

Request for Information No. I

Bid No. 19/20-01TS, Individualized Transportation Services

October 14, 2019

Response to Contractors' Questions

- 1.1 Question: For the bid bond 10%, would you like us to use the \$450K budget, or the total from the hypothetical trips provided in the RFP?

Answer: For the 10% Bid Bond, bidders should use their 'Grand Total' listed on their Bid Form/Bid Form Pricing Sheet.

- 1.2 Question: Does the district have a rubric for evaluating the RFP that can be shared?

Answer: No, this is a bid not a Request for Proposals (RFP).

- 1.3 Question: Did the District's two previous transportation service providers meet the W-2 requirement?

Answer: The questions the District will consider under Bid No. 19/20-01TS are those that are directly relevant to the bid. Section 27 of the "Information for Bidders" states the requirements as it pertains to personnel. Whether previous District contractors would have met the requirements under the current bid is not directly relevant to the bid.

- 1.4 Question: Beyond transportation; does the district require W2 employee relationship for all vendors and sub-contractors?

Answer: The questions the District will consider under Bid No. 19/20-01TS are those that are directly relevant to the bid. Section 27 of the "Information for Bidders" states the requirements as it pertains to personnel. Whether the District requires W-2 employee relationships under other contracts is not directly relevant to the bid.

- 1.5 Question: In light of the PUC's strict requirements for transportation network companies and drivers, and given that independently contracted drivers can agree to undergo additional training/testing/certification outside of those required by the PUC, and that a provider can agree to only match the District's rides with those uniquely qualified drivers, please clarify why the district believes there is a distinction between Independent Contract drivers and those who receive a W-2 as it pertains to meeting driver qualifications?

Answer: The District has the discretion to determine the bid specifications and is not required to disclose the reasoning behind such specifications.

- 1.6 Question: Would a provider that leverages 1099 independent contractors be eligible to bid if they were able to ensure that drivers and vehicles met minimum district requirements?

Answer: No. Section 27 requires that “all drivers shall be employees (no independent contractors/1099) of the successful bidder or its District approved subcontractor(s), be a paid W2 employee...”.

- 1.7 Question: Please advise of any specific laws or regulations that might prevent independent (1099) contractors from voluntarily participating in training or other driver requirements that a provider could then match for the District’s rides?

Answer: This question requires a legal opinion from the District to a bidder that is not directly relevant to the bid.

- 1.8 Question: Is the district mindful that restricting bidders to those with W-2 employees limits the amount of responsible and competitive bidders or may compromise competitive bidding standards?

Answer: This question requires conjecture on the part of the District and is not directly relevant to the bid.