



Finance Department
General Services Division

**REQUEST FOR QUALIFICATIONS (RFQ)
Specification No. 19-11334
FOR
Berkeley Tuolumne Camp Sun City 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 – SUN CITY HAZARD MITIGATION"** and **Specification No. 19-11334** 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. 19-11334
BERKELEY TUOLUMNE CAMP SUN CITY HAZARD MITIGATION

The City of Berkeley has received questions from potential respondents regarding Specification No. 18-11334 Berkeley Tuolumne Camp Sun City 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.

1. **Revisions:** Please note the following correction to Specification No. 19-11334, Berkeley Tuolumne Camp Sun City Hazard Mitigation:

Page 2-3, General Requirements is revised to read:

The City of Berkeley is seeking proposals from qualified Licensed Timber Operators (LTOs) or C-61/D-49 Tree Service Contractors to provide Tree Removal and Demolition services on US Forest Service Land located in Tuolumne County. The services requested will include all operations related to the safe, legal, efficient removal and disposal of hazardous, dead and/or dying trees and remnant structures. A Class A or C-21 license is required for the demolition of remnant structures. Said services must meet all applicable Federal, State, and/or Local regulations. In order to be awarded the contract, the Contractor shall possess, and provide to the City, a Timber Operator’s License or a C-61/D-49 Tree Service Contractor license as well as an A or C-21 Contractor License for the demolition work issued by the State of California Contractor’s Licensing Board.

2. The City of Berkeley has received questions from potential respondents regarding Specification No. 19-11334 Berkeley Tuolumne Camp Sun City 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: Is a Contractor License A required for the demolition work in Sun City?

Answer: See Revision Section 1. Revisions of this Addendum; "General Conditions" section of the RFP has been revised to reflect this requirement. An A or C-21 Contractor License is required, in addition to the LTO or C-61/D-49 License Requirements.

Question #4: There is a cost savings if the same contractor is awarded both this and the larger Main Camp tree removal 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 efficiency 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: LTO's are not licensed by the State Contractors License Board and a D49 tree contractor's license is specific to trees only therefore they are not allowed to do demolition; Will the City indemnify an LTO or D49 tree contractor of any penalties issued by the CSLB if a LTO or D49 are awarded the job?

Answer: Refer to Question #3.

Question #7: Can the demolition work be completed by a sub-contractor holding a Class A license?

Answer: Yes.

Question #8: Can the existing phone line be re-located to facilitate the work?

Answer: The City has no objection to re-location of the phone line (AT&T) however all coordination for this relocation would be the Contractors responsibility.

Question #9: Can mastication be used on site?

Answer: No mastication in Sun City area is allowed.

Question #10: 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):*

19-11334 Tree Removal Spreadsheet.xlsx: Excel Spreadsheet of Trees to be 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.