



Purchasing Department
530 Water Street
Oakland, CA 94607

March 24, 2023

Addendum No. 1

RFP No.: 22-23/23, Construction Workforce Development and Labor Compliance 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 correction is being made to the above referenced RFP:

- The second paragraph of Section II.3 (Site Visits and Employee Interviews) of the RFP is hereby amended and replaced with the following:

Representatives of the Labor Compliance Program shall conduct in-person inspections at the site or sites at which the contract for public work is being performed ("On-Site Visits"). On-Site Visits may be undertaken randomly or as deemed necessary by the Labor Compliance Program, but shall be undertaken during each week that workers are present at sites at which the contract for public work is being performed. All On-Site Visits shall include visual inspection of (1) the copy of the determination(s) of the Director of Industrial Relations of the prevailing wage rate of per diem wages required to be posted at each job site in compliance with Labor Code Section 1773.2, and (2) the Notice of Labor Compliance Program Approval required to be posted at the job site in accordance with section 16429 above, listing a telephone number to call for inquiries, questions, or assistance with regard to the Labor Compliance Program. On-Site Visits may include other activities deemed necessary by the Labor Compliance Program to independently corroborate prevailing wage payments reported on payroll records furnished by contractors and subcontractors.

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

1. **Question:** What is the length of the contract that will be awarded?

Response: Please refer to Section II.E. (Projected Timeline and Length of Contract) of the RFP.

2. **Question:** Is there an incumbent for this contract? If so, can you disclose who that is?

Response: There is not an incumbent for the scope of work contained in this solicitation. However, there are two current contracts that relate to two parts of the scope of work contained in this solicitation. The first contract is for MAPLA Administration with Davillier-Sloan, Inc. The second contract is for Labor Compliance Services with D. Moore Consulting, Inc.

3. **Question:** How many firms are slated to be awarded contracts for this pursuit?

Response: This solicitation process is for one contract.

4. **Question:** Who is the incumbent?

Response: Please refer to the answer to Question No. 2.

5. **Question:** Is there link to the pre-proposal meeting presentation?

Response: Yes, the pre-proposal meeting presentation may be found on the Port's website at the following link: www.portoakland.com/business/bids-rfps/

6. **Question:** Is the funding from ARPA funding?

Response: No, the funding for any contract resulting from this solicitation will be Port funds.

7. **Question:** Do SDVOSB, DVBE and Veterans certifications apply for the RFP for preference points?

Response: The Port of Oakland's Non-Discrimination and Small Local Business Utilization Policy applies to this solicitation. Therefore, the only certifications that are recognized for preference points include the Port of Oakland certifications of LIA, LBA, SBE, and VSBE.

8. **Question:** Are both Federal as well as State labor compliance regulations to be enforced, correct?

Response: Correct.

9. **Question:** Are there any specific outcomes you are looking to achieve from this project?

Response: Please refer to RFP Section II (Scope of Services) and Appendix A (Services) to Attachment 11 (Professional Services Agreement).

10. **Question:** You have a software vendor; however, will you entertain software proposals that complement the current software with additional compliance functions?

Response: No, the Port will not entertain a compliance software proposal to replace existing systems because it is not part of the requested scope of services.

11. **Question:** Local hire goals – how successful have your PLA been in the past and are you looking forward to new CBO or pre-apprenticeship solutions?

Response: The latest information on the performance of the MAPLA is available in the Informational Report posted for the December 3, 2020, Board meeting, available here: www.portoakland.com/port/board-of-commissioners/board-meetings/. Please refer to RFP Section II

(Scope of Services) and Appendix A (Services) to Attachment 11 (Professional Services Agreement) for further detail on the requested scope.

12. **Question:** Will a DVBE goal be met in all phases of project delivery or just construction?

Response: The Port of Oakland does not apply DVBE goals to its contracting process.

13. **Question:** Using Elation Systems, are you expecting weekly and monthly reports to be generated from that program? In terms of deliverables during the life of our contract with you.

Response: Please refer to Appendix A (Services) of Attachment 11 (Professional Services Agreement) to the RFP for details regarding the deliverables for the contract.

14. **Question:** What is your main priority as a definition of success?

Response: Please refer to the answer to Question No. 9.

15. **Question:** Is there an estimated contract value?

Response: No.

16. **Question:** Can subconsultants be used to meet minimum qualifications?

Response: Please refer to Section IV.2 (Evidence of Minimum Qualifications).

17. **Question:** The RFP states that site visits should be conducted monthly as per Labor Code 16432(d). However, our read of 16432(d) is that sites visits should be conducted weekly. Please clarify.

Response: Correct, site visits should be conducted weekly, consistent with Labor Code § 16432(d), which will be reflected in any awarded contract. The second paragraph of Section II.3 (Site Visits and Employee Interviews) of the RFP is hereby amended and replaced with the following:

Representatives of the Labor Compliance Program shall conduct in-person inspections at the site or sites at which the contract for public work is being performed ("On-Site Visits"). On-Site Visits may be undertaken randomly or as deemed necessary by the Labor Compliance Program, but shall be undertaken during each week that workers are present at sites at which the contract for public work is being performed. All On-Site Visits shall include visual inspection of (1) the copy of the determination(s) of the Director of Industrial Relations of the prevailing wage rate of per diem wages required to be posted at each job site in compliance with Labor Code Section 1773.2, and (2) the Notice of Labor Compliance Program Approval required to be posted at the job site in accordance with section 16429 above, listing a telephone number to call for inquiries, questions, or assistance with regard to the Labor Compliance Program. On-Site Visits may include other activities deemed necessary by the Labor Compliance Program to independently corroborate prevailing wage payments reported on payroll records furnished by contractors and subcontractors.

18. **Question:** What is the difference between the MAPLA Program Manager and the Port Project Manager, if any.

Response: There is no difference between the MAPLA Program Manager and the Port Project Manager.

19. **Question:** Can we add a cover letter to the proposal?

Response: Please refer to Section IV. (Submission Requirements) of the RFP for specific submission requirements for each section of the proposal.

20. **Question:** Who/what is the Trucking Administrator?

Response: The successful respondent will act as the Trucking Administrator. Please refer to Section A.4 of Appendix A (Services) to Attachment 11 (Professional Services Agreement) to the RFP for further details.

21. **Question:** For purposes of preparing our cost estimates/budget, how do we know the number, size and duration of projects projected to be executed during the life of the consultant contract?

Response: Future projects may vary. The Port's currently anticipated projects for Fiscal Years ending June 30, 2022 through 2026 are listed on its Capital Improvement Plan, available here: www.portoakland.com/wp-content/uploads/FY-2022-Port-of-Oakland-Budget-Summary.pdf

22. **Question:** For purposes of preparing our cost estimate/budget, how will we know how many projects will require monitoring for compliance with Davis-Bacon wage rules?

Response: Please refer to the answer to Question No. 21. Typically, the Port of Oakland seeks federal funds for projects relating to runway, taxiway, control tower, and airport terminal improvement.

23. **Question:** The RFP references "ensuring that all contractors meet the MAPLA participation goals prior to beginning work on site...", please discuss how firms will meet this requirement and the role of the consultant.

Response: Please refer to Appendix A (Services) of Attachment 11 (Professional Services Agreement) to the RFP and to Article 8 (Workforce Development and Local Hiring) of the MAPLA, available at: <http://www.portoakland.com/port/social-responsibility/programs/>

24. **Question:** On page 8 of 15 (2. Evidence of Minimum Qualifications), should we infer that if we have been in business for more than two years and we have experience with (A) through (E) in the last ten years that we meet the minimum qualifications? Or are (A) through (E) the minimum requirements for the resumes?

Response: Section IV.2. of the RFP describes the minimum qualifications for the proposers and not of the resumes.

25. **Question:** Are the insurance requirements to be met by the prime consultant or consultants at all tiers?

Response: Please refer to Attachment 11 (Professional Services Agreement) to the RFP. In particular, the last paragraph of Section A of Appendix F (Indemnification) to the Professional Services Agreement addresses subconsultants.

26. **Question:** Are firms able to be on multiple consultant teams?

Response: Yes.

There were no other questions to RFP No. 22-23/23