



JULY 23, 2009

AGENDA ITEM # **8**

**REQUEST FOR QUALIFICATIONS:
SACRAMENTO METROPOLITAN FREEWAY SERVICE PATROL**

Action Requested: Authorize distribution of RFQ and extend current FSP contract

Key Staff: Norman Hom, FSP Program Manager

Recommendation

1. Cancel FSP Request for Proposals 09-FSP-01
2. Reject associated contractor proposals
3. Authorize distribution of Request for Qualifications
4. Extend current FSP contract during bid solicitation and contract start-up period

Discussion

The STA earlier this year issued a Request for Proposals (RFP) seeking to establish a new contract for Freeway Service Patrol beats 5, 6, and 7. As was later determined, the RFP used was not in compliance with Section 180154 of the Local Transportation Authority and Improvement Act (Public Utilities Code, §180000 et seq.) requiring contracts awarded by transportation authorities—such as the STA—to go to the lowest responsible bidder. That RFP should be cancelled and all associated proposals rejected.

Staff proposes a new, two-step FSP contractor selection process. The first step is the issuance of a Request for Qualifications (RFQ), which is the action requested today. The RFQ will be used to generate a pool of pre-qualified prospects that have been screened and successfully met all the requirements for FSP contractors. The second step is a Request for Bids (RFB). The RFB will only be issued to the eligible firms identified through the RFQ process, which will ensure that the lowest bid will come from a qualified tow provider.

Since the new contractor selection process requires contracts be awarded to the low bidder, the requirements in the RFQ have been rewritten to be more specific to ensure that the high standards of performance of the FSP program will be met. The minimum requirements were crafted after reviewing other FSP programs and extensive conversations with other FSP administrators. As the only FSP program in the state to be administered by a transportation authority subject to the low-bid requirement, however, our minimum requirements and our contractor selection process are not directly comparable to other California FSP programs.

Adequate time should be given to firms to complete their Qualifications packages, including the tasks of obtaining the required financial records and reference letters. The RFQ Review Committee will also need time to review and evaluate all of the responses, including checking references, conducting site visits and interviews. Staff recommends the following schedules to complete the selection process:

Table 1. Proposed Schedule for Step 1—Request for Qualifications

| Date | Event |
|--------------------|--|
| July 23, 2009 | <u>STA Governing Board Meeting</u> : Authorize release of Request for Qualifications |
| August 19, 2009 | Deadline for filing a protest/objection to the RFQ |
| September 10, 2009 | Deadline for submittal of Qualifications |
| October 8, 2009 | <u>STA Governing Board Meeting</u> : Approve List of Qualified Firms |

On October 8, STA Governing Board will consider the Review Committee's recommendation and establish a list of qualified firms. The Board will also be asked to authorize release of the Request for Bids to the qualified firms. The Board can award the contract to the low bidder at the November 12 meeting. A tentative schedule for the RFB process is shown in Table 2. Staff will present this in detail on October 8.

Table 2. Tentative Schedule for Step 2—Request for Bids

| Date | Event |
|---|---|
| October 8, 2009 | <u>STA Governing Board Meeting</u> : Authorize release of Request for Bids to List of Qualified Firms |
| October 22, 2009 | Bidders Conference |
| October 29, 2009 | Deadline for submittal of Bids |
| November 12, 2009 | <u>STA Governing Board Meeting</u> : Award contract to low bidder |
| November 13, 2009-December 31, 2009 or January 31, 2010 (approx 6-10 weeks) | Contractor procures vehicles and other necessary equipment, equips and outfits trucks, trains drivers, obtains insurance and medical certificates and pass inspections from CHP |
| January 1, 2010 or February 1, 2010* | New contract begins |

**depending on how much time the new contractor needs*

With your Board's approval of this recommendation, Notices of Availability for the RFQ (attached) will be sent to tow companies throughout the Sacramento Metropolitan area. The RFQ will also be advertised in a general circulation newspaper, two newspapers oriented toward minority communities, as well as featured on the STA website. RFQs will be available for download from the STA website or can be sent via email or the U.S. mail upon request.

Additionally, the existing contract for FSP Beats 5, 6, and 7 will expire July 31, 2009. Staff recommends extending this contract until the start of the new contract but with a guaranteed expiration date of no later than January 31, 2010.

Attachments:

- Notice of Availability of Request for Proposals
- Request for Qualifications
- Amendment to current FSP contract