



**Request for Proposal  
SSES Phase 2 Addendum No. 3 to  
RFP No. 179821.78.0007  
December 2nd, 2014**



The following information encompasses Addendum No.1 for the above referenced RFP. Bidders shall fully consider and acknowledge this Addendum in the preparation and submittal of its formal Proposal. Failure to do so may result in the rejection of the Proposal.

**Section 1 – Bidder Questions and Clarifications**

All other conditions and requirements remain unchanged.

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**Section 1 – Bidder Questions and Clarifications**

**Q1:** With whom will the contract be, the City of Memphis or Overland Contracting?

**SARP10:** The contract will be with Black & Veatch (OCI is a Black & Veatch company).

**Q2:** Can the Liquidated Damages be removed in light of consent decree penalties?

**SARP10:** Proposals are to reflect Liquidated Damages as stated in the RFP. If the bidder is unable to meet these requirements, please provide an exception in Table 00380.6.1.

**Q3:** Can the governing law and venue be changed to Tennessee since all work is performed there?

**SARP10:** Proposals are to reflect Governing Law as stated in the RFP. If the bidder is unable to meet these requirements, please provide an exception in Table 00380.6.1.

**Q4:** Can the per project aggregate requirement for the general liability insurance be removed?

**SARP10:** Proposals are to reflect insurance requirements as stated in the RFP. If the bidder is unable to meet these requirements, please provide an exception in Table 00380.6.1.

**Q5:** Can the indemnification liability of the contractor be limited to the contractor's negligent act or omissions?

**SARP10:** See 00582.23 Indemnity. If the bidder is unable to meet these requirements, please provide an exception in Table 00380.6.1.

**Q6:** Is the contractor bound to the prime agreement in any way other than the dispute provisions?

**SARP10:** In addition to 00582.26 Governing Law and Disputes, see 00582.15.2 Living Wage Ordinance, 00582.16.2 Business Practices, If the bidder is unable to meet these requirements, please provide an exception in Table 00380.6.1.

**Q7:** The Technical Specifications rightfully refer to being able to clean and inspect sewers that are not in the street. However, during most every large-scale program, some small portion of the lines may be in what one would call "inaccessible terrain" (e.g., bottom of steep ravines, deep woods without cleared easements, etc.). Could you clarify the City's stance concerning the level of effort expected from the contractor before a given reach or series of reaches will be deleted from the inspection program at the unit costs supplied? If not, can we list our assumptions in either Table 00380.6.2 (Exceptions) or 00380.6.2 (Clarifications) without being considered unresponsive?

**SARP10:** Without any specific line or area mentioned, and only a general large-scale program reference, it should be understood that SARP10 expects every line to be attempted for cleaning and subsequent CCTV.



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**Q8:** The Technical Specification distinguishes between light and heavy cleaning generally by the “3-passes rule” and lines with heavy roots and grease. We understand the logistics of getting pre-approval for “heavy cleaning” where needed. However, how clean must a sewer be, or how much debris can remain after cleaning, to avoid rejection of the CCTV results? In other words, if we can TV a line with roots (more than fine roots) without heavy cleaning and have most all pipe viewable, is that acceptable? Or, if we can TV a 15-inch line that still has 2-3 inches of silt and sand but most all pipe is visible, is that acceptable? In yet other words....how clean is clean?.....clean enough for quality CCTV viewing?.....90% clean?.....95% clean?.....100% clean (i.e., liner ready)?

**SARP10:** Silt and sand left remaining is not acceptable. Liner ready is the most appropriate answer to the question, as this is a consent decree program centered around dry weather overflows, and the legacy of SARP10 is a clean system.

**Q9:** Sample CCTV logs are available at the Memphis website for PACP inspections generated by PipeTech software. Section 00003 requires a PACP compliant Access database without specifically naming acceptable CCTV programs. Section 00003 also requires uploads through a “PACP compliant Exchange database”. Two questions – 1. Is CUES GraniteXP software acceptable for CCTV inspection work? (It is Access based), and 2. Is the standard NASSCO Exchange Database acceptable as the final deliverable along with the originating GraniteXP CCTV database – do you want one or both?? In other words.....do we have to use Peninsular Technologies’ PipeTech software for this project?

**SARP10:** Before beginning work in an area, SARP10 will provide the Contractor with a PACP database in a very specific format. The Contractor must deliver the information back to SARP10 in that specific format. SARP10 does not dictate that PipeTech must be used; however, the software must be NASSCO certified.

**Q10:** Are GIS maps available for all five study areas to allow proposing firms to assess the level of effort required to complete work in each area? Not all project areas can be assumed to be the same and some level of pre-proposal field investigation is required (desired). At a minimum, are overall basin (study area) maps available in some form (pdf’s) for the same purposes?

**SARP10:** A single “overview” map showing the 5 areas has been provided as part of the RFP. This map should provide enough information for proposers to get a general feel for the type of work in each area.

**Q11:** When siphons are encountered in any project area, it is assumed that they will be considered “out of scope” and not included in the required lines for either cleaning, CCTV, or sonar. Is this correct?

**SARP10:** Yes, that is correct.

**Q12:** We understand that the current Phase 1 projects are coming to an end. This would indicate that they started approximately 5-6 months ago during the drier Summer months. The Phase 2 projects are scheduled to start in January and continue through May (Winter and Spring months). Historical averages indicate that the 5-months of the proposed Phase 2 projects are one of the wettest 5-month periods in Memphis. As a result, some easement lines may not be accessible under “normal procedures” until the drier summer months. Will this be taken into account in late May for a small percentage of the lines where cleaning and CCTV have not been completed without incurring LD’s? Or, should CCTV contractors assume that extra property restoration, use of “soft ground mats”, and similar more costly means will be required to complete all accessible lines without special regard for wet ground conditions?

**SARP10:** SARP10 is a federal consent decree program with specific priority areas that have deadlines mandated for assessment. Therefore, to avoid Liquidated Damages, Contractors must complete the work in the specified time and take whatever measures to mitigate wet conditions.



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**Q13:** Initial review of the project areas for Phase 2 would tend to indicate that some areas will require “extra security” in the form of off-duty uniformed officers to assure the safety of field personnel and equipment as the project is being performed. Is this cost of “extra security” to be included in the overall proposed unit costs for each area or would the owner consider supplying this service at no cost to the contractors performing the work?

**SARP10:** Contractors are responsible for the safety of their own crews. SARP10 has been able to successfully solicit additional police patrolling in some cases (at no cost), but this is not guaranteed.

**Q14:** Will a proposal designating preference for specific project areas be considered responsive? In other words, can a proposing prime contractor state, with reason, that only certain project areas will be accepted for completion without being considered unresponsive?

**SARP10:** Contractors can choose the areas they wish to propose on and are not required to propose on all five areas. Contractors only need to complete the bid forms for the areas for which they want to be considered.

**Q15:** How can we acquire up-to-date maps for the five (5) project areas?

**SARP10:** A single “overview” map showing the 5 areas has been provided as part of the RFP. This map should provide enough information for proposers to get a general feel for the type of work in each area.

**Q16:** If a WBE is priming the project, does that satisfy the WBE requirements as part of the project goals? Example: if the prime is a certified MBE with the State of Tennessee, do they satisfy the 5.2% MBE requirements for the SRF funding requirements as the prime?

**SARP10:** If a prime contractor is certified MBE with the State of TN, they do satisfy the 5.2% MBE requirement for SRF funding, as long as they are performing 5.2% (or more) of the work.

**Q17:** Section 00380.5 Schedule – Each project has a schedule of 150 calendar days. Is there any consideration given for working days due to wet weather, snow, and/or wind which prohibits our ability to smoke test?

**SARP10:** See Exhibit A: Schedule Impact Due to Weather.

**Q18:** Does Purchaser have alternate payment terms for small minority and/or women owned business such as payment upon approval of submitted invoice. (Ref section 00582.6 Payment)

**SARP10:** Proposals are to reflect payment terms as stated in the RFP. If the bidder is unable to meet these requirements, please provide an exception in Table 00380.6.1.

**Q19:** When referring to the 40 hour employee and 8 hour supervisor health and safety training, is this OSHA Hazwoper training or is an approved in house health and safety training acceptable? (Ref section 00585.3)

**SARP10:** This is in reference to OSHA HAZWOPER training, but it's not required for this work.

**Q20:** If the bidder has an approved guardrail system, does the language in this section require them tie off in addition to the approved guardrail system? (Ref section 00585.8)

**SARP10:** If a guardrail system that meets standards for support is in place, additional fall protection is not required.

**Q21:** The specifications state that the contractor will respond to a rejected submittal within three days and resubmit within seven calendar days. What is the Purchasers timeframe for response to deliverables that have been resubmitted by Contractor? (Technical Specs/Deliverables Task 00001, 00002, 00003, 00004)

**SARP10:** The goal is to provide a response within seven calendar days, but it depends on the completeness and correctness of the submittal.



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**Q22:** If contractor can adequately perform video of lines greater than 24 inches without sonar, is that allowable on a case by case basis? (Ref. Technical Specs 0004)

**SARP10:** For the purposes of bidding assume the answer is "no." We may consider some changes to the requirements in rare circumstances but you must bid the work as specified in the RFP.

**Q23:** Parent company that is the firm submitting on the SSES Phase 2 Project, has not participated in nor been required to file compliance reports subject to the Equal Opportunity Clause. However, a subsidiary of the parent firm has been involved with projects subject to the EO Clause. How should the firm submitting the proposal answer the questions on this form – should it involve the subsidiary or focus solely on the parent firm that is submitting on the project?

**SARP10:** In regards to form EPA-R4-0017 – please complete this 1 page form for both companies for record.

**Q24:** Will there be an extension to the proposal due date of 3:00 PM (local time), Thursday December 4, 2014?

**SARP10:** No.