April 28, 2020

Dear Sir/Madam:

Enclosed please find Addendum No. 3 to SEPTA’s RFP No. 20-00053-AHAC – Management Consulting Services. Addendum No. 3 must be acknowledged by signing the attached Acknowledgement Sheet and including that sheet as part of your technical proposal.

The due date for submission of proposals remains unchanged and is Wednesday May, 6, 2020 by 4:30PM. Please submit one (1) copy of your Technical Proposal via email to Heather Casullo hcasullo@septa.org AND submit one (1) Original Technical Proposal and one (1) original Price Proposal in separate envelopes with a thumb drive containing both documents to SEPTA, 1234 Market Street, 11th Floor, Philadelphia, Pennsylvania 19107, to the attention of Heather Casullo.

All inquiries regarding this Procurement must be directed Heather Casullo at (215) 580-7421 or hcasullo@septa.org.

Sincerely,

Heather Casullo
Heather Casullo
Sr. Contract Administrator
Procurement, Supply Chain & DBE Dept.
ADDENDUM NO. 3

ADDENDUM ACKNOWLEDGEMENT SHEET

RFP No. 20-00053-AHAC – Consulting Management Services

The attached addendum to the Contract Documents is hereby part of the same and is incorporated in full as part of the Project. Proposer shall acknowledge Addendum No. 3 by signing and returning this Acknowledgement Sheet with the Technical Proposal.

FIRM NAME (typed or printed) ______________________________
AUTHORIZED SIGNATURE _______________________________
TITLE _________________________________
NAME (typed or printed) ___________________________________
DATE_____________________

1. The due date for submission of proposals is Wednesday May 6, 2020 by the close of business (4:30 P.M.). Proposals must be in the office by that time not post marked by that time.

2. Additional /Missed Questions and Answers are Attached.
Q1. Per the Request for Proposal (RFP), SEPTA is requesting the bidder provide Fully Loaded Hourly Labor Rates by Discipline. However, some vendors do not and cannot perform on an hourly basis and exclusively perform on a Firm Fixed Price basis utilizing weekly-team bundle rates. We dedicate multi-member teams to our efforts, bringing to bear the full expertise of our firm which still gives us the ability to establish rates for multiple option years, but instead of the rates being allocated per Discipline, there is pricing proposed based on a number of team(s) of different sizes times number of week(s). For this reason, state and local government agencies in the Commonwealth of Pennsylvania have regularly allowed for and benefited from expanding pricing requirements to also allow for fixed price bids based upon a vendor’s detailed description of the project in their technical response and their respective commercial pricing practices. This allows for more cost-effective options, transfers potential schedule and cost risk to the bidder, incentivizes bidder efficiency, eases SEPTA’s project management burden, and ensures maximized competition and an inclusive procurement open to all qualified bidders. **Will SEPTA accept a Firm Fixed Price proposal based on weekly team bundle rates for this effort given the bidder is authorized to alter Attachment 3 to propose the Firm Fixed Price pricing structure?**

A1. No. Price Proposal to be filled in as requested. Fully Loaded Hourly Labor Rates by Discipline.

Q2. Will SEPTA please clarify if upon award they will incorporate and/or open discussions with the bidder for proposed changes to terms in the Contract before issuing the Contract to a bidder if the award is made without discussions?

A2. Contract modification requests were due at the time of questions and answers. Minor modifications may be negotiated with the intended awardees but SEPTA is not obligated to do so.

Q3. Will SEPTA please consider removing the following provision as this is uncommon in industry and it creates broad liability and risk for the bidder in the event both parties cannot reach an agreement during good faith discussions and negotiations:

"It is also understood and agreed that if the Proposer should withdraw any part or all of its proposal within ninety (90) calendar days after the Best and Final Offer (BAFO) without the consent of SEPTA, or shall refuse or be unable to enter into the Contract as provided with these documents, it shall be liable to SEPTA to the extent of SEPTA’s damages occasioned by such withdrawal, or refusal, or inability to enter to a contract."

A3. No. Should the procurement be held up for any reason SEPTA will request for pricing to be held beyond the 90 days.

Q4. It is understood that SEPTA may consider minor modifications to the terms of the Contract by bidders submitting proposed changes in the Q&A, will SEPTA also consider proposed modifications submitted by a bidder with their proposal, subject to negotiation prior to award with the bidder? The responses to questions may materially impact the bidder’s response, and in an effort for a bidder to submit their most favorable response, minor modifications to the contract terms and conditions may be necessary to comply with the bidder’s standard business practices.

A4. See answer 2.

Q5. The RFP states, "Any subsequent requests for modifications may result in the proposal being deemed non-responsive and may lead to canceling any recommendation to award to a Proposer that makes such a request outside of the allotted period."

RFP No. 20-00053-AHAC
Consulting Management Services
Questions and Answers
Will SEPTA please consider revising this language to allow bidders to propose edits and/or exceptions to the terms and conditions of the Contract with submission of their bid, subject to final negotiation with SETPA, as some bidders may not be able to submit proposals without modifications or exceptions to certain terms and conditions?
A5. See answer 2.

Q6. Will SEPTA please clarify if upon award they will incorporate and/or open discussions with the bidder for proposed changes to terms in the Contract before issuing the Contract to a bidder if the award is made without discussions?
A6. See answer 2.

Q7. Based on the information in the RFP, we are unable to gauge the potential for impact for SEPTA and the anticipated investment in the project. Is SEPTA willing to state either a broad range or a not-to-exceed anticipated budget for the total price of the contract (inclusive of Task Orders), so that prospective bidders may make informed decisions when developing their proposal response?
A7. $1.5 million total over three years. Distributed between and up to five awardees.

Q8. The RFP includes Attachments 4 and 10 as, "A notice and a summary of notices by SEPTA of the requirements that the Federal Government and Commonwealth of Pennsylvania impose on contracts which they fund in whole or in part." Will SEPTA please clarify if this contract will be funded in part or in whole by the Federal Government, and subsequently which agencies so the bidder can be informed on the applicable terms in the attachments?
A8. It is a requirement of SEPTA by the FTA for Attachments 4 and 10 remain as part of the RFP and subsequent contract documents.

Q9. If the answer to question 8 is yes, Attachment 4 includes provision FR-14 No Obligation by the Federal Government which states the Federal Government is not a party on this contract, but the RFP also incorporates the Federal Transit Administration's (FTA) terms. Will SEPTA please clarify if Attachment 4 is applicable?
A9. Attachment 4 is applicable.

Q10. Will SEPTA confirm that a bidder will be found compliant for satisfying the requirement to propose a commitment to meet the designated DBE Goal of 10% of the total dollar value of the Contract Sum if the anticipated subconsultant is pending DBE registration with Pennsylvania at the time of proposal and award?
A10. The proposal submission will be compliant. SEPTA DBE office will confirm all DBE certifications prior to awarding.

Q11. Part I, Instructions and Information, pg.4, IV. General Requirements, A. Submission of Proposals: Considering the COVID-19 situation would a fully electronic submission (via email) be acceptable?
A11. No.

Q12. Attachment 2, pg.24, Scope of Services, Last Paragraph on Experience: Please clarify what SEPTA specifically requires in terms of professional references and whether references have to be provided for each category a proposer responds to.
A12. Three references for any category proposer is responding to.

Q13. Attachment 6, pg.52, B. Definitions, 3. "Disadvantaged Business Enterprise" or "DBE": Is a DBE that is currently undergoing DBE recertification meeting SEPTA's DBE requirements, eligible to participate in the procurement process and may either prime or subcontract?
A13. See answer 23 and 24.
Q14. Please clarify the following: Does SEPTA plan to bid out work via task orders to (up to) five vendors that SEPTA selected as part of the RFP, or will SEPTA assign the work to one vendor with expertise in given category?
A14. See answer 7.

Q15. Please clarify the following: Is the $500,000/year budget allocated to cover work on all five categories or is that budget available annually for each of the five categories?
A15. See answer 7.

Q16. Can other SEPTA departments leverage the contract vehicle (besides the Office of Innovation) for work related to the 5 categories of scope.

Q17. If we team with a DBE, is that 10% participation goal expected to be applied to each of the tasks we would propose to conduct, or could we potentially team with a DBE but have one workstream directed just to that firm?
A17. The goal applies to the total value of all applicable work performed under a resulting contract, including change orders and amendments. How the 10% goal is attained by the Prime is their decision and what works best for the task orders. We just require a DBE be utilized for at least 10% of the total Contract Value.

Q18. Please confirm if SEPTA is expecting only 1 consultant team will be appointed per category; would SEPTA consider awarding to multiple consultant teams in a single category if there are multiple consultant teams that score well in a category?
A18. One consultant per category.

Q19. Please confirm potential scope of activities for technology systems planning (system replacement, upgrade, type systems, key needs & gaps)
A19. To be determined and scoped as tasks arise.

Q20. Since the publication of the Strategic Business Plan (referenced within the RFP) what steps has the agency taken to execute and implement the tasks outlined in the document? Are there any additional reports or resources available that address these items?
A20. SEPTA has implemented many aspects of its Strategic Business Plan since adoption in July 2014. Achievement of goals and objectives are updated each year in the Introduction section of SEPTA’s Operating Budget book. Status updates on progress towards targets for key performance indicators is available at septa.org/strategic-plan.

Q21. Does SEPTA expect the proposals to include a general approach given the items listed in the scope of work?

Q22. The RFP states that this contract is a “requirements-type” contract. As a requirements contract would require SEPTA to purchase all services covered by the RFP from the offeror during the contract term – see 48 C.F.R. § 16.503 – Please confirm that this is SEPTA’s intent.
A22. Confirmed

Q23. Can a DBE submit as a prime?
A23. Must perform thirty percent (30%) of the work on the contract with its own forces. Must include, with their technical proposal, a fully executed DBE participation schedule naming themselves. If the DBE prime is
performing less than 30% of the work with its own forces, the DBE prime must identify other DBE firms to fulfill the DBE participation goal

Q24. Can a firm submit as a prime in one category and sub in a different category?
A24. Must perform thirty percent (30%) of the work on the contract with its own forces. Must include, with their technical proposal, a fully executed DBE participation schedule naming themselves. If the DBE prime is performing less than 30% of the work with its own forces, the DBE prime must identify other DBE firms to fulfill the DBE participation goal.

Q25. Request that SEPTA reconsider the physical submission requirements. Given many cities and states, including Philadelphia, are under stay-at-home orders, would we be able to separately email you the technical and cost proposals?
A25. See cover letter and Addendum 3 for submission instructions.