**PORT OF OAKLAND**

Purchasing Department
530 Water Street
Oakland, CA 94607

**July 23, 2021**

## Addendum No. 1

## RFP No. 21-22/01, Web-Based Labor Compliance/Workforce Tracking System and Web-Based Living Wage Compliance System

This Addendum modifies the original RFP Documents for the above-mentioned RFP. **Acknowledge receipt of this addendum in the space provided on the RFP Acknowledgement and Signature Form (Attachment 3). Failure to do so may disqualify your proposal.**

**The following correction and deletion have been made to the above referenced RFP:**

**Correction No. 1:** Replace in its entirety item C. User Interface Requirements, 1. General Functionality and Features, k), and replace with the following:

k) Ability of system to attach multiple documents (up to **10 MB** each document) and automatically distribute it to all on-line and off-line to consultants, contractors, vendors, tenants and concessionaires via email or provide access to the Port, the primes, and sub- contractors, vendors, tenants and concessionaires for review of information.

**Deletion No. 1:** Item C. User Interface Requirements, 11. Living Wage Compliance Data Requirements, e) is deleted in its entirety.

**There are no other changes to RFP No. 21-22/01.**

**The following questions were submitted by the deadline and are answered in this addendum.**

1. **Question**: Please state what the Port of Oakland's annual construction budget is.

   *Response: The Port maintains a 5-Year Capital Improvement Plan (CIP), which consists of anticipated expenditures and funding sources for capital projects the Port plans to undertake over the next five years. The 5-Year CIP is updated annually and is currently estimated at $543.7 million (FY 2022-2026).*

2. **Question:** II. Scope of Services, 1st paragraph.  Please define "automated entry" for CPRs.

   *Response:  An automated system to allow users to enter CPRs, data, submit and print reports, etc. vs. hard copy report submissions.*

3. **Question:** A. General Services, 2nd paragraph.  Is the Port willing to request a raw database export of all data from ESI?

   *Response:  Yes, new vendor can request the database export in the format they desire from current vendor. New vendor needs to design and produce the data specification and current vendor will produce the data based on the specification new vendor provides. New vendor system needs to accommodate any importing data.*

4. **Question:** A. General Services, 2nd paragraph.  Will the Port need to start utilizing the chosen solution before a data migration is completed with ESI?

   *Response: No*

5. **Question:** B. General System & Contractor Requirements, item No. 2.  Please list what other designated internet sites software must integrate with.

   *Response:  The software must integrate with the Department of Industrial Relations (DIR) public works certified payroll requirements.  Also, must be able to upload information from contractor's payroll software.*

6. **Question:** B. General System & Contractor Requirements, item No. 6.  Please define what is meant by "self-register'.

   *Response:  To gain access to the system, all users i.e. contractors including all sub tiers, vendors, concessionaires, tenants, and consultants must have the ability to register in the system.*

7. **Question:** C. User Interface Requirements, 1. General Functionality and Features, j)  Is this requirement to provide functionality for the Port to have defined fields to enter information for the examples listed (NAICS and NIGP codes) but also to be able to dynamically add other categories at will?  Is there an expectation that these can be made required/non-required fields at the Port's discretion?

   *Response:  Yes. We would like the ability to dynamically add categories at will and to make these required/non-required fields at the Port's discretion.*

8. **Question:** C. User Interface Requirements, 1. General Functionality and Features,  k) Does the attached document size really need to be 100MB each or is that a typo?

   *Response:  No, it is a typo.  Please see Correction No. 1, above.*

9. **Question:**  C. User Interface Requirements, 1. General Functionality and Features, l), (regarding report lists on pages 21-22).  Please provide samples of all reports, especially the following need additional clarification:  Payroll Summary, Labor Cost, Top Contractors Program Summary, Performance Summary, Project Cumulative Summary, Program Summary, CPR Status, Registered Firms, Management and Workflow for Agency, Rejected or Non-Compliance CPR, Health benefits, Living Wage Quarterly Report, Displacement Employee Report, Labor Pool Report, Public Records Request (for CPRs?)

   *Response:  Following the award of a contract, samples of all reports will be provided upon request.*

10. **Question:**  C. User Interface Requirements, 1. General Functionality and Features, ), Please define "software updates" in this context.  We would like to confirm that the intent is truly reference typical industry software updates and not additionally developed features.

   *Response:  Yes, any enhancements made to the system as "software updates" will be included, implemented, and provided to the Port at no additional cost to the Port.  Also, any updates to the underlying operating system and network are covered.*

11. **Question:**  C. User Interface Requirements, 2. Security, b)  We require clarification on what is meant by "…validation function for username and password setup for the system."

   *Response:  The system is required to validate the username and password for security.*

12. **Question:**  C. User Interface Requirements, 4. Tracking, b).  Is this reporting requirement something that needs to be accessible for the Port to run at will or can this report be provided to the Port at scheduled intervals?

   *Response:  Both, at will and at scheduled intervals.*

13. **Question:**  C. User Interface Requirements, 4. Tracking, d).  Other than the ability to assign commodity codes to specific contractors/vendors, how else are these codes expected to be used and tracked in the system?

   *Response:  The expected functionality is the ability to assign commodity codes to specific contractors, vendors, and concessionaires.*

14. **Question:**  C. User Interface Requirements, 5. Interface Features, a), (i).  Please explain what is meant by "successful transmission of data" and what the expected notification results in.  Is this requiring the capability to upload data to create a new account for a contractor, consultant, etc.? What file type is used to upload this information (xls, PDF, etc.)?

*Response: Notification that the contract has been added to the system. Notification when the CPR/living wage reports have been rejected/accepted. Notice when the CPR/living wage reports are late. Notification is sent via email. Allow download of xlsx, docx and pdf.*

15. **Question:** C. User Interface Requirements, 5. Interface Features, b). What are the specific data elements expected to be included in the printable report?

    *Response: Data that is included in the system. Refer to page 6 through page 11 of RFP.*

16. **Question:** C. User Interface Requirements, 5. Interface Features, c) (iii). Please further explain what is meant by "other interface requirement to implement/improve the information."

    *Response: This refers to any other interfaces as needed to implement this requirement.*

17. **Question:** C. User Interface Requirements, 5. Interface Features, d) What is the expectation for data integration of contractor and contract information? Is data to be uploaded via Excel documents into the system to create or update contractor/vendor accounts and new contracts?

    *Response: No. The Port will manually add contracts and contractors to the "System".*

18. **Question:** C. User Interface Requirements, 6. Additional System Requirements, i). How is the UAT conducted and at what stage--during the procurement or implementation process? Are the testing and acceptance criteria available for review?

    *Response: Testing and acceptance happen right before the system goes live. Criteria will be based upon the specifications as outlined in this RFP at a minimum.*

19. **Question:** C. User Interface Requirements, 6. Additional System Requirements, iii. Is "Software upgrades, developer maintenance and additional system configuration--shall be inclusive of post system implementation costs by the system developer." meaning any standard technical upgrades and maintenance of a SaaS solution determined necessary by the software company, or is this also to include any custom upgrades requested by the Port at any time in the future?

    *Response: This includes standard technical upgrades and maintenance but does not include future custom upgrades requested by the Port.*

20. **Question:** C. User Interface Requirements, 7. General Data Collection Requirements, h). Please explain what a "core worker" is in relation.

    *Response: Refer to Article 7 of the MAPLA. The MAPLA Core Employee provisions apply only to non-signatory contractors (i.e., contractors who are not a party to a current Master Labor Agreement applicable to the work of the contract). A non-signatory contractor may use up to five (5) of its own "core" employees, provided that the first worker hired comes from the applicable union. The second worker will be a core, the third worker from the union, fourth*

*worker will be a core worker, and so forth. Lay-offs will be in the reverse order. All core employees are required to pay union initiation fees and representation fees. Non-signatory contractors should note that they are required to make payment on behalf of core employees into the established labor-management vacation, pension or other forms of deferred compensation plans, apprenticeship, and health benefit funds for each hour worked.*

21. **Question:** C. User Interface Requirements, 9. Labor Compliance Data Collection Requirements, w). Please define "proof of payment"

    *Response: Capability to upload proof of payment to the worker i.e. employee pay stub.*

22. **Question**: C. User Interface Requirements, 11. Living Wage Compliance Data Requirements, e). Please explain "ownership of company" breakdown expectations.

    *Response: Please see Deletion No. 1, above.*

23. **Question:** C. User Interface Requirements, 14. Living Wage Compliance Monitoring System, e). Does "report" mean certified payroll report in this section?

    *Response: No. Employers are required to submit quarterly employee payroll reports and information to demonstrate compliance with Living Wage Laws.*

24. **Question:** C. User Interface Requirements, 15. Ad Hoc Reports, e). Please define "displaced employee".

    *Response: A displaced employee is an airport badged employee who has been laid off because a concession operator has closed its business at the airport. The concession operator would be required to provide a list of all laid off employees due to this departure.*

25. **Question:** C. User Interface Requirements, 15. Ad Hoc Reports, g). Please define "Labor pool".

    *Response: Concession operators are required to offer employment to qualified displaced badged concession employees by seniority and by job classification. This information must be maintained and monitored in a preferential reinstatement list that appropriately tracks and pools for the purpose of offering employment.*

26. **Question:** C. User Interface Requirements, 15. Ad Hoc Reports, i). In relation to the statement "staff to have access to make additional redactions and/or changes" - is the intent for "staff" to be able to redact items other than certified payroll reports (CPRs)? If yes, please provide a list of items.

    *Response: Yes. Please refer to the listed items on page 21 and 22 of RFP.*

27. **Question:** IV. Submission Requirements, Submittal Format. Is it acceptable to attach required resumes in an Appendix?

   *Response: Yes, resumes, templates, and other visual materials can be attached as Appendices and will NOT count toward the 25-page limit.*

28. **Question:** IV. Submission Requirements, 2 and 3. Do the referenced projects in No. 2 and No. 3 need to be different?

   *Response: No, the projects do not have to be different. It is recommended to provide the size and scope of each project and a brief description of the projects. For the Client References section, we are looking for current clients.*

29. **Question:** IV. Submission Requirements, 4. Response Time and Plan and Approach, d) In relation to "data" and "uploaded documents/PDF attachments", please describe or identify volume/size of data and documents.

   *Response: The total data size is about 2 GB.*

30. **Question:** IV. Submission Requirements, 4. Response Time and Plan and Approach, h)i. Please define expectation of "mobile based interface" - does this mean that there is an expectation of utilizing the entire compliance solution suite via a mobile device?

   *Response: In addition to the Web-Based on-line system, it is suggested the system should also include a mobile optimized website where data can be entered. Refer to Section C.1.c.*

31. **Question:** A. Evaluation Weights. Does this policy mean that any company not local to the City of Oakland automatically gets docked 15%?

   *Response: **No,** the Port allots preference points for the percentage of work being performed by consultants located in either the Local Business Area (Alameda and Contra Costa County) or the Local Impact Area (Oakland, Alameda, Emeryville and San Leandro), and for community involvement for a maximum total of 15 points.*

32. **Question:** Report Names. Please provide examples or screenshots of required reports.

   *Response: Following the award of a contract, samples of all reports will be provided upon request.*

33. **Question:** Report Names, Advanced Reports. Please define what is meant by "Labor Cost".

   *Response: Prevailing wages.*

34. **Question:** Report Names, Labor Activities. Please define what is meant by "Top Contractors".

*Response:* *Top Contractors are the contractors that have worked the most hours on any given project.*

35. **Question:** Report Names, Overall Review. Please define what is meant by "Program Summary".

    *Response:* *The program summary includes the following data: MAPLA, NDSLBUB, off-site credit, journey vs. apprentice, LBA, LIA, disadvantaged worker trade and hours worked.*

36. **Question:** Report Names, Overall Review. Please confirm if a "Registered Firms" is the same as "Contractors".

    *Response:* *Registered Firms are all users i.e. construction prime contractors including all sub tiers, vendors, concessionaires, tenants and consultants.*

37. **Question:** What is the anticipated annual construction volume for each of the next eight years (to cover for the initial 5-year term and the three 1-year extension options)?

    *Response:* *Please see response to Question 1, above.*

38. **Question:** The proposal states: "Responses may not be longer than 25 pages (double sided), printed on 8 ½" x 11" paper and formatted in no smaller than 10-point font, inclusive of graphics, pictures, photographs, and cover letter, etc., (excluded from the page count are Cost Proposal, resumes, sample reports, screens, training materials, required forms, dividers, letters of recommendation)." I understand that the core proposal needs to be double-sided when printing; but do the cover, dividers, sample reports, training materials, required forms, etc. need to be double-sided when printed as well?

    *Response:* *Preferred but not required and when possible (i.e., maybe not for the dividers).*

39. **Question:** 1. Does the scope of the requirements for the project include tracking, management and reporting related to NDSLBUP, DBE and ACDBE programs (i.e. contract compliance requirements for such programs)? 2. If the answer to question 1 is yes, how is this currently being managed, tracked and reported – and what system(s) are currently being utilized to do so? 3. If the answer to question 1 is yes, is there an intended migration of data from the legacy system to the new selected system – and what is the scope and extent of that data migration?

    *Response***:** *The legacy system does not provide tracking of the NDSLBUP, DBE and ACDBE programs. NDSLBUP is hosted by another vendor, DBE and ACDBE programs are not tracked by any system.*

40. **Question:** For the transition of the (ESI) system, what is the type and format of the data to be imported to the new system?

*Response:  Current vendor can provide data in csv format.  However, new vendor can request the database export in the format they desire from current vendor.*

41. **Question:**  What internal systems will the new system have data interface?

    *Response:  No internal system.*

42. **Question:**  What external systems will receive data from the new system?

    *Response:  California Department of Industrial Relations (DIR)*

43. **Question:**  Please share the Port of Oakland average annual volumes for the following:
    - No. of vendors registration.
      *Response:  Approximately 50 with anticipation of 25% - 30% increase in the next five years.*

    - No. of prime and subcontractors
      *Response:  381*

    - No. of certified SLBEs
      *Response:  The Port currently has 238 Small Business Enterprises (SBE) and Very Small Business Enterprises (VSBE) certified companies.*

    - No. of concessionaires and sub concessionaires
      *Response:  Approximately 50 with anticipation of 25% - 30% increase in the next five years.*

    - No. of Contracts with SLBE requirements
      *Response: None, at this time.*

    - No. of Contracts with Living Wage requirements
      *Response:  Approximately 50 with anticipation of 25% - 30% increase in the next five years.*

    - No. of Contracts with Prevailing Wage Requirements
      *Response:  23*

    - Annual Budget of Contracts with Prevailing Wage Requirements
      *Response: See response to Question 1 above.*

    - If importing employee profile data, No. of employee records
      *Response:  Approximately 57,000 employee records.*

44. **Question:**  Does Port of Oakland comply with US DOT DBE program regulations for FAA?

*Response:*  Yes

45. **Question:**  Does Port of Oakland comply with US DOT DBE program regulations for FHWA?

*Response:*  Yes

46. **Question:**  Does Port of Oakland require a public accessible directory?

*Response:*  No

**There were no other questions to RFP No. 21-22/01.**