

ADDENDUM #2
January 4, 2024

Solicitation #2023-ADAPartransit-010
Revised - Proposal Due Date – January 17, 2024 at 10:00 am (CST)

The Capital Area Transit System (CATS), Baton Rouge, Louisiana hereby amends the above referenced Request for Proposals (RFP) as follows:

Change 1: Revised- Part 2 CATS Terms and Conditions, D. CATS Rights #2

2. CATS reserves the right to terminate the contract **by 60 days written notice**, if it is in the best interests of CATS, provided that payment will be made for CATS approved costs and services rendered up to the date of notice of termination, or as provided in the termination for convenience provisions found in this RFP.

Change 2: Revised- Part 4 – Scope of Work, A. #4 CATS Paratransit operations service hours are shown below, but are subject to change.

- Monday-Friday: 4:00 a.m. - 10:30 p.m.
- Saturday: 4:00 a.m. - 9:45 p.m.
- Sunday: 5:30 a.m. - 8:45 p.m.

Change 3: Revised- Exhibit F Corporate Resolution – should be signed and submitted with the proposal.

Change 4: Revised Exhibit B – Price Sheet (see attached)

DBE forms are attached.

CATS Official Responses to RFP Questions
Questions / Answers / Clarifications

The following questions were submitted in writing to CATS by prospective proposers. This document represents CATS official responses to written questions.

#	WRITTEN QUESTIONS RECEIVED	CATS OFFICIAL RESPONSES TO WRITTEN QUESTIONS
1	After reviewing your proposal guidelines, on Exhibit B, there was a budget requirement for vehicles from Year 1-3... Will the answers to	The previous RFP 2023 ADA Paratransit -004 was cancelled. Only information contained in this RFP 2023 ADA Paratransit- 010 is applicable.

	RFP 2023 ADA Paratransit -004 be applicable for the RFP 2023 ADA Paratransit- 010 contract? If so, could you provide a list of those questions and answers to review for this proposal?	
2	Can you please verify how many vehicles will CATS be providing? Will Cats be supplying gas for these vehicles? If not, are we allowed to make future gas projections in our proposal? Can we place these projections inside the proposal or only in the "Provide other Expenses area of the Exhibit B document?" Who will be purchasing the vehicles?	Reference page 28: Equipment 6) CATS will have ten (10) vehicles to add to this Paratransit on Demand service. Reference page 43: Yes d) Fuel will be provided by CATS at authorized location sites. Not at this time. Reference page 27: 7) CATS will expect the Contractor to provide the remaining vehicles for this service. Which will total 20 vehicles in all to run the services. CATS will provide the 10 vehicles and the contractor is responsible for the other 10. The contractor is responsible for purchasing their vehicles.
	Do we need to hold vehicles at the facility or do we return vehicles to the contractor? Where does the facility need to be located at? What duties are the maintenance and services staff responsible for? Oil change, engine repair, transmission, or just cleaning? Does the contractor need to pay for vehicle repairs? Is a specific type of insurance required? Do we need to have taxi insurance, non-emergency regulations with chauffeur endorsement or can we get insurance through commercials insurance?	Reference Page 39: Operations Facility Reference page 43 & 44 24. VEHICLE MAINTENANCE, SERVICING AND, STORAGE 25. DAILY DRIVER'S INSPECTION for All vehicles 26. VEHICLE CLEANING Reference page 13 & 14, Insurance Requirements
3	If cell phones aren't allowed, can we provide tablets to inform drivers of routes? Is transportation provided 24hours a day? We know reservations can only be made between 8am-4:30pm...	Contractors can use tables, handheld, or cellphones in order to communicate with the operators as long as cellphones are not being used for personal use. Reference page 25, a) 4. No.
4	Section D #2d "Operations and management supervision": can CATS provide a copy of the "written operational rules" required?	Reference Page 27: d) CATS will establish written operational rules with Contractor that are reasonable for the operation of the Paratransit system. To help ensure that the service delivered by Contractor is in compliance with the ADA and the terms of the Contract, and the operational rules may be amended with any changes to any state/federal laws governing paratransit service.
5	Section D #3: With up to 10 vehicles, can you provide an estimate of routes per day (how many vehicles will be in service daily)?	3. EQUIPMENT: The Contractor is to always provide 20 working vehicles to be in service at all times.
6	Section D #7e: how many times per year is the contractor required to perform Observed Road Evaluations? Unobserved?	The Contractor and CATS will perform evaluations several times through the year.
7	Section 9 "Driver's Responsibilities": #9c How will CATS provide to the contractor what a valid special pass or ticket looks like? How often will this information be provided/updated?	CATS will be able to provide tickets to Contractor. If any changes contractor will know as soon as possible.
8	Section 15a: Does the facility need to be a certain distance from CATS?	Reference page 39: 15. a)
9	In Exhibit B, What is the difference between the Total Base Price for Turnkey Scope of Work and Estimated Service Hours Rate?	CATS is not requesting a Turnkey service.

	For example, does the Total Base Price include the fixed costs that are paid monthly (at 1/12, Section 28: Terms of Payment)?	
10	Section 28: Are salaries of drivers and staff assigned to fixed costs or are they considered part of the fixed hourly rate for the Vehicle Service Hours (Terms of Payment)?	Salaries are a fixed costs and a part of the fixed hourly rate for the service hours. 3,700 service hours is an estimated monthly average.
11	Section 28: Does routine maintenance (pre-scheduled) qualify as a fixed cost?	Pre-scheduled routine maintenance should be a fixed cost.
12	What access do we have to the CATS system to verify eligible riders at the time the trip is requested?	Reference page 30. c) Contractor shall provide CATS with access to the scheduling and dispatch software systems used by Contractor for the purpose of updating and maintaining a database of ADA-eligible riders certified by CATS. Contractor shall also provide access to two User License.
13	What are we required to verify for rider eligibility?	Reference page 39 14. C) c) Contractor shall only transport ADA-eligible passengers approved through CATS under CATS eligibility requirements on CATS-owned paratransit vehicles for CATS personnel.
14	We respectfully request that the City allow for digital submission (e.g. by email, portal upload, or similar).	This RFP is not generated by the city. This RFP is generated by Capital Area Transit Systems (CATS). Reference page 2, Proposal Receipt & Location:
15	Can the City please allow the use of verified e-signatures for this submission?	This RFP is not generated by the city. This RFP is generated by Capital Area Transit Systems (CATS). Since Proposals can be submitted electronically, e-signatures are allowed.
16	In order to compile a thorough and thoughtful response to CATS's RFP, and in light of the upcoming holidays, we respectfully request a three-week extension of the proposal deadline to January 26, 2024.	Revised Bid due date is January 17, 2024.
17	Can CATS please provide a vehicle inventory of the 10 vehicles that would be provided, including make/model, age, mileage, and capacity (ambulatory vs wheelchair)?	All wheelchair (10) 2023
18	What is the total annual budget for this procurement?	Budgetary information can only be released at the bid opening.
19	What is the efficiency (completed rides per vehicle hour) and CATS' cost per completed ride of the current system?	Estimated completed rides 5,682 and no charge for completed rides.
20	In the current service, what proportion of trips require a wheelchair accessible vehicle?	All vehicles should be wheelchair accessible.
21	Will CATS allow respondents to submit additional/supplemental pricing materials in addition to filling out the provided price proposal form?	Revised - CATS has provided the preferred Pricing Sheet schedule in this RFP.
22	RFP Page 54, General: The RFP states, "DBE Participation Goal - The DBE participation goal for this Contract is set at 11% (zero)." Please confirm the DBE goal.	Reference page 6 B. Goals The DBE participation goal for this Contract is set at 11%
23	RFP Page 25, Scope of Work: Background / Current Services Provided: The RFP states the service hours as follows: CATS Paratransit operations service hours are shown below but are subject to change. <ul style="list-style-type: none"> • Monday-Friday: 5:00 a.m. - 10:30 p.m. • Saturday: 5:00 a.m. - 9:45 p.m. • Sunday: 5:30 a.m. - 8:45 p.m. The current service hours are: <ul style="list-style-type: none"> • Monday-Friday: 4:00 am - 9:30 pm • Saturday: 4:00 am - 9:30 pm • Sunday: 5:00 am - 8:00 pm Are the hours changing or will they remain the same for the new term?	Revised - Reference page 25, 4) 4) CATS Paratransit operations service hours are shown below, but are subject to change. <ul style="list-style-type: none"> • Monday-Friday: 4:00 a.m. - 10:30 p.m. • Saturday: 4:00 a.m. - 9:45 p.m. • Sunday: 5:30 a.m. - 8:45 p.m.
24	RFP Page 27, Scope of Work: Would CATS consider alternative proposals to the defined scope of work?	No. The Scope of Work set forth in this RFP meets the needs of CATS and it's riders.

25	<p>RFP Page 27, Scope of Work: Would CATS consider allowing sub-providers to perform a portion of the scope of work?</p>	<p>Reference page 10, CATS Terms & Conditions A. Assignment, Transfer of Interest There shall be no assignment/transfer of interest or delegation of Contractor's rights, duties or responsibilities of the Contractor under the contract derived from this RFP without the prior written approval of CATS. The contract that will be derived from this RFP shall not be subcontracted except with the prior written consent of CATS. No such consent shall be construed as making CATS a party to such subcontract, or subjecting CATS to liability of any kind to any subcontractor. No subcontract shall, under any circumstances, relieve the prime Contractor of its liability and obligation under this contract. All transactions with CATS must be through the prime Contractor.</p> <p>Reference Page 28, g) g) CATS reserves the right to reject any subcontractors proposed or utilized by Contractor to carry out the terms of the Contract.</p> <p>Reference page 32, 4. b) b) The Contractor shall be solely responsible for the provision and satisfactory work performance of all employees, as described by this Request for Proposal, and shall be solely responsible for the payment of all employees and or subcontractor wages and benefits.</p>
26	<p>RFP Page 33, Minimum Qualifications for Required positions g) Drivers: Given that the workforce recently elected a union and is in the process of negotiating, please confirm that all bidders will be held in compliance with the Federal Transit Act, Transit Labor Protection Section 13(C)? This means all bidders would adhere to the union contract agreement. When an agreement is reached with the union, please confirm that CATS will send out all pertinent information to bidders for the purpose of compliance with 13(C)?</p>	<p>This RFP does not contain any CATS Union involvement. All Proposers are held to the same requirements stated in this RFP.</p>
27	<p>Exhibit F- Corporate Resolution: Would CATS accept a signed Certificate of Authority designating the proposals signatory as authorized to submit proposals and execute agreements as an alternative to Exhibit F- Corporate Resolution?</p>	<p>Yes, Exhibit F Corporate Resolution – (Exhibit F - should be signed and submitted with proposal) revised</p>
28	<p>Part 2 CATS Terms and Conditions, F. Changes/Addenda and Withdrawals: Will addenda be posted on the CATS website or emailed to all proposers who have requested to receive addenda?</p>	<p>Reference page 3 Responses made by CATS will be in the form of written ADDENDA to the RFP. Any addenda issued will be furnished to all Proposers, via email, who have requested to receive Addenda information within the timeline reflected after the deadline date to receive questions. This Addendum will also be posted on CATS website at https://www.brcats.com/page/procurement.</p>
29	<p>General: Please confirm if performance and payment bonds are required.</p>	<p>No, they are not applicable. Crossed out on FTA Index. Reference page 46 2. Bonding Requirement (applies >\$100,000)</p>
30	<p>FTA Federally Required and Other Model Contract Clauses Operations/Management Services, 4. Buy America Requirements: Please confirm if the proposer must submit the Buy America Certificate of Compliance or Non-Compliance signature page with their proposal.</p>	<p>No, they are not applicable. This item is crossed out. Reference page 46 Buy America Requirements.</p>
31	<p>FTA Federally Required and Other Model Contract Clauses Operations/Management Services, 9. Disadvantaged Business Enterprise: Please confirm if the proposer must submit a DBE Utilization Form, DBE Participation Schedule, DBE Letter of Intent, and DBE Affidavit with their proposal. If confirmed, please provide these forms.</p>	<p>Reference page 55-56 Proposed Submission - Each Bidder/Offeror, as part of its submission, shall supply the following information: See attached form</p>

32	<p>FTA Federally Required and Other Model Contract Clauses Operations/Management Services, 17. Lobbying Restrictions: Please confirm if the proposer must submit the Lobbying Restrictions Certificate signature page with their proposal.</p>	<p>Yes 17. Lobbying Restrictions (applies >\$100,000 – must be signed and returned w/proposal)</p>
33	<p>TITLE OF BID, TABLE OF CONTENTS: Please confirm if Exhibit D should be submitted prior to the proposal due date or prior to award.</p>	<p>Exhibit D. FTA Lobbying Certificate (Must be submitted with a proposal offer exceeding \$100,000)</p>
34	<p>TITLE OF BID, TABLE OF CONTENTS: Please confirm if Exhibits D, E, and F should be submitted with the proposal or at a later date.</p>	<p>Exhibit D FTA Lobbying Certificate (Must be submitted with a proposal offer exceeding \$100,000)</p> <p>Exhibit E Affidavit of Non-Collusion (should be signed & submitted prior to award)</p> <p>Exhibit F Corporate Resolution (should be signed and submitted prior to award)</p> <p>*E & F can be submitted with the proposal</p>
35	<p>Price Adjustment: We respectfully request that CATS include a provision that provides for price adjustments if Contractor's costs increase or revenues decrease as a result of (i) changes to the scope of work/service hours requested by CATS, (ii) changes in laws, rules, regulations, etc. applicable to the services to be provided by Contractor, and/or (iii) wage increases necessary for Contractor to be able to recruit and retain qualified employees as a result of an increase in the minimum wage in the City or surrounding jurisdictions; and (iv) costs incurred in response to a federal, state, or local state of emergency (including the COVID-19 pandemic or similar national emergency), including providing personal protective equipment, supplies, staffing, and additional services (including additional health and safety services or requirements). If the parties are unable to agree on a rate adjustment, then either party may terminate the contract upon 120 days written notice to the other party. The Contractor needs price protection for changes requested by CATS, or matters that were not contemplated at the time of the Contractor's proposal.</p>	<p>Reference page 26: C. CONTRACT / PERFORMANCE PERIOD:</p>
36	<p>Force Majeure: We respectfully request that CATS include a force majeure provision relieving both parties from performance under the Contract for circumstances beyond their reasonable control (acts of God, war, labor strikes or disputes, terrorism, etc.). The Contractor should be excused from performance under the contract for circumstances beyond the Contractor's control.</p>	<p>No additional language will be added. Reference page 72 - 75 per FTA TERMINATION - 2 C.F.R. § 200.339; 2 C.F.R. part 200, Appendix II (B)</p>
37	<p>Part 4 / Scope of Work / Section E.6(g)(5) – Driver Qualifications: This section states, "A driver must not have been convicted of a felony." We respectfully request that CATS revise this language to require an individual assessment of each applicant. The Contractor will make individualized assessments of applicants with criminal histories but believes automatic disqualification of applicants based on "any criminal record" violates federal law. Specifically, the U.S. Equal Employment Opportunity Commission (the "EEOC") has determined that automatically disqualifying applicants based on criminal history may violate Title VII of the Civil Rights Act of 1964. The EEOC's enforcement guidance is found at: http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm</p>	<p>Open for discussion.</p>

38	<p>Part 5 / FTA Model Clauses / Section 28 – Termination for Convenience: We respectfully request that CATS clarify which termination provision is applicable to this Contract. We also request that CATS revise this section's language to provide for 60 days' prior written notice and payment of the Contractor's close-out costs. The Contractor will have contract termination costs as well as employment termination obligations required by law (WARN ACT, etc.).</p>	<p>CATS Terms and CATS Rights, #2 will be revised to input the 60 days written notice. FTA documentation will remain the same.</p>
39	<p>RFP Page 17, Exhibit B, Price Sheet: Will CATS consider a fixed and variable rate for service increases or decreases?</p>	<p>In the event of an emergency, CATS may consider a change with the CATS board approval.</p>
40	<p>RFP Page 26, CATS provided Vehicles: Please provide the make, model, capacity, age, and mileage of each anticipated vehicle that will be provided by CATS. This is important to consider, given that the contractors will manage maintenance in the new term.</p>	<p>CATS vehicles being provided are less than one year old. (10) ADA Paratransit vehicles 2023 Ford E450 Elkhart Coach gasoline</p>
41	<p>RFP Page 17, Exhibit B, Price Sheet: Please provide the current cost for maintenance, including parts, labor, lubes, tires, etc., that bidders will manage in the new term.</p>	<p>Estimated amount \$6,478 for current cost maintenance on the 10 new vehicles for the past 6 months.</p>
42	<p>RFP Page 17, Exhibit B, Price Sheet: Please provide the budget for the operations and maintenance of the ADA Paratransit service, in particular with the maintenance moving into the scope of work.</p>	<p>Budgetary information can only be released at the bid opening.</p>

Revised

**Exhibit B
Price Sheet**

RFP-2023-ADAParatransit-010

SUMMARY OF EXPENSES		YEAR 1	YEAR 2	2-YEAR TOTAL
ESTIMATED REVENUE/SERVICE HOURS		40,000	40,000	80,000
Revenue/Service Hourly Rate		\$	\$	\$
OPTION #1 - VEHICLES				
Cost Per Additional Vehicle – (in the event of more vehicles are needed above the 20)		\$	\$	\$
Costs below is informational purposes only. (Which should be included in the Revenue/Service hourly rate above)				
LABOR:				
Drivers		\$	\$	\$
Dispatchers		\$	\$	\$
Maintenance		\$	\$	\$
Schedulers		\$	\$	\$
Supervision		\$	\$	\$
Management		\$	\$	\$
Administration		\$	\$	\$
			\$	\$
FACILITIES COSTS:				
Utilities		\$	\$	\$
Lease		\$	\$	\$
			\$	\$
PROVIDE ALL INSURANCE COSTS		\$	\$	\$
COMPANY NAME				
ADDRESS, CITY, STATE, ZIP				
PHONE / CELL / FAX				
EMAIL CONTACTS				
INDIVIDUAL NAME & TITLE				
AUTHORIZED SIGNATURE				DATE:

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

In connection with the Contract to be awarded as a result of the Solicitation to be issued by Capital Area Transit System (CATS) for the following procurement:

2023-ADAPartransit-010

I hereby certify that I am the _____ duly
(Title)

Authorized Representative of _____
(Name of Firm)

(Address)

I do hereby assure CATS that I have read and am familiar with the requirements for Disadvantaged Business Enterprise participation by companies contracting with CATS and that it is the intention of the undersigned to meet such DBE goal.

I understand that CATS has established a goal of 11 % Disadvantaged Business Enterprise (DBE) participation on this contract.

I further understand that this goal percentage is based on the total dollar value of the awarded contract.

I hereby further assure CATS that the undersigned will complete and submit the SCHEDULE OF DBE PARTICIPATION form with this proposal and cause submission of the LETTER OF INTENT TO PERFORM AS A DBE SUBCONTRACTOR form prior to the execution of the contract. I understand that this company may not remain in competition unless the SCHEDULE OF DBE PARTICIPATION form is submitted or this company has met the requirements identified on the form titled DEMONSTRATION OF GOOD FAITH EFFORTS TO OBTAIN DBE PARTICIPATION, proof of which are hereby documented and submitted in lieu of the SCHEDULE OF DBE PARTICIPATION form.

Signature: _____ Print Name: _____

Date: _____

Demonstration of Good Faith Efforts

DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned proposer has satisfied the requirements of the solicitation specification in the following manner (please check the appropriate space):

The proposer is committed to a minimum of 11% **DBE** utilization on this contract.

The proposer (if unable to meet the DBE goal of 11%) is committed to a minimum of _____% DBE utilization on this contract and submits documentation demonstrating good faith efforts.

Name of proposer's firm:	
Name of proposer's Authorized Individual	Title
(Signature)	Date

SCHEDULE OF DBE PARTICIPATION

Name of Prime Offeror:		Total Proposed Price:	\$
Procurement Number and Title:		Total Dollars of DBE Participation:	\$

DBE Firm Name	Contact Name and Phone	Type of Work	Work Commencement and Completion	Subcontract Price (\$)
1.				
2.				
3.				
4.				
5.				

The undersigned will enter into a formal agreement with Disadvantaged Businesses for work listed in this Schedule of DBE Participation form upon execution of a contract with the CATS.

Signature _____

Title _____

Date _____

LETTER OF INTENT TO PERFORM AS A DBE SUBCONTRACTOR
(submit for each DBE subcontractor proposed)

Name of Prime Offeror:	
Procurement Number and Title:	
Address of Prime Offeror:	
Prime Offeror's Telephone:	

<p>The undersigned DBE intends to perform the following described work in connection with the above project.</p> <p><i>Specify in detail the particular work, items or parts therefore to be performed):</i></p>	
<i>Subcontract Price:</i>	<i>% of Total Bid/Proposed Price:</i>

Name of DBE Firm:	
Procurement Number and Title:	
Signature of DBE Authorized Official:	
Address of DBE Firm:	
DBE Firm's Telephone:	