



Purchasing Department  
530 Water Street  
Oakland, CA 94607

September 8, 2021

### ADDENDUM No. 1

#### **RFP No.: 21-22/05, On-Call Per- and Polyfluoroalkyl Substances Consulting Services**

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 questions were submitted by the deadline and are answered in this addendum:**

1. Question: Given ongoing COVID safety concerns, limited office staffing, and unpredictable shipping delays, would the Port consider eliminating the hard copy requirement for submittal of this proposal and authorizing an electronic submittal (via e-mail). Additionally, eliminating paper copies avoids emissions associated with reproduction and shipment in line with the Port's overall Environmental Stewardship commitments.

*Answer: No electronic RFPs will be accepted. To protect the integrity of the RFP process, the Port must receive sealed RFPs (physical submittals only), delivered to the Port either in-person or by mail by the Due Date and Time indicated in the RFP. (Please note: Some physical deliveries have been intermittent/delayed in certain areas, so please plan accordingly and submit your RFP early to ensure timely receipt.) The Port of Oakland is open, and a hard copy can be dropped off at the security desk (9:00a.m. – 3:00p.m daily.) or call Nicklaus Sioson at 510-627-1140 to make an appointment when submitting the proposal before the due date in person.*

2. Question: Is the Port planning to shortlist firms and go through an interview process before making a final decision on contract award?

*Answer: Please refer to Section V. Evaluation Criteria, Item B Selection Procedure.*

3. Question: Wet signatures are not specified for the required "Original" copy, though we assume they are preferred. Given continued COVID-19 restrictions, however, will the Port consider non-wet signatures for proposal copy marked "Original"?

*Answer: Yes, electronic signature are acceptable.*

4. Question: Our auto policy is \$2M and our umbrella policy is \$15M. Will you accept our umbrella policy to meet the \$5M automobile insurance requirement in the event we have to operate a vehicle on an active air field.

*Answer: Yes. Umbrella policy must strictly follow form and conform to all the requirements set forth in the Agreement for automobile liability including but not limited to requirements to waive subrogation, include additional insureds, and pay claims on a primary non-contributory basis.*

5. Question For Submission Requirement 5 / Attachment 4, is the Port asking bidders to provide the fee they would charge on subcontracted services (i.e., subcontractor markup), or is the Port asking for actual rates for those services (e.g., unit cost of laboratory analyses, daily or other unit costing for drilling services).

*Answer: The fee schedule should include actual rates and actual markup for subcontracted services. You may attach additional sheets if necessary, to include any proposed fee schedules and/or additional cost.*

6. Question: Could the Port provide a copy of the Water Board 13267 Technical Requirements letter, issued on June 10, 2021?

*Answer: A copy of the June 10, 2021 San Francisco Regional Water Quality Control Board (Water Board) letter can be found at the following link:*

<https://www.portoakland.com/wp-content/uploads/Preliminary-PFAS-Investigation-Completion-Report-and-Water-Code-Section-13267-Technical-Report-Requirements-Order.pdf>

7. Question: From the pre-proposal meeting, we understood that proposals are to be submitted via mail only. This is in conflict with Section VI.C. of the RFP. Please clarify.

*Answer: Please see response to question 1.*

8. Question: If proposal submittal is acceptable by mail only, – will a certified mail receipt provide adequate confirmation of submission in case the Port doesn't receive the proposal by 11:00 a.m. on September 23<sup>rd</sup>? Or will the Port acknowledge receipt of the proposal via email as a pdf as confirmation that the paper copies are on their way?

*Answer: Please see question 1 and refer to Section VI. Additional Provisions, Item C. Deadline for Receipt of Proposal.*

9. Question: Can you please provide the list of attendees for the pre-proposal meeting?

*Answer: Yes, visit the Port of Oakland website to view the Non-Mandatory Pre- proposal Sign In Sheet or click link below:*

<https://www.portoakland.com/wp-content/uploads/21-22-05-Non-Mandatory-Pre-Proposal-Meeting-Sign-In-Sheet.pdf>

10. Question: Are a cover sheet and cover letter allowed in this submittal? Would they count against the 16-page limit?

*Answer: Yes, a cover sheet and letter are allowed and will not count against the 16-page limit. In addition, the required attachments will NOT count against the 16-page limit.*

11. Question: Because of the 16-page limit, we are wondering if staff resumes will be counted toward that page limit if we include them in an appendix?

*Answer: No, it will NOT count against the page limit.*

12. The Port of Oakland’s RFP No.: 21-22/05, On-Call Per- and Polyfluoroalkyl Substances Consulting Services indicates the services being sought are in response to the additional investigation required by the Regional Water Board per their June 10, 2021 Water Code Section 13267 Technical Report Requirements. The RFP did not include a copy of the Regional Water Board’s letter with these requirements, nor is this letter available on the Oakland airport’s GeoTracker PFAS casefile. Can the Port please provide a copy of the referenced Regional Water Board’s June 10, 2021 letter?

*Answer: Please see response to Question 6.*

13. Question: I would to request Work plans and/or completion reports for the evaluation of four areas surrounded by impervious surfaces, storm drains, and sanitary sewer lines, as recommended in the 12/2020 PFAS Investigation Completion Report and Water Board letters or Orders received since the 12/2020 PFAS Investigation Completion Report submittal. If these documents are not available, what are the expectations for bidders evaluating potential future scope?

*Answer: Please see response to Question 6. The Oakland International Airport Per- and Polyfluoroalkyl Substances Preliminary Investigation Work Plan and Preliminary Per- and Polyfluoroalkyl Substances Investigation Completion Report are available on the State Water Resources Control Board GeoTracker Website. The links for these documents are below:  
Work Plan:*

[https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo\\_report/1104226887/T10000012764.PDF](https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/1104226887/T10000012764.PDF)

*Completion Report*

[https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo\\_report/2171148478/T10000012764.PDF](https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/2171148478/T10000012764.PDF)

14. Question: In the attached document, it specifies “in evaluating proposals up to 85 points will be allocated for technical excellence and 15 points for local and small local participation as follows for the Prime only. This is an “On-Call” project without specific scopes of work; therefore, preference points will only be awarded to the Prime.”

Is the 15 points only provided to local/small primes that are bidding directly? Our company, Tetra Tech, is a large firm so we were planning on utilizing local/small subs for portions of the work. Would we still receive credit for this? Because based off the attachment it seems like only small/local business bidding directly are eligible for these 15 points. Can you clarify?

*Answer: Up to 15 preference points are awarded to the Port Certified Prime. With on-call projects, we can not award preference points to subs because the scope of services is not defined at this time.*

15. Question: Will we be eligible to receive points for utilizing other Port certified local/small businesses as our subcontractors?

*Answer: No, for on-call projects we do not award preference points to subcontractors. Only the Prime contractor will be awarded points.*

16. Question: Under Evaluation Criteria 5, must one be a Small Business to qualify for Local Impact Area (LIA) points? The criteria only mentions Small Local Businesses, and not local businesses in general. Attachment 5-A mentions LIAs, and not necessarily as Small/Very Small Businesses. Any clarification would be helpful.

*Answer: In order to qualify for the preference points a business must be certified with the Port as either a local and or small business in Alameda or Contra Costa Counties.*

17. Question: Section I, Project Overview: May we please have a copy of the PFAS Completion Report, dated December 2020?

*Answer: Please see response to Question 13.*

18. Question: Section 1, Project Overview: May we please have a copy of the Regional Water Quality Board's comments and subsequently issued Water code Section 13267 Technical Report requirements issued on June 10, 2021?

*Answer: Please see response to Question 6.*

19. Question: Section II, Scope of Services, Item C: For any investigation-derived waste (IDW), between the Port and Consultant, who will be responsible for the following activities: transporting IDW to staging area, chemical analysis of IDW for waste characteristics, staging and temporary storage, secondary containment, security, and transport and disposal at appropriate facilities?

*Answer: The Consultant will be responsible for transporting IDW to staging area, chemical analysis of IDW for waste characterization, staging and temporary storage, secondary containment, security, and transport and disposal at a Port approved disposal facility.*

20. Question: Section II, Scope of Services, Item E. Is there any expectation to perform any remediation services that would require us to subcontract a licensed hazardous substance removal contractor under this contract?

*Answer: PFAS is still being investigated at Oakland International Airport, and it is too early to know if or what kind of remediation support or services will be necessary. The On-Call PFAS Consulting Services RFP Scope of Work includes remediation as a possible service.*

21. Question: Section III, Port Policy and Other Requirements: Item 5: Would the Port have objections to proposed replacements of some provisions in the Port's Professional Services agreement with alternative provisions that reflect industry standards?

*Answer: Proposers may submit proposed revisions to the Port's standard Professional Services Agreement. The Port may consider these proposed revisions for the successful proposal. The Port reserves the right to reject or accept any or all proposed revisions, in the Port's sole*

*discretion. Exceptions are discouraged and may result in lower evaluation points during the Port's evaluation of your proposal.*

22. Question: Section IV Submission Requirements, Item 7, Litigation and Other Information: Would the litigation be specific to consulting work at an operational airport like Oakland where the scope is similar?

*Answer: No, in order for the Port to properly evaluate your firms' capabilities, please provide information describing **any and all** litigation, arbitration, investigations, or any other similar actions that your company, its principals, directors, and/or employees have been involved in during the last five (5) years relating to your company's services.*

23. Question: Section VI Item F, Reimbursable Expenses: How many electronic and hard copies are typically required for reproduction of documents?

*Answer: This is an RFP for On-Call services, please provide a unit cost for report production, including an electronic copy on CD and hard copy.*

24. Question: Section VI, Professional Services Agreement, Item 6. 3, Conflict of Interest, second last paragraph: Can the Port provide an example from the past where a prior consultant has had an adverse or "potentially adverse conflict of interest" when performing similar scope?

*Answer: No. Review Item 6.3 Conflict of Interest in the Professional Services Agreement.*

25. Question: Section VI, Professional Services Agreement, Item 7, Confidentiality, 7.1: Can the port provide an example or clarification from the past where a prior consultant had accepted employment from another client for similar work, and used confidential information that was used "adverse" to the Port's interest?

*Answer: No. Review Item 7.1 Confidentiality in the Professional Services Agreement.*

26. Section VI, Professional Services Agreement, Item 7.3, Audit, and Inspection: Is there missing information for this item?

*Answer: No information is missing. The title for the "Audit and Inspection" section of the Professional Services Agreement article is marked as 7.3 instead of 8 as the title for the section including retention, production, etc. Section 7.3 will be changed to 8 and the rest of the section numbering will be adjusted and corrected in the final agreement executed by the Port and the successful proposer.*

27. Question: Section VI, Professional Services Agreement, Item 7.6, Production: As we are likely to produce documents with various inputs, we may have numerous files across multiple different platforms and databases. Would the Port be open to a schedule for delivering these Records that reflects the effort and coordination required rather than a set duration of 10 business days?

*Answer: Proposers may submit proposed revisions to the Port's standard Professional Services Agreement. The Port may consider these proposed revisions for the successful proposal. The Port reserves the right to reject or accept any or all proposed revisions, in the Port's sole*

*discretion. Exceptions are discouraged and may result in lower evaluation points during the Port's evaluation of your proposal.*

28. Question: Section VI, Professional Services Agreement, Item 8.1, Notices: Will change requests in scope, cost, or schedule, require formal notices by certified mail, overnight delivery, or personal delivery? Is an electronic change acceptable?

*Answer: The Professional Services Agreement can only be changed through a Supplemental Agreement. Refer to Section VI, Professional Services Agreement.*

29. Question: Section VI, Professional Services Agreement, Appendix F, Indemnification, Part A, Liabilities: Can we and our subconsultants limit our liability to insurance limits, and work directly related to our efforts only?

*Answer: No. Please refer to the liability, indemnification and insurance requirements as set forth in Section VI, Professional Services Agreement. Proposers may submit proposed revisions to the the Port's standard Professional Services Agreement. The Port may consider these proposed revisions for the successful proposal. The Port reserves the right to reject or accept any or all proposed revisions, in the Port's sole discretion. Exceptions are discouraged and may result in lower evaluation points during the Port's evaluation of your proposal.*

30. Question: Section VI, Professional Services Agreement, Appendix F, Indemnification Part B, Item (1): How long does the Port anticipate the implication of the provision, and would there be a past example of when these provision would apply?

*Answer: Please refer to the liability, indemnification and insurance requirements as set forth in Section VI, Professional Services Agreement.*

31. Question: Section VI, Professional Services Agreement,, Appendix F, Indemnification Part B, Item (1): Would the Port rather that the consultant reviewing construction contracts prior to bidding to ensure that the named Consultant is added as and additional insured on its CLG insurance coverage? As the consultant is not privy to the contract, we may not have an awareness of a construction contract's exitance, the context of the project scope, and how it relates to our efforts.

*Answer: Please refer to the liability, indemnification and insurance requirements as set forth in Section VI, Professional Services Agreement. Proposers may submit proposed revisions to the the Port's standard Professional Services Agreement. The Port may consider these proposed revisions for the successful proposal. The Port reserves the right to reject or accept any or all proposed revisions, in the Port's sole discretion. Exceptions are discouraged and may result in lower evaluation points during the Port's evaluation of your proposal.*

32. Question: Nondiscrimination/Small Business Utilization: the first two bullet points mention certified prime firms and certified prime consultant. What is the difference? Can a company qualify for both categories?

*Answer: They are one in the same.*

33. Question: Nondiscrimination/Small Business Utilization : For the section on the points for complying with the Port's values and programs, do small and very small local businesses need to be certified by the Port in order to receive points or are other certifications acceptable?

*Answer: Yes, to qualify for preference points a company must be certified by the Port of Oakland.*

34. Question: Is preparation of the work plan in response to the June 10 letter under existing contract or included in the RFQ scope?

Is implementing the work outlined in the above-referenced work plan under existing contract or included in the RFQ scope?

*Answer: Assisting the Port in responding to the June 10, 2021 Water Board letter is part of the RFP Scope. This will include, but not limited to, preparing and implementing a work plan as required by the June 10, 2021 Water Board letter.*

35. Question: What weight will be given to prior experience at airports in evaluating proposals from firms that otherwise have extensive experience with PFAS issues and what weight will be given to the prior airport experience related to PFAS matters?

*Answer: Please refer to Sections IV. Submission Requirements and V. Evaluation Criteria.*

36. Question: Please define what is envisioned for “legal support” cited as item F. in the Scope of Services.

*Answer: Legal support includes, but not limited to, providing technical support and preparing technical documents to assist Port Attorneys.*

37. Question: Is decontamination of PFAS-containing equipment and/or substitution of fluorine-free foams contemplated within the scope of services?

*Answer: This RFP is seeking a consultant to assist the Port with all PFAS matters that may occur during the contract period, including support for decontamination.*

38. Question: The June 10, 2021 water board letter requires “1) a work plan, a sampling and analysis plan, and an implementation schedule for conducting additional soil, storm water, sediment, groundwater, and preferential pathway investigations at OIA by September 30, 2021, and 2) a report documenting the results of the completed investigations by December 31, 2021.” Given that proposals are due to Port of Oakland on September 23 and we envision that the Port will need sufficient time to select a PFAS-qualified firm, has the Port discussed with the Water Board an extension of the September 30, 2021 deadline?

*Answer: The Port is working with the Water Board to request an extension for submission of the work plan and sampling and analysis plan for additional sampling.*

39. Question: “How would a situation be handled where the consultant is asked to assist the Port in a legal matter when one or more of the adverse parties is already a client of the consultant?”

*Answer: Please refer to RFP Section VI. Additional Provisions and Attachment 11 Professional Services Agreement template Section 6.3.*

40. Question: Is the contractor that performed the previously completed PFAS investigation/reporting at the airport allowed to submit a proposal for this opportunity?

*Answer: Yes, all interested and qualified consulting firms are allowed to submit a proposal.*

41. Question There has been some preliminary investigation work prior to this. How was CH2M contracted to do the work, through another on-call or separate solicitation?

*Answer: The previous work done by CH2M was through a Port on-call contract.*

42. Question: The rate sheet is just blank without common categories and minimum requirements. How will the rate sheets, which comprise the proposed costs and 15% of the evaluation criteria be evaluated across multiple submittals in an apples to apples (ie, consistent) way?

*Answer: The Port will review rate sheets and compare costs amongst suppliers.*

**There are no other questions for this RFP.**