is used for a contractor to meet the 12% MWBE requirement as identified on page 51 section 8.0?"

Response: Please refer to the response to Question 3 above.

9. "Will the City consider modifying the "Local Fleet" evaluation category identified on page 71 section 2.1.2 to include additional items and/or to broaden the definition of "Local Fleet? Another easier option might be to simply change the title of this 20% category to "Responsiveness & Responsibility Evaluation Assessment". This 20% value could then consist of subcategories listed on page 70..."

Response: Please refer to the response to Question 1 above. The vendors are encouraged to review the Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Responsiveness & Responsibility Evaluation Assessment and Evaluation and Selection Process sections, as well as related state purchasing laws and regulations.

10. In the example contract, Section IV, "Term and Termination" the term is defined as three years versus the five year term stated in the BVB. It is presumed that the five year term is correct. Please let us know if this is not the case."

Response: Please refer to the response to Question 5 above.

LETTER OF CLARIFICATION 3
Residual Transportation Services
SOLICITATION NO. S46-L24777

11. "The bid forms require each bidder to submit landfill disposal prices, which are then paid to the Contractor on a cost-plus basis. While we are comfortable with the approach that the City intends, the structure creates a potentially unfair competitive advantage to any bidder that owns a landfill, who can price their own bid much differently than quotes provided to third-party bidders. To create a competitive equity, it is suggested that the City secure its own landfill quotes or use a "plug" number for now to evaluate bids."

Response: Please refer to and review the revised online bid tabulation form.

12. "Section 3.4.1.10 states that "All members of the Contractor's staff shall participate in City approved and witnessed contract compliance and Biosolids Management Program awareness training". It is presumed that this does not mean every single employee of the Contractor's company, but more specifically those assigned directly and full time to the City contract. Can the City please provide additional direction in this regard with respect to what level of assigned staff must participate in this training? For example, are accounting, legal, or administrative staff required to participate?"

Response: Please refer to the response to Question 4 above.

13. "Section 7.2 requires the contractor to submit information on owned/leased equipment, but does not provide that subcontractor owned/leased equipment be listed. If provided, will subcontractor equipment information be considered when evaluating the Contractor's bid?"

Response: Please refer to the response to Question 1 above.

14. "Paragraph 3.10.1.3.7 - Please clarify what the specs are referring to by the "number and condition of supports"; is this in reference to the 5th wheel, side/floor supports, or other?"

Response: Number and condition of supports relates to the trailer's membrane cover equipment.

15. "Paragraph 3.10.1.3.7 - Can you further explain what is meant by the "condition of the load line"?"

Response: Please refer to Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraph 3.1.3.12.

16. "The road trucks need to be completely dedicated to this project?"

Response: Please refer to Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraph 5.1.

17. "The tanker trailers need to be completely dedicated to this project?"

Response: Please refer to Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraph 3.7.6.

18. "What are the routes that the tractors need to do?"

Response: Please refer to Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraphs 3.12.6, 3.12.7, and 7.3.3.3..

19. "The wastes need to go to the landfills designated by the city?"

LETTER OF CLARIFICATION 3
Residual Transportation Services
SOLICITATION NO. S46-L24777

Response: Please refer to Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraphs 3.13.

20. "We have a question regarding the landfill tip fees and contractor markup. The previous specifications had the tip fee plus contractor mark up as a bid item. This has been removed from the new version. Can you please clarify how the fees and markup will be paid?"

Response: Please refer to Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraphs 5.3.

21. "End-Dump Trailers 1. On page 12, 3.1.3.4 they are asking to it to be able to carry 48,000 wet tons, then on page 13, 3.1.3.8 says the landing gear should be able to hold 48,000 lbs. Which is it? 2. Do you know the weight of the material? 3. Do you know what length of trailer they are looking for?"

Response: Paragraph 3.1.3.4 should read "Each provided trailer shall be capable of legally hauling a minimum net weight of 48,000 pounds (rig gross weight minus rig tare weight)." Please clarify the requested laboratory data as indicated in Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraphs 2.2.1 and 2.2.2. These data will be provided to each individual vendor on a per-request basis. See Notice of Best Value Bid, Solicitation No.: S46-L2477, Addendum 1, Specifications/Scope of Work, Paragraphs 3.1.3.6 and 3.1.3.7.

22. "Will an updated Bid Tab Pricing Worksheet be posted to the Solicitation files associated with this bid?"

Response: A revised worksheet is posted; please refer to the e-bid site.

NOTE: Paragraph 5.3.4 of the Specification/Scope of Work is now blank.

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 Request for Best Value Bid please contact me at 832-393-8704.



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LETTER OF CLARIFICATION 3
Residual Transportation Services
SOLICITATION NO. S46-L24777

END OF LETTER OF CLARIFICATION 3