



# ADDENDUM NO. 1

## VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)

### SUMMARY OF PRE-PROPOSAL MEETING AND RESPONSES TO QUESTIONS

**Date Issued:** July 1, 2020

**Request for Proposals (RFP):** Freeway Service Patrols Beats 1, 2 and 3

**RFP Contact:** Andrew Kent, FSP Program Analyst

1. This addendum is issued to provide for clarifications and/or modifications to the above referenced Request for Proposals (RFP), or provide additional information intended to clarify the procurement process. Acknowledgment of this addendum shall be made in the Proposal Cover Letter (see RFP Attachment F) which is required as a part of each proposer's submittal. **Failure to acknowledge all addenda to the subject RFP may render submittal as non-responsive.**
2. The agenda, meeting summary and responses to questions posed during the scheduled online non-mandatory pre-proposal conference held on June 16, 2020, in support of the subject RFP, are included herein as Attachment A.
3. The participants during the June 16, 2020 online pre-proposal conference, included:
  - Representing the VCTC:
    - a. Amanda Fagan, Director of Planning and Policy
    - b. Andrew Kent, FSP Program Analyst/RFP Point of Contact
    - c. Michelle Kirkhoff, VCTC Consultant
  - Representing the California Highway Patrol (CHP):
    - a. Mr. Dwyane Potts, Sacramento CHP
    - b. Officer Mike Untalan, Moorpark CHP
  - Vendor Participation:
    - a. Payless Towing
    - b. Platinum Tow & Transport and Oxnard Towing and Storage
    - c. Ventura Towing
4. For a recording of the June 16, 2020 online pre-proposal conference, as well as to download the PowerPoint presentation, go to <https://www.goventura.org/work-with-vctc/contracts/>.
5. Responses to questions submitted to VCTC before the June 23, 2020 deadline, are include herein as Attachment B.
6. The RFP is hereby amended, with language deleted in ~~strikeout~~ and additional language added in red font:
  - a. Attachment C, VCTC Standard Contract Section 3.17.6, the first sentence is amended as follows: "Fines, the first sentence to read: Fines for starting late; leaving early; taking more breaks than authorized; or being ordered out of service by a CHP, VC SAFE Representative or Caltrans supervisor for Contract infractions, shall be deducted from the CONTRACTOR's

monthly invoice at ~~five (5)~~ **three (3)** times the hourly rate, ~~plus the loss of revenue for the down time.~~"

b. Attachment C, VCTC Standard Contract Section 32.3.4.D.3, Garage Keepers Legal Liability: this entire section has been deleted and amended as: **INTENTIONALLY LEFT BLANK** Garage Keepers Legal Liability. CONTRACTOR shall provide coverage for the vehicles in their custody. ~~Either a policy, listing all storage lots as terminal locations, or garage keepers legal liability shall be required. The minimum amount of coverage shall be no less than two hundred fifty thousand dollars (\$250,000).~~

7. Proposers should continue to review VCTC's website in the event there are additional instructions or subsequent addenda issued, at <https://www.goventura.org/work-with-vctc/contracts/>.
8. The proposal submittal deadline remains **Monday August 3, 2020 at 4:00 p.m.**
9. All other terms and conditions of the RFP remain the same.

Thank you for your interest in VCTC's FSP program, and we look forward to reviewing your proposals.



**VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)**

**Pre-Proposal Conference for Request for Proposal (RFP)**

**For Freeway Service Patrol Beats: Beat No. 1, 2 and 3**

**Tuesday, June 16, 2020 @ 1:00 P.M.**

This Conference is conducted through a ZOOM webinar. To participate, go to:

<https://us02web.zoom.us/j/84367566497?pwd=OWo2WmZidHN6dURITkRiROV5THptZz09>

If you need assistance to participate in this Conference, please contact [fsp@goventura.org](mailto:fsp@goventura.org).

**AGENDA**

- |                             |   |
|-----------------------------|---|
| A. Welcome/Introductions    | Amanda Fagan<br>Director of Planning and Policy                   |
| B. RFP Summary/Highlights   | Michelle Kirkhoff<br>VCTC Consultant                              |
| C. Scope of Services        | Andrew Kent<br>FSP Program Analyst<br><b>RFP Point of Contact</b> |
| D. Questions and Open Forum | Michelle Kirkhoff   |
| E. Closing                  | Amanda Fagan  |

Proposers are invited to submit written questions to the VCTC RFP Contact's email [fsp@goventura.org](mailto:fsp@goventura.org) at any time prior to the **Tuesday June 23, 2020 3:00 p.m.** deadline for requests for clarification. The VCTC RFP Contact will then direct the questions to the Evaluation Committee member best qualified to provide a formal response thereto. All proposers are advised that any exchange that takes place between VCTC and a potential proposer during the pre-proposal conference do not qualify or amend the RFP. Only a formal addendum to the RFP shall modify, change or provide formal clarification of the RFP package. The RFP document shall govern if there are any conflicts between the information provided at the pre-proposal conference and the RFP.

**Summary of June 16, 2020 Pre-Proposal Conference for  
Ventura County Transportation Commission (VCTC)  
Request for Proposals (RFP) for Ventura County  
Freeway Service Patrol (FSP) Beats 1, 2 and 3**

The following is a summary of the discussion at the above-referenced pre-proposal conference in support of Request for Proposals (RFP) for Ventura County Freeway Service Patrol (FSP) Beats No. 1, 2 and 3. The meeting was called to order at approximately 1:00 P.M. by Ms. Amanda Fagan, VCTC's director of Planning and Policy, who welcomed the prospective proposers and provided an overview of the conference events, as well as online meeting protocol and procedures.

The pre-proposal conference is not mandatory. The purpose of the pre-proposal conference is to provide potential proposers with an overview of the procurement process and to offer clarifications and/or explanations regarding any issues that may arise during the process.

**A. Welcome/Introductions** – Ms. Fagan presented the following:

1. Thank you for your attendance and your interest in Freeway Service Patrol.
2. VCTC is the County's regional transportation planning agency responsible for transportation planning, programming local, state and federal transportation funds, managing and providing transportation programs and services, as well as setting transportation priorities.
3. Last year, VCTC initiated a funding application to the State to jump start a freeway service patrol program, or FSP, on three highway segments within the county.
4. With our partners, Caltrans and the CHP, VCTC's first step is to release this RFP to solicit for tow vendors to ultimately provide the FSP services.
5. The purpose of this conference is to provide an overview of the freeway service patrol program (or FSP) request for proposal/RFP requirements, the expected services to be provided, as well as key dates and deadlines.
6. We hope that this online pre-proposal conference is informative and accomplishes our goal to provide information and clarify the RFP and the process.
7. Ms. Fagan provided an overview of the online conference technological features and how the participants may ask a question during the question and answer portion of the agenda.

**B. RFP Summary/Highlights** – Ms. Kirkhoff presented the following:

**1. Prohibited Communications:**

- a. All questions regarding the RFP package or the responsibilities of the successful proposer(s) must be directed to the RFP contact, Andrew Kent, who can be reached by email at [fsp@goventura.org](mailto:fsp@goventura.org). All questions and a formal response will be generated with the assistance of the appropriate member of the Evaluation Committee.
- b. Proposers are to refrain from any and all communications with members of the Evaluation Committee, VCTC and/or CHP staff or management. Requests for clarification must be submitted in accordance with RFP Section I.D, Written Questions/Clarifications.
- c. Deadline for written questions is **Tuesday, June 23, 2020 by 3:00 p.m.**

- 2. Model Contract:** Any exceptions to the VCTC Standard Contract (Attachment C) must be described in detail as part of its proposal, or within the Proposal Cover Letter (Attachment F).

3. **Insurance:** The insurance requirements for this procurement are detailed in the VCTC Standard Contract (see Attachment C, Section 3.23) in the RFP package.
4. **Disadvantaged Business Enterprise (DBE) Goal:** A DBE goal for these services is 0%; however, VCTC encourages participation of DBE firms.
5. **Overview of the Procurement Process:** Proposers must review the entire RFP package in detail and provide all of the information requested in order for its proposal to be deemed responsive. Formal responses to all questions will be issued in subsequent addenda and posted on VCTC's website at <https://www.goventura.org/work-with-vctc/contracts/>. VCTC will not be contacting interested proposers for subsequent announcements or addenda. It is the proposer's responsibility to frequently check VCTC's website for updates.
  - a. **Addenda (Section I.E):** The minutes of this meeting will be issued in a formal Addendum. Any questions and/or comments received by the June 24<sup>th</sup> deadline, along with VCTC's responses, will be included in the Addendum. Proposers must acknowledge receipt of any and all Addenda in their *Proposal Cover Letter* (Attachment F). Failure to do so may result in that proposal being deemed non-responsive.
  - b. **Contract type to be Awarded (Section I.F and III.C):** VCTC intends to award one or more fixed unit rate contracts based upon the rates detailed under the Proposal Price Forms (Attachment B). The outcome of this RFP may result in an award to one, two or three proposers. Therefore, if proposing for more than one beat, the proposer must submit a separate proposal for each individual beat. The contract(s) will be for a period of three years, with two one-year options.
  - c. **Minimum Proposer Qualifications (Section II.B):** The awarded proposer(s) must have the following:
    - 1) a current and valid business license;
    - 2) a minimum of five years' experience in operating tow services;
    - 3) at least one full year experience working under contract/agreement and in good standing within the last three years with any type of law enforcement agency at the time the proposal is submitted;
    - 4) never been terminated for cause from ANY California FSP contract;
    - 5) comply with the Standard Operating Procedures (SOP) Manual; and
    - 6) compliance with Federal, State and local laws governing the operation of a tow service.If your firm does not meet any one of these six requirements, *do not submit a proposal*.
  - d. **Not a Low Bid:** This procurement is not low bid award - we are BEST VALUE. The pricing portion of your proposal only accounts for 25% of your score. Your score is determined by qualifications, staffing & key personnel, work plan and finally, pricing.
  - e. **Vehicles:** Vehicles (both primary and back-up) shall be exclusively dedicated to the FSP program DURING FSP service hours. After hours you can use them for whatever you like, commercial side, Triple AAA, etc., BUT when it comes time for FSP, they need to be ready for service, fully stocked, clean and compliant and ON THE Beat, on time.
  - f. **CHP Officers:** Our FSP officers are very engaged in the program and set a very high standard for the program and as a result we rank highly in the state in terms of program performance.

- g. **Rates:** Some counties adjust rates based on the price of fuel. VCTC does not have a sliding rate scale. So, plan accordingly and take that into account when submitting your rates. Also, some costs that operators sometimes overlook is paying drivers for mandatory FSP training and time to/from the beat. You need to keep this in mind when figuring your rates. The Price Form provides prompts for you to ensure that all costs are covered in your hourly rate.
- h. **Training:** There is an initial two-day driver training class and bi-annual driver training refresher meetings required of primary and back up drivers. All training will be provided by Los Angeles CHP Southern Division, so ensure that in your proposal's price form you cover your drivers' time to get to and from these training meetings.
- i. **Price Form:** The form has been updated, with more line items to help you figure actual costs to propose an hourly rate that works best for your business. PLEASE download the actual Excel Spreadsheet from the VCTC website. Once you input all your anticipated monthly expenses, it will do all of the calculations for you, EXCEPT the profit percentage. You need to input the profit % and multiply it by the SUBTOTAL MONTHLY COSTS, and then the HOURLY RATE will be calculated automatically. Only this excel spreadsheet form will be accepted with proposal submittals – any other formats or presentations will not be accepted.
- j. **Multiple Rates:** Proposer may submit different rates for Regular Work vs. CFSP/Extra Work. CFSP/Extra Work is not guaranteed but does happen sometimes.
- k. **Contract Term:** The contract effective date will be the first day of FSP service on the beat, for a three-year term, with two one-year options (that are at the discretion of VCTC to execute or not). Proposers may provide a different hourly rate for each of the three contract and two option years.
- l. **Proposal Submittal Requirements (Section II):** Proposals shall include all of the elements set forth in this Section of the RFP. Proposals must be submitted in a hardcopy form (no electronic or facsimiles will be accepted), to:
  - Andrew Kent, FSP Program Analyst
  - 950 County Square Drive, Suite 207
  - Ventura, CA 93003The proposal package must be clearly marked with the Beat number the proposer is submitting in response to. All proposals must be received by VCTC by no later than **4:00 p.m. on Monday, August 3, 2020.**
- m. **Evaluation Criteria (Section III.B):** Any contract resulting from this RFP will be awarded to the responsive and responsible proposer earning the highest total evaluation score on a beat by beat basis. The evaluation criteria can be found starting on page 9 of the RFP.

C. **Scope of Services** – Mr. Kent presented the following:

1. **Purpose:**

- a. FSP consists of a fleet of continuously roving tow trucks patrolling congested freeway segments. They operate during peak-traffic morning and afternoon periods, to assist motorists, remove small debris from the roadway or tow disabled vehicles off the freeways.
- b. It is important to note that all counties do not operate their programs the same. Our program definitely has differences from other counties. Should you have contracts in another county, please review this RFP and Scope carefully to understand those differences.
- c. Through this discussion, we will also highlight “myths” that some have about FSP. For example, you don't need to have FSP experience to bid on this work.

2. **Beats:** This RFP covers three beats. Each beat will result in a separate contract.  
# 1: U.S.-101 from Ventura/Los Angeles County line to Camarillo Springs Road;  
# 2: U.S.-101 from Camarillo Springs Road to Central Avenue; and  
# 3: CA-118 from CA-23 to Ventura/Los Angeles County line (Rocky Peak).
3. **Service Hours:** Each beat will operate Monday through Friday from 6:00 a.m. to 9:00 a.m., and from 3:00 p.m. to 7:00 p.m. Note there are holidays that fall during the week where FSP is not provided, and some holidays where only the afternoon shift is provided. The average annual hours per vehicle/per beat, per year is 1,786.
4. **Services Provided:** Some of the types of services that operators perform include jump starts, providing a gallon of gas, refilling radiators, changing a tire, etc. all of which are provided to the motorist at no charge. The program is designed to assist as many motorists as possible so, drivers are limited to 10 minutes per assist to get the motorist back on the road. If they can't do so within the 10 minutes, they are to safely tow the vehicle to an approved drop point designated by the CHP (as outlined in the Standard Operating Procedures).
5. **Yard Location:** It is not a requirement that the selected contractor's offices/base be located in Ventura county. However, the contractor is required to be within close proximity to the service area. In the event that an operator's tow truck is disabled, involved in an accident or excused from the beat, the contractor's backup vehicle is expected on beat within 45 minutes. Penalties will be assessed at 3x the hourly rate in one-minute increments for any time in excess of the 45 minutes.
6. **Tow Truck Requirements:** At a minimum should be Class A tow trucks with a minimum gross vehicle weight rating of 14,000 pounds, dual wheel chassis, and a four (4) ton recovery equipment rating. All trucks must be less than one (1) year old with a maximum of 50,000 miles on the chassis and working parts of the truck, at the onset of the contract and should have seating for five (5) adults. Trucks should be painted white; NO trim is allowed. Identifying company name and address is bold black 2" x 2" block lettering.
7. **Equipment:** Specific equipment requirements are detailed in the SOW section of the RFP, beginning on page 16.
8. **Experience:** Must have a minimum of five years of tow experience and a minimum of one full year experience working under contract/agreement (in good standing) within the last three (3) years with any type of law enforcement agency (this can include rotation tow experience).
9. **Additional Tips:** We want you to succeed. We recommend you request from other FSP agencies, previous successful FSP proposals, to help you put together your proposal. Google the FSP agency's recent FSP award and follow the FSP agencies' procedures for a Public Records Request and ask for the winning proposal from that most FSP RFP process.

**D. Questions and Open Forum** – moderated by Ms. Kirkhoff:

No written questions were presented via email to VCTC during the pre-proposal conference. VCTC did respond to oral inquiries and questions received during the Questions and Open Forum portion of the pre-proposal conference through the O&A function of the online tool, and those questions and responses are provided below.

Q1: Is it possible to extend the time to present the proposal?

R1: No.

Q2: Where can I view the Standard Operating Procedures (SOP)?

R1: The SOP will be posted at <https://www.goventura.org/work-with-vctc/contracts/> by June 19, 2020.

Q3: Does the 5 seats include the driver? The middle front area is usually occupied by radios, scanners and controls.

R3: Yes, the requirement for the tow truck cab to have a minimum of five seats, does include the driver, for the reasons you cited.

Q4: Will there be FSP on any portions of SR 23?

R4: VCTC evaluated the congested highway segments in Ventura county and determined that that the three beats in this RFP were the most congested and are the priority beats for initial implementation. As the Ventura county FSP program evolves and additional funding is secured, VCTC may consider implementing FSP on portions of State Route 23.

At the conclusion of the Questions and Open Forum, Ms. Kirkhoff encouraged proposers to thoroughly review the RFP and submit additional questions in writing via email, to Mr. Kent at [fsp@goventura.org](mailto:fsp@goventura.org), before the deadline of Tuesday, June 23, 2020 by 3:00 p.m.

E. **Closing** - presented by Ms. Fagan, to reiterate the RFP schedule and upcoming deadlines:

1. Although questions were asked today, prospective proposers have the opportunity to ask additional questions, which must be emailed to [fsp@goventura.org](mailto:fsp@goventura.org) by no later than Tuesday, June 23<sup>rd</sup> by 3:00 p.m. Should questions be submitted after this deadline, VCTC may or may not respond – please review the RFP and submit any outstanding questions you may have by the deadline.
2. VCTC will respond to questions asked by Wednesday, July 1, 2020 (posted on the VCTC [website](#)).
3. Hardcopy proposals are due by Monday August 3, by 4:00 p.m. No electronic or faxed proposals will be accepted – late proposals will not be accepted. Plan your submittal accordingly.
4. Proposers' that are shortlisted by the Evaluation Committee will be interviewed at their locations/bases on Tuesday, August 18<sup>th</sup> and Wednesday, August 19<sup>th</sup>. Keep these dates open, as the Committee will not reschedule and we will schedule with the shortlisted proposers by 8/12.
5. The VCTC is scheduled to review and approve the contracts, recommended by the Evaluation Committee, on Friday, September 4<sup>th</sup>.
6. Drivers, tow trucks and all equipment must be in place for CHP inspection by no later than Monday, November 30<sup>th</sup>.
7. Beats are scheduled to begin on Monday, December 14<sup>th</sup>.
8. Thank you for your time, and we look forward to receiving and reviewing your proposal in early August.



**Summary of Questions Presented by the June 23, 2020 Deadline to the  
Ventura County Transportation Commission (VCTC)  
Request for Proposals (RFP) for Ventura County  
Freeway Service Patrol (FSP) Beats 1, 2 and 3**

The following questions and associated responses were submitted by potential proposers and are being offered by VCTC staff to clarify the requirements set forth in the above-mentioned RFP package:

**Q1: RFP, Section III.B, Evaluation and Selection:** Do women only businesses get extra points when you are considering their proposal? If so, how many points?

R1: The proposal evaluation process does not grant extra points for DBE, women, or veteran owned businesses. Please refer to the RFP, page 9 Section III.B, Evaluation and Selection Criteria.

**Q2:** Can I use a subcontractor's drivers to be trained and used for FSP?

R2: Yes, as long as the Subcontractor can comply with the requirements as set forth in the RFP.

**Q2:** In the requirement for drivers training, it has been mentioned that drivers need to get 40 hours of training with a qualified FSP drivers. Does my company have to find these experienced drivers, or you will let me know where I am sending my drivers for training?

R2: Yes. VCTC will provide contact information for recommended FSP Tow Vendors that operate in other counties, for the successful Contractor(s) to contact to fulfill this Driver training requirement. Once VCTC provides this contact information to the successful Contractor(s), it will be up to the successful Contractor(s) to arrange all ride-a-alongs and ensure that Drivers have met all RFP/SOP training requirement before the November 30, 2020 inspection and certification by CHP.

**Q2: Attachment C, Standard Contract, Section 37, Substitution of Key Personnel:** Do I have to have a substitution? If so, how many? Is the representative of a contractor the same as key personnel? Please give me an example.

R2: It is up to each proposer to identify the individual(s) in your organization and Team that you consider to be a key player in the provision of services so you may successfully fulfill all contractual requirements. This will most certainly be the Contractor's Representative (as described in Section 36 of the Standard Contract); however, there may be other individual(s) within your company/Team that are critical in delivering FSP services. It is up to each proposer to identify these individual(s) within your proposal. This language is in the Standard Contract, so that VCTC is well aware of who these key personnel are, and that they have the expertise and experience necessary to complete the scope of services and meet all contractual requirements. Should at any point during the contract term any one of these key personnel leave your agency or no longer be assigned to the FSP program, you must identify a substitution, with VCTC approval. If due to a company reorganization this position is no longer filled and there will be no substitution, then this must be presented in writing to VCTC for VCTC to approve this change in key personnel.

Q2: **Attachment C, Standard Contract, Section 3.17.6, Fines:** fines (5) times the hourly rate, plus the loss of revenue for the down time. What is the "plus the loss of revenue for the down time" refer to?

R2: VCTC has amended this section in the Standard Contract, to remove the "loss of revenue for down time" as well as reduce the fine from five (5) to three (3) times the hourly rate. Refer to the cover Memorandum at the beginning of this Addendum, No. 6.a.

Q2: **Attachment C, Standard Contract, Section 3.23.3, Self-Insured Retention:** What does "self insurance retention" mean?

R2: A Self-Insured Retention is a dollar amount specified in a contractor's insurance policy that must be paid by the contractor before the insurance policy will respond to a loss. We recommend that you consult your insurance broker if this clause pertains to you, as you review the minimum insurance requirements set forth in the Standard Contract, Section 3.23, Insurance.

Q2: **Attachment C, Standard Contract, Section 3.24.4.D.3, Garage Keepers Legal Liability:** Garage keeper legal liability storage lot for the terminal location? Why am I required to have this insurance when I am not storing any of the vehicle towed?

R2: VCTC has deleted this section in the Standard Contract. Refer to the cover Memorandum at the beginning of this Addendum, No. 6.b.

Q2: **Attachment C, Standard Contract, Section 3.23.6.A, General Provisions-Higher Limits:** for "Higher Limits #A" please explain what this means?

R2: Should the Contractor purchase/maintain in the course of your normal business operations, insurance limits that go above and beyond what VCTC requires in this RFP, then this clause requires that VCTC also be entitled to these higher limits. We recommend that you consult your insurance broker and discuss if this clause pertains to you, as you review the minimum insurance requirements set forth in the Standard Contract, Section 3.23, Insurance.