



Finance Department
General Services Division

**REQUEST FOR QUALIFICATIONS (RFQ)
Specification No. 18-11238-C
FOR
Berkeley Tuolumne Camp Tree Hazard Mitigation
PROPOSALS WILL NOT BE OPENED AND READ PUBLICLY**

**ADDENDUM "A"
6/4/2019**

Dear Proposer:

Answers to questions that have been received to date are attached.

Proposals must be received no later than 2:00 pm, on Tuesday, June 11, 2019. All responses must be in a sealed envelope and have "**BERKELEY TUOLUMNE CAMP – TREE HAZARD MITIGATION**" and **Specification No. 18-11238-C** clearly marked on the **outer most mailing envelope**. Please submit one (1) unbound original and (2) unbound copies of the proposal as follows:

Mail or Hand Deliver To:
City of Berkeley
Finance Department/General Services Division
2180 Milvia Street, 3rd Floor
Berkeley, CA 94704

Proposals will not be accepted after the date and time stated above. Incomplete proposal or proposals that do not conform to the requirements specified herein will not be considered.

We look forward to receiving and reviewing your proposal.

Sincerely,

Shari Hamilton
General Services Manager

Addendum “A”
Questions and Answers for Specification No. 18-11238-C
BERKELEY TUOLUMNE CAMP TREE HAZARD MITIGATION

The City of Berkeley has received questions from potential respondents regarding Specification No. 18-11238-C Berkeley Tuolumne Camp Tree Hazard Mitigation. In an effort to provide the same information to all, listed below are the questions received to date, with responses from City staff.

Question #1: Are prevailing wages required for this Project, and would Tuolumne County or City of Berkeley locality be used for determining rates?

Answer: Whether this work requires the payment of Prevailing Wages is a decision for the contractor to determine. Contractors cannot rely on statements made by the City as the determination of whether Prevailing Wages are required for any particular scope of work is pursuant to the DIR. Contractors solely assume all risk for any fines and penalties assessed by the DIR regarding payment of Prevailing Wages.

Per California Labor Code 1771, prevailing wage rates shall be determined based on the rates in the locality in which the public work is performed, in this case Tuolumne County.

See also Questions #2 and #5.

Question #2: The RFP includes a sample contract. Will any revisions or changes to this contract be allowed?

Answer: Revisions to the standard contract would require review and approval by the City Project Manager, City Attorney, Department Director, City Contract Administrator and City Manager. Contractors should be prepared to sign the sample contract as-is, with the exception of the Nuclear Free and Oppressive State Contracting Prohibition sections, for which revisions may be considered. This Project is not subject to Berkeley Living Wage or Berkeley Equal Benefits ordinances.

Question #3: The RFP mentions use of recycled paper for reports, do the bids need to be submitted on recycled paper?

Answer: The City prefers, but does not require, that proposals be submitted on recycled paper.

Question #4: There is a cost savings if the same contractor is awarded both this and the ‘Sun City’ work. How should that be handled in the cost proposal?

Answer: The proposals shall be evaluated and awarded independently, and may be awarded to two different contractors. The Cost Proposal should be based on completion of only that work described in the RFP. In the event that a single Contractor is the highest ranked proposal for both RFPs, the City will negotiate with that Contractor regarding any potential cost savings.

Question #5: Since these are public works projects and subject to CA prevailing wage, does the City’s Living Wage Ordinance apply?

Answer: This Project is funded by Federal Emergency Management Agency (FEMA) Public Assistance Grant funding, which requires full and open competition. The City of Berkeley Living

Wage Ordinance requires the payment of wages tied to the San Francisco-Oakland area (BMC 13.27.050.D), which may unduly restrict competition to those firms that are located within the San Francisco-Oakland area. This restriction of full and open competition is not permissible under Federal Laws regulating procurement under FEMA Public Assistance Grants. Therefore compliance with the City's Living Wage Ordinance is not required.

Question #6: It is not common practice for a contractor to have Professional Liability Insurance. Is that requirement only for consultants that may be used by the contractor?

Answer: Per Section 5.a of the City's standard contract (see Attachment E, p.2) professional liability insurance is required only if a licensed professional (i.e. an engineer, architect, or similar) performs services under this Contract. The City's expectation is that all of the services will be provided by a licensed contractor, and as such, no professional liability insurance is required.

Question #7: What is expected in terms of submitting a "proposal" outside of the requested references and cost submittal?

Answer: The City does not require or expect a detailed "Proposal". The scope of work is well described in the RFP, and does not need to be re-iterated in the submittal. A brief overview and description of the work completed for provided references should be included. Detailed requirements regarding affirmative statements is provided in Section III of the RFP, and in Attachment A (Proposal Checklist).

Question #8: What is the deadline for completing the work?

Answer: The City desires to complete the work as quickly as possible, but has not established a firm Project deadline. The schedule will be dependent in part on ability to work given USFS fire risk assessments and limited work periods. Proposals will not be evaluated based on schedule.

Question #9: What requirements are there for disposal of logs?

Answer: Log disposal is the sole responsibility of the Contractor. If on-site burning is proposed, that burning must be conducted by the Contractor (neither USFS nor the City will take responsibility for burn piles), and the Contractor would be responsible for obtaining all necessary permits and approvals.

Question #10: What is the scope for pruning work?

Answer: The RFP includes a description of pruning work (see Exhibit 5, p. 54-57). Generally pruning work includes the removal of dead and/or hazardous limbs.

Question #11: Can mastication be used on site?

Answer: Mastication can be used in limited areas, as shown in the attached figure (see page 5). Generally mastication is allowed north and east of Hardin Flat Road, excluding the area north-west of the Hardin Flat Road Bridge, as shown in the attached exhibit. Where mastication is allowed, it must meet all USFS standards and specifications, including but not limited to:

- *Masticated material shall be evenly spread no more than 8 inches deep as measured from the ground level;*

- *All masticated material shall be kept within Project boundaries. Any cut vegetation falling outside of Project boundary, or into ditches, roads, road banks, trails or adjustment areas shall immediately be removed.*
- *No masticated material shall be placed within 2-feet of preserve trees.*

Question #12: Can digital files for the tree database and project area be provided?

Answer: *The following files are available by request to the Project Manager (Lmcnulty@cityofberkeley.info):*

18-11238-C Tree Removal Spreadsheet.xlsx: Excel Spreadsheet of Trees to be pruned or removed.

BTC_All_Trees_05_31_19: GIS File of All Trees within Project Area, georeferenced to NAD_1983_CORS96_StatePlane_California_III_FIPS_0403_Ft_US

Project_Area1: GIS File (1 of 2) of All Trees within Project Area, georeferenced to NAD_1983_CORS96_StatePlane_California_III_FIPS_0403_Ft_US

Project_Area2: GIS File (2 of 2) of All Trees within Project Area, georeferenced to NAD_1983_CORS96_StatePlane_California_III_FIPS_0403_Ft_US

Except as provided herein all other terms and conditions remain unchanged.