



MARK PESTRELLA, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

February 22, 2018

IN REPLY PLEASE

REFER TO FILE: **BRC-1**

### REQUEST FOR PROPOSALS – ADDENDUM 1 ADVERTISING BUS BENCH PROGRAM (2018-AN013)

Please be reminded that the deadline to submit your proposal is **Thursday, March 29, 2018, by 5:30 p.m.**

Please take note of the following:

- An updated Form PW-19.1 has been attached as Enclosure A. Please use Form PW-19.1 when submitting your proposal. (Proposals submitted with Form PW-19 may be rejected as nonresponsive.)

All addenda and informational updates will be posted at <http://dpw.lacounty.gov/brcd/servicecontracts>. Please check the website frequently for any changes to this solicitation.

Please take note of the following revisions to the Request for Proposals (RFP). (Please note that the changes that have been added are in **boldface** and deleted languages are ~~strike through~~.) Section A is the Addendum and Section B is the Questions and Answers.

#### **A. Addendum**

1. Part I, Section 1, B. Minimum Mandatory Requirements No. 5 has been modified as shown below:
  5. Proposer and/or its subcontractor(s) must submit a copy of a valid and active Waste Collector Permit issued by the County of Los Angeles Department of Public Health (DPH). Proposers and/or its subcontractor(s) who do not possess the permits at the proposal deadline date may submit a copy of a receipt and an invoice from DPH to Proposers and/or its subcontractor(s) for permit fees **or provide a letter issued by DPH as proof of the submitted and accepted Waste Collector Permit application.** Note: The awarded contractor and/or its subcontractor(s) is required to provide a copy of a valid and active Waste Collector Permit to

**the Contract Manager prior to the start of work. This permit must stay valid and active during the term of this contract.**

2. Part I, Section 1, B. Minimum Mandatory Requirements, the following section has been modified as shown below:

Please note the following regarding Performance Bond and Payment Bond:

1. If awarded this contract, the Proposer must have the ability to provide a faithful performance bond in the sum of not less than \$100,000 as specified in Part I, Section 2.A.12, Insurance and Bonds, and Section 4.A, Award of Contract; Part II, Sample Agreement; Exhibit F, Performance Requirements Summary; and Exhibit **OP**, Sample Bond for Faithful Performance.
2. If awarded this contract, the Proposer must also have the ability to provide a faithful payment bond in the sum of not less than \$100,000 as specified in Part I, Section 2.A.12, Insurance and Bonds, and Section 4.A, Award of Contract; Part II, Sample Agreement; Exhibit F, Performance Requirements Summary; and Exhibit **PQ**, Sample Payment Bond.
3. Form PW-19 (Proposer's Compliance with the Minimum Requirements of the RFP) of the RFP is deleted in its entirety and replaced with a revised form entitled Form PW 19.1 (Proposer's Compliance with the Minimum Requirements of the RFP). **Please use the revised Form PW-19.1 (Proposer's Compliance with the Minimum Requirements of the RFP), attached hereto as Enclosure A, when submitting your proposal.**
4. In Part II, Sample Agreement, the TENTH paragraph has been modified to read as follows:

TENTH: The CONTRACTOR shall provide a performance bond, substantially in the form attached as Exhibit P, in the sum of \$100,000 payable to the COUNTY OF LOS ANGELES, executed by a corporate surety admitted to transact business as a surety insurer in the State of California (or by the surety's agent with a notarized copy of power of attorney). The admitted surety and its agent shall have sufficient bonding limitations to provide bonds in the amount required by this Contract. The bond shall be conditioned upon faithful performance of the terms and

conditions of this Contract by CONTRACTOR, including, but not limited to, installation, maintenance and repair of bus benches, trash receptacles, timely payment of revenue due to the COUNTY, and restoration of the site, in a manner that is satisfactory and acceptable to the COUNTY. If necessary, ~~the~~ The bond shall be renewed in a timely manner to provide for continuing liability in the above amount notwithstanding any payment or recovery thereon. Subject to COUNTY conditions and approval, **a Certificate of Deposit, an irrevocable Letter of Credit, Certified Check, or Cashier's Check** payable ~~a Certificate of Deposit, or an irrevocable Letter of Credit~~ payable to the COUNTY upon demand and in a sum of \$100,000 may be acceptable. Failure by the CONTRACTOR to maintain the required security shall constitute a material breach of contract upon which the COUNTY may immediately terminate or suspend this Contract. The CONTRACTOR shall pay all security premiums, costs and incidentals required to maintain the security during the entire contract term, including renewals.

5. In Exhibit A, Scope of Work, Section AA, Licenses, Permits, and Inspections, has been modified to read as follows:

AA. Licenses, Permits, and Inspections

Contractor shall be responsible for obtaining any permits or licenses from all applicable jurisdictions, including but not limited to the State of California and railroad companies as is required to perform the Contract work including paying associated costs and fees.

1. Licenses

Contractor **and/or its subcontractors** shall maintain at all times during **the term of** this contract, an active and valid **State of California Class C-61, subcategory D-38 (Sand and Water Blasting) license**, County business license, and **any** licenses necessary to carry out work functions as required in ~~Section S.3, Maintenance and Waste Collection Vehicles, and Section X.1.a, Proper License, Certification, and Training for Maintenance Staff~~ **this Exhibit A, Scope of Work**. All work shall be performed by Contractor or approved subcontractors licensed in the State of California. **The Contract Manager may request a copy of the license**

**at any time, and the Contractor and/or its subcontractor must provide a valid and active copy when requested.**

2. Permits

a. Waste Collector Permit

**The Contractor and/or its subcontractor(s) is required to provide a copy of a valid and active Waste Collector Permit issued by DPH to the Contract Manager prior to the start of work. The Contractor, ~~its managing employee,~~ and/or subcontractors must maintain an active and valid Waste Collector's Permit issued by DPH throughout the entire duration of this contract as required by Chapter 20.72 - Waste Collector Permits of the County Code. The Contract Manager may request a copy of the permit at any time, and the Contractor and/or its subcontractor must provide a valid and active copy when requested.**

6. Page 7 of Exhibit I, Government Code Section 4216-4216.9, was incorrectly labeled as page 7 of 8. Attached is the revised page 7, correctly labeled as page 7 of 7. (Enclosure B)

**B. Questions and Answers**

The following answers are in response to the request for information and clarification and other questions submitted by Proposers for the Advertising Bus Bench Program (2018-AN013). Questions presented in this Addendum represent the questions asked by the Proposers in the form and context submitted.

1. **Question:** Does the County have a contract with Martin Outdoor Media to provide the benches or is it just in Los Angeles?

**Response:** No, the County of Los Angeles does not have a contract with Martin Outdoor Media to provide advertising bus benches. We are not aware of Martin Outdoor Media's contractual relationship with the City Los Angeles. Please note this contract will only be for County of Los Angeles bus benches.

2. **Question:** May this Class C-61, subcategory D-38 license requirement in the Bus Bench RFP be waived?

**Response:** No, Class-61, subcategory D-38 (Sand and Water Blasting) License cannot be waived. This license is required for certain maintenance activities under the contract.

3. **Question:** If this provision is not waived, may we submit a RFP response in which we verify we are in the process of obtaining the license ourselves (or our appointed subcontractor) but have not secured the actual license at the time of submission?

**Response:** Please see response from Question No. 2, above.

4. **Question:** If this license remains required as a condition of the Bus Bench RFP response, does the subcontractor that we use need to be a current vendor approved by the County of Los Angeles?

**Response:** No, only the Proposer will need to be a current vendor registered and approved by the County of Los Angeles. Subcontractor does not need to be registered. Please note the details referenced in Part I, Section 1.R, Vendor Registration.

5. **Question:** Would the County consider allowing a licensed general contractor (without the Class C-61, subcategory D-38 license) to be used for this service with the provisions that the general contractor obtain the Class-61, subcategory D-38 license by the time that the actual bus benches are installed?

**Response:** No, please see response from Question No. 2, above.

6. **Question:** We would like to request an extension for the proposal due date.

**Response:** The deadline for the proposal due date has been extended to Thursday, March 29, 2018, by 5:30 pm.

7. **Question:** Department of Public Health has told us that the process to create an account takes a month. They confirmed that only when an account is created, an applicant can pay the application fee and be provided a receipt/invoice. Can we provide the Waste Collector permit to LA County when it is issued and if we are awarded the contract?

**Response:** Please see changes in Part A. Addendum Item No. 1.

8. **Question:** When is Form PW-3, County of Los Angeles Contractor Employee Jury Service Program Application for Exception and Certification Form, due?

**Response:** The PW-3 Form is only due before the proposal due date if your firm is requesting an exemption. The exemption request has been extended to Wednesday, March 21, 2018. If your firm certifies compliance, you can submit the form with your proposal.

9. **Question:** What is the procedure for (a) adding a sub-contractor or (b) substituting one sub-contractor for another, if we are awarded the contract. (Sometimes sub-contractors retire, go out of business, change their costs, or have scheduling conflicts – and we just want to get an understanding as to how a sub-contractor can be swapped out.)

**Response:** In the event a subcontractor needs to be replaced from the proposed subcontractor, the Contractor is required to notify the Contract Manager in advance and submit completed subcontractor forms, as indicated in Part I, Section 2, No. 14, Subcontractors' Forms List, and obtain County's written consent. Please also refer to Exhibit B, Section 2.II, Subcontracting.

10. **Question:** On Form PW-1, Question #2 refers to the Name of Service. Is this where we list "Advertising Bus Bench Program (2018-AN013)" in reference to the specific RFP we're responding to? Or do we write the specific service we're providing, such as "removal, installation, maintenance, and advertising on bus benches?"

**Response:** Yes, your firm will list the RFP title: "Advertising Bus Bench Program (2018-AN013)".

11. **Question:** On Page #1.13, Section 2.5.c, reads: Identify the roles of and submit resumes for the firm, principals, managing employees, on-site supervisors, other key staff, presenters, Subcontractors, and any other staff involved with this Contract, if awarded. Does this mean that you want both a bio and an actual resume for all individuals listed? Or is either option sufficient on its own?

**Response:** Proposer's capabilities and experience shall be described **comprehensively** in order to provide for a meaningful evaluation and assessment. Please provide all items requested under Part I, Section 2.5 Experience

12. **Question:** Regarding payment bond, there is no mention that a letter of credit may be used, but for your performance bond, you allow substitution?

**Response:** Please see Addendum Item No. 4 for updated changes to the Sample Agreement.

If you have questions concerning the above information, please contact Ms. Jessica Dunn at (626) 458-4169 or Mr. Jairo Flores at (626) 458-4069, Monday through Thursday, 7 a.m. to 5 p.m.

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Very truly yours,

MARK PESTRELLA  
Director of Public Works



*for:* JOSE M. QUEVEDO  
Assistant Deputy Director  
Business Relations and Contracts Division

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ADVERTISING BUS BENCH PROGRAM (2018-AN013)  
MINIMUM REQUIREMENTS AFFIRMATION

PROPOSER MUST CHECK A BOX IN EVERY SECTION

**Important Note:** The information on this form is subject to verification and may not be used for scoring purposes.

Completing this form by itself without including detailed narrative(s) in your proposal to support the minimum mandatory requirement(s) of this RFP, any inconsistencies or inaccuracy in the information provided on this form and/or your Proposal may subject your Proposal to disqualification or other actions, at the sole discretion of the County.

At the time of proposal submission, Proposer must meet the following minimum requirements:

1. Proposer or its managing employee(s) must have a minimum of 5 years of experience in providing and overseeing the operation of advertising at bus benches or bus shelters. **No subcontractors are allowed to meet this Minimum Requirement.**

Proposer Name/ Name of Managing Employee	Dates of Experience (Mth/Yrs to Mth/Yrs)	Description of Services/Experience	Page Number*

\*List the page number in the proposal containing the proposer or its managing employee(s)' resume/experience. (Please attach additional pages if needed.)

- ☐ Yes. Proposer or its managing employee(s) do meet the experience requirement stated above. (In addition to responding on this form, as specified in Part I, Section 2.A.5, Experience, please provide a detailed narrative in your proposal to validate this minimum mandatory requirement.)
- ☐ No. Proposer or its managing employee(s) do not meet the experience requirement stated above. **If you check this box, your proposal will be immediately disqualified as nonresponsive.**



ADVERTISING BUS BENCH PROGRAM (2018-AN013)  
MINIMUM REQUIREMENTS AFFIRMATION

2. Proposer or its managing employee(s) and/or subcontractor(s) must have at least 5 years of experience installing and maintaining bus benches and trash receptacles, as well as managing trash collection activities.

Proposer Name/ Name of Managing Employee/ Name of Subcontractor	Dates of Experience (Mth/Yrs to Mth/Yrs)	Description of Services/Experience	Page Number*

\*List the page number in the proposal containing the proposer or its managing employee(s)', and/or subcontractor(s)' resume/experience. (Please attach additional pages if needed.)

- ☐ Yes. Proposer or its managing employee(s), and/or subcontractor(s) do meet the experience requirement stated above. (In addition to responding on this form, as specified in Part I, Section 2.A.5, Experience, please provide a detailed narrative in your proposal to validate this minimum mandatory requirement.)
- ☐ No. Proposer or its managing employee(s), and/or subcontractor(s) do not meet the experience requirement stated above. **If you check this box, your proposal will be immediately disqualified as nonresponsive.**

3. Proposer's submitted Form PW-2 (Monetary Compensation) must provide for compensation to the County of a Minimum Annual Fee (MAF) of \$40 or greater per Advertising Benches or the Percentage of Gross Revenue (PGR) stated in Form PW-2, whichever is greater.

- ☐ Yes. Proposer agrees to the minimum requirement stated above.
- ☐ No. Proposer does not agree to the minimum requirement stated above. **If you check this box, your proposal will be immediately disqualified as nonresponsive.**

ADVERTISING BUS BENCH PROGRAM (2018-AN013)  
MINIMUM REQUIREMENTS AFFIRMATION

4. Proposer and/or its subcontractor(s) must submit copies of a valid and active State of California Contractor's Class C-61, subcategory D-38 (Sand and Water Blasting) license. This license must stay valid and active during the term of this Contract.

- ☐ Yes. Proposer and/or its subcontractor(s) have submitted a copy of a valid and active State of California Contractor's Class C-61, subcategory D-38 (Sand and Water Blasting) license. Please complete the chart below.

Type of License	License No.	Name of License Holder	Valid/Active Dates

- ☐ No. Proposer and/or its subcontractor(s) do not have the license as stated above. **If you check this box, your proposal will be immediately disqualified as nonresponsive.**

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ADVERTISING BUS BENCH PROGRAM (2018-AN013)

MINIMUM REQUIREMENTS AFFIRMATION

5. Proposer and/or its subcontractor(s) must submit a copy of a valid and active Waste Collector Permit issued by the County of Los Angeles Department of Public Health (DPH). Proposers and/or its subcontractor(s) who do not possess the permits at the proposal deadline date may submit a copy of a receipt and an invoice from DPH to Proposers and/or its subcontractor(s) for permit fees, or provide a letter issued by DPH as proof of the submitted and accepted Waste Collector Permit application. **Note: The awarded contractor and/or its subcontractor(s) is required to provide a copy of a valid and active Waste Collector Permit to the Contract Manager prior to the start of work. This permit must stay valid and active during the term of this contract.**

- ☐ Yes. Proposer and/or its subcontractor(s) have submitted a copy of a valid and active Waste Collector Permit issued by the County Department of Public Health. Please complete the chart below.

Permit No.	Name of the Permit Holder	Valid Dates	Page Number*

- ☐ Proposer and/or its subcontractor(s) do not currently have valid and active Waste Collector Permit; however, Proposer and/or its subcontractor(s) have submitted a copy of the DPH's receipt and invoice to proposer and/or its subcontractor(s) for permit fees.

DPH Invoice No. \_\_\_\_\_ Invoice Date: \_\_\_\_\_

- ☐ Proposer and/or its subcontractor(s) do not currently have valid and active Waste Collector Permit; however, Proposer and/or its subcontractor(s) have submitted a copy of a letter issued by DPH as proof of the submitted and accepted Waste Collector Permit application. Proposer and/or its subcontractor(s) agrees to provide a copy of a valid and active Waste Collector Permit to the Contract Manager prior to the start of work. This permit must stay valid and active during the term of this contract.

Date of DPH issued Waste Collector Permit Application Letter: \_\_\_\_\_ (ATTACH COPY OF LETTER)

- ☐ No. Proposer and/or its subcontractor(s) do not have the permit as stated above. **If you check this box, your proposal will be immediately disqualified as nonresponsive.**

Proposer declares under penalty of perjury that the information stated above is true and accurate. Proposer further acknowledges that if any false, misleading, incomplete, or deceptively unresponsive statements in connection with this proposal are made, the proposal may be rejected at the sole discretion of the County.

Signature	Title
Firm Name	Date

(b) An owner of residential real property, not engaged as a contractor or subcontractor licensed pursuant to Article 5 (commencing with Section 7065) of Chapter 9 of Division 3 of the Business and Professions Code, who as part of improving his or her principal residence or appurtenances thereto is performing or having performed excavation work not requiring a permit issued by a state or local agency.

(c) Any person or private entity that leases or rents power operated or power-driven excavating or boring equipment, regardless of whether an equipment operator is provided for that piece of equipment or not, to a contractor or subcontractor licensed pursuant to Article 5 (commencing with Section 7065) of Chapter 9 of Division 3 of the Business and Professions Code, if the signed rental agreement between the person or private entity and the contractor or subcontractor contains the following provision:

"It is the sole responsibility of the lessee or renter to follow the requirements of the regional notification center law pursuant to Article 2 (commencing with Section 4216) of Chapter 3.1 of Division 5 of Title 1 of the Government Code. By signing this contract, the lessee or renter accepts all liabilities and responsibilities contained in the regional notification center law."

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4216.9. (a) No permit to excavate issued by any local agency, as defined in Section 4216, or any state agency, shall be valid unless the applicant has been provided an initial inquiry identification number by a regional notification center pursuant to Section 4216.2. For purposes of this section, "state agency" means every state agency, department, division, bureau, board, or commission, including the Department of Transportation.

(b) This article does not exempt any person or corporation from Sections 7951, 7952, and 7953 of the Public Utilities Code.