



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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ADDENDUM 3

Date	Action Requested
April 6, 2012	Please review the attached responses to questions regarding the RFP
To	Deadline
Potential Proposers	N/A
From	Contact
Judicial Council of California Administrative Office of the Courts, Office of Court Construction and Management	occm_solicitations@jud.ca.gov
Subject	
Addendum No. 3 Responses to Questions	
Management of Parking Facilities in California Solicitation Number: OCCM-2011-13-GS	

Management of Parking Facilities in California
Solicitation Number: OCCM-2011-13-GS
Addendum No. 3

#	RFQ Reference	Question	Answers
1	OCCM-2011-13-GS	Can you provide a current list of equipment at each facility and list the age of any PARCS equipment?	NOT AT THIS TIME. THE SUCCESSFUL BIDDER WILL HAVE ACCESS TO THE FACILITIES AND EQUIPMENT AFTER AWARD OF THE CONTRACT.
2	OCCM-2011-13-GS	Is there any historical data on repair and replacement costs for equipment that can be shared?	NOT AT THIS TIME. THE SUCCESSFUL BIDDER WILL HAVE ACCESS TO THE FACILITIES AND EQUIPMENT AFTER AWARD OF THE CONTRACT.
3	OCCM-2011-13-GS	If new equipment has to be purchased and installed, can it be obtained pursuant to an operating lease?	ALL EQUIPMENT UPGRADES WILL BE NEGOTIATED ON A CASE BY CASE BASIS.
4	OCCM-2011-13-GS	If Operator is terminated early, will AOC pay any amounts remaining due on the equipment?	ALL EQUIPMENT UPGRADES WILL BE NEGOTIATED ON A CASE BY CASE BASIS.
5	OCCM-2011-13-GS	Are background checks, DMV checks and drug testing expenses reimbursable?	NO. RFP SEC 2.6 & SEC 2.7 B (14). THESE COSTS SHALL FALL UNDER OPERATING EXPENSES.
6	OCCM-2011-13-GS	Will AOC Live Scan background check be required if operator already has an equally extensive background check system in place?	YES. RFP SEC 2.6
7	OCCM-2011-13-GS	Can Operator retain sufficient revenues to pay incurred operating expenses prior to receipt of an invoice?	NO.
8	OCCM-2011-13-GS	With respect to indemnification, it is the AOC's expectation that Operator will indemnify AOC for the acts of third parties that are not related to and not controlled by the Operator?	YES.
9	OCCM-2011-13-GS	With respect to terminations by AOC for cause, will Operator be given a cure period?	NO.

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10	OCCM-2011-13-GS	Is Operator expected to provide any guard or security service? If not, can we clarify the contract to state that such services will not be provided by Operator?	YES. APPROVED SECURITY GUARD SERVICE WILL BE CONSIDERED AN OPERATING EXPENSE. AT TIME OF RFP, ONLY ONE COURT HAS APPROVED SECURITY GUARD SERVICE. SERVICE IS PROVIDED FROM 6AM – 6PM M-F.
11	OCCM-2011-13-GS	Will AOC be providing any guard/security services at any of the locations?	NO. REFER TO Q10
12	OCCM-2011-13-GS	Is the Waiver of <u>Recovery</u> (at page 66) intended to require Operator to waive all of Operator's rights of recovery against the AOC, or is the AOC still responsible "to the extent caused from the negligence or intentional misconduct of the State Entities"...as set forth under Waiver of <u>Claims</u> .	YES.
13	OCCM-2011-13-GS	Which party will have liability for damages to property or injury to persons resulting from pipes/conduits/lines in the parking facilities, if the Operator in no way contributed to such damage or injury?	THE AOC HAS THE RESPONSIBILITY FOR ALL STRUCTURAL MAINTENANCE.
14	OCCM-2011-13-GS	Which party will have liability for damages to property or injury to persons resulting from design or structural defects or flaws, if the Operator in no way contributed to such damage or injury?	THE AOC HAS THE RESPONSIBILITY FOR ALL STRUCTURAL MAINTENANCE.
15	OCCM-2011-13-GS	Can you confirm that Operator will have no responsibility for making structural repairs?	CONFIRMED. OPERATOR WILL HAVE NO RESPONSIBILITY FOR MAKING STRUCTURAL REPAIRS.
16	OCCM-2011-13-GS	Can you provide revenue and transaction numbers for the last 2 year to facilitate Operators in calculating monthly percentage based fees and revenue share percentage?	THE ATTACHED SPREADSHEET IS THE DATA THAT WE HAVE AVAILABLE AND IS ONLY INTENDED TO GIVE AN INDICATION OF THE TYPE OF GROSS REVENUE THAT MAY BE AVAILABLE AT THE VARIOUS LOTS. YOUR MANAGEMENT OF THE LOTS MAY RESULT IN HIGHER OR LOWER GROSS REVENUE.

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17	OCCM-2011-13-GS	Of the locations indicated as Revenue Sharing, should the revenue share percentage be calculated off of gross or net revenue?	NET. INCOME MINUS EXPENSES
18	OCCM-2011-13-GS	At the Compton Court, is security contracted by the AOC or should Operator budget for this?	OPERATOR. REFER TO Q10
19	OCCM-2011-13-GS	Other than jurors, are there any other parker groups that would need validations at the locations?	POSSIBLY COURT AND COUNTY EMPLOYEES.
20	OCCM-2011-13-GS	If selected operator recommends automation, how quickly will the AOC be able to convert?	ALL EQUIPMENT UPGRADES WILL BE NEGOTIATED ON A CASE BY CASE BASIS.

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1		<p>On page 64 of the Standard Agreement, item 16, A. i. a requirement of \$5mil in limits is required for various coverages. The majority of the coverages are standard and are not a problem, however, the last coverage mentioned is fire legal liability. Are you required to carry \$5mil for this coverage also? This would be very unusual. Basic limit of coverage provided by the standard insurance contract is \$50,000. Coverage can be increase to \$1mil on the primary policy. Obtaining excess limits is very unusual. Is the requirement to secure \$5mil for Fire Legal Liability correct?</p>	<p>Commercial general liability policy can be provided with a sublimit for damage to the parking facility of \$100,000 per occurrence</p>
2		<p>On page 65 of the Standard Agreement, item 16, A. ii. A requirement for garagekeepers coverage is specified. The last sentence requests that this coverage be on a direct primary basis. This form of coverage requires that the carrier pay for damages to a vehicle in the parking companies care, custody and control, regardless of negligence. Standard insurance for gargekeepers coverage is written on a legal liability basis. If the parking company is negligent/liable, the carrier pays for the damages. Please request that the form of coverage be changed from a direct primary basis to legal liability basis.</p>	<p>Garagekeepers liability can be provided on a legal liability basis</p>
3		<p>2.7 Gross revenues, operating Expenses and operating Surplus.....If the Contractor returns all Gross Revenues collected for parking, deducts Operating Expenses and pays Operating Surplus by the 20th of the following month in a “live check” to AOC how does the Management Fee and % of Revenue sharing come into play?</p>	<p>CONTRACTOR WILL INVOICE AOC FOR MANAGEMENT FEE AND PERCENTAGE OF REVENUE AND AOC WILL PAY INVOICE ACCORDING TO T&C'S.</p>
4		<p>Are we to assume that the daily collections of parking revenue are to be deposited into the Operators bank account and paid to AOC by the 20th of the following month?</p>	<p>YES.</p>

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5		Is it correct that the Operator is to pay AOC the Operating Surplus by the 20 th of the following month and that the AOC will make payments in arrears within 60 days after receipt of the Contractor's invoicing? Is the invoicing submitted to AOC the Management Fee and % of Revenue for the previous month?	YES. YES.
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#	RFQ Reference	Question	Answers
1	7.1, Pages 12-13	Please confirm that all components of Item 7.1.e.II, "Financial Proposal" is the Cost Proposal that is to be presented separately from the Technical Proposal.	NO. THE TECHNICAL PROPOSAL AND COST PROPOSAL ARE BOTH INCLUSIVE IN THE PROPOSAL.
2	7.1.e.V.ii, Page 14	Per the first bulleted item, are we to propose staffing and costs based on 6 a.m. – 10 a.m. operating hours for all facilities?	NO. RFP SEC 7.1.E.V.II FIRST BULLET INDICATES 6:00 AM – 10:00 <u>PM</u> .
3	7.1.e.V.ii, Page 14	May we have any available information regarding furlough days for 2012 – 2013?	NO INFORMATION AVAILABLE AT THIS TIME.
4	7.1.d, Page 12	Are we to provide all current clients in this geographic area, or a representative listing? A complete list for many operators will include hundreds of clients.	A REPRESENTATIVE LIST OF FACILITIES WITH 500 STALLS OR MORE IS ACCEPTABLE.
5	Standard Agrmt., Page 64, Item 16.A.i	A requirement of \$5 million in limits is required for various coverages. Is the requirement to secure \$5 million for Fire Legal Liability correct? Basic limit of coverage provided by the standard insurance contract is \$50,000. Coverage can be increase to \$1mil on the primary policy. Obtaining excess limits is very unusual.	Commercial general liability policy can be provided with a sublimit for damage to the parking facility of \$100,000 per occurrence
6	Standard Agrmt., Page 65, Item 16.A.ii	A requirement for garagekeepers coverage is specified. The last sentence requests that this coverage be on a direct primary basis. This form of coverage requires that the carrier pay for damages to a vehicle in the parking company's care, custody and control, regardless of negligence. Standard insurance for garagekeepers coverage is written on a legal liability basis. If the parking company is negligent/liable, the carrier pays for the damages. We would like to request that the form of coverage be changed from a direct primary basis to legal liability basis.	Garagekeepers liability can be provided on a legal liability basis

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#	RFQ Reference	Question	Answers
7	1.2 Page 3	Is the estimated current monthly revenue of \$350,000 gross net of LA City parking tax?	THE ATTACHED SPREADSHEET IS THE DATA THAT WE HAVE AVAILABLE AND IS ONLY INTENDED TO GIVE AN INDICATION OF THE TYPE OF GROSS REVENUE THAT MAY BE AVAILABLE AT THE VARIOUS LOTS. YOUR MANAGEMENT OF THE LOTS MAY RESULT IN HIGHER OR LOWER GROSS REVENUE.
8	Attach 3	Is there a current staffing schedule available for each property?	NOT AT THIS TIME. PLEASE CONTACT TEAMSTERS LOCAL 911, MR. JOSE MONJARAS,, 213-200-0588 FOR THAT INFORMATION.
9	2.3 Pages 4-5	Are elevator, escalators, lighting, HVAC systems, and CO2 sensors part of contractor maintenance responsibility? If so, are there currently subcontracts in place for these services or repairs that need to be included in budgeting, or is this a notification only?	NO. THE AOC HAS CONTRACTED WITH AN O&M SERVICE PROVIDER THAT IS RESPONSIBLE FOR ALL THOSE SYSTEMS MENTIONED. THE SUCCESSFUL BIDDER WILL BE RESPONSIBLE FOR NOTIFYING THE AOC CUSTOMER SERVICE CENTER (CSC) FOR REQUIRED MAINTENANCE FOR THOSE SYSTEMS.
10	2.7 Pages 6-7	Are all maintenance items reimbursable?	NO. RFP 2.7 B (11). NORMAL MAINTENANCE IS COVERED UNDER OPERATING EXPENSES.
11	2.7 Pages 6-7	Under a shared revenue scenario, are maintenance items reimbursable?	NO. RFP 2.7 B (11). NORMAL MAINTENANCE IS COVERED UNDER OPERATING EXPENSES.
12	2.7 Pages 6-7	Are start up costs at the expense of the contractor?	YES. RFP 2.7
13	Attach 3	How many phone lines are at each facility? DSL lines?	SUCCESSFUL CONTRACTOR WILL ASSUME THAT THERE WILL NOT BE ANY WORKING PHONES WHEN CONTRACT IS AWARDED.
14	Attach 3	Are there current customer credit card services in place? Which locations?	NO.

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#	RFQ Reference	Question	Answers
15	Attach 3	May we have an equipment inventory for each facility?	NOT AT THIS TIME. THE SUCCESSFUL BIDDER WILL HAVE ACCESS TO THE FACILITIES AND EQUIPMENT AFTER AWARD OF THE CONTRACT.
16	General	Are the facilities available for inspection? Is authorization needed?	NOT ALL PARKING FACILITIES HAVE PUBLIC ACCESS. LONG BEACH, INGLEWOOD, EL MONTE, AND SAN FERNANDO ARE NOT OPEN TO THE PUBLIC. PLEASE DO NOT ENGAGE THE EMPLOYEES OR ATTEMPT TO GAIN ACCESS TO NON-PUBLIC AREAS.
17	2.3 Page 4	What kind of citations are issued, paper or electronic?	CITATIONS WILL BE IN WHATEVER FORM THE CONTRACT AND THE AOC APPROVE.
18	2.3 Pages 4-5	Is there a history of equipment repairs available?	NOT AT THIS TIME. THE SUCCESSFUL BIDDER WILL HAVE ACCESS TO THE FACILITIES AND EQUIPMENT AFTER AWARD OF THE CONTRACT.
19	1.2 Page 3	What is the 2011 revenue breakdown for each facility?	THE ATTACHED SPREADSHEET IS THE DATA THAT WE HAVE AVAILABLE AND IS ONLY INTENDED TO GIVE AN INDICATION OF THE TYPE OF GROSS REVENUE THAT MAY BE AVAILABLE AT THE VARIOUS LOTS. YOUR MANAGEMENT OF THE LOTS MAY RESULT IN HIGHER OR LOWER GROSS REVENUE.
20	2.3 Pages 4-5	Are restroom supplies the responsibility of the contractor? Is restroom maintenance the responsibility of the contractor?	ALL RESTROOM SUPPLIES ARE THE RESPONSIBILITY OF THE CONTRACTOR. RESTROOM MAINTENANCE IS THE RESPONSIBILITY OF THE AOC.

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1		Can we get a two-year revenue history for each revenue location?	THE ATTACHED SPREADSHEET IS THE DATA THAT WE HAVE AVAILABLE AND IS ONLY INTENDED TO GIVE AN INDICATION OF THE TYPE OF GROSS REVENUE THAT MAY BE AVAILABLE AT THE VARIOUS LOTS. YOUR MANAGEMENT OF THE LOTS MAY RESULT IN HIGHER OR LOWER GROSS REVENUE.
2		Can we get a two-year history of tickets issued/collected per location? This information is necessary to project ticket costs, etc..	THE ATTACHED SPREADSHEET IS THE DATA THAT WE HAVE AVAILABLE AND IS ONLY INTENDED TO GIVE AN INDICATION OF THE TYPE OF GROSS REVENUE THAT MAY BE AVAILABLE AT THE VARIOUS LOTS. YOUR MANAGEMENT OF THE LOTS MAY RESULT IN HIGHER OR LOWER GROSS REVENUE.
3		Historically, has a Possessory Interest Tax (a form of property tax) been assessed on this contract? If no, will the Operator be reimbursed if one is imposed?	IF POSSESSORY INTEREST TAX IS APPLICABLE, THIS WILL BE AN APPROVED OPERATING EXPENSE.
4		Could we please get a per-lot/structure staffing schedule referencing cashiers, attendants, supervisors, maintenance personnel and managers?	NOT AT THIS TIME. PLEASE CONTACT TEAMSTERS LOCAL 911, MR. JOSE MONJARAS,, 213-200-0588 FOR THAT INFORMATION.
5		Can the operator re-configure, or restripe, any (or all) of the lots to create additional spaces?	YES, HOWEVER, THIS IS SUBJECT TO AOC AND COURTS APPROVAL.
6		Aside from the Administrative Office of the Courts (AOC), what other agencies, or entities, have any voice, or say, in the management and operation of the facilities and lots?	AOC IS THE ULTIMATE DECISION-MAKING AUTHORITY; HOWEVER, THE AOC WILL DO SO WITH LOCAL COURT INPUT.

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7		What are the operator's constraints in operating the lots? For example, in a busy area on weekends, such as the 1925 Hill Street location, can the lot be operated on Saturdays and Sundays to collect additional revenue?	YES, HOWEVER, THIS IS SUBJECT TO AOC AND COURTS APPROVAL.
8		The AOC project team toured three parking locations (Pomona South Court, Pasadena Court and Alhambra Court) with the prospective Contractors and provided an overview. Is there any specific relevance to these facilities, above the rest, that the bidders should be aware of?	NO.
9		The RFP states that the Proposer must submit an electronic version of the entire proposal on CD-ROM. Is any other form of electronic submittal acceptable, i.e. thumb drive, or DVD-ROM?	NO.
10		One of the Long Beach facilities has been removed from the RFP. If, after award of the RFP, the facility is opened, will it be added to the successful operator's portfolio, or will there be a separate RFP for this one facility?	NO.
11		Does the operator have autonomy in making business decisions for any, or all, of the lots in securing additional revenue streams such as filming, or night time (or off peak) residential parking?	NO, HOWEVER, CREATIVE BUSINESS SOLUTIONS ARE ENCOURAGED.
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#	RFQ Reference	Question	Answers
1		Will you please provide static staffing schedules and corresponding union pay rates for each of the facilities/locations?	NOT AT THIS TIME. PLEASE CONTACT TEAMSTERS LOCAL 911, MR. JOSE MONJARAS, 213-200-0588 FOR THAT INFORMATION.
2		Please provide gross revenue numbers for each of the parking facilities, as without these figures, it makes the concept of a revenue share virtually impossible for the non-incumbent operators.	THE ATTACHED SPREADSHEET IS THE DATA THAT WE HAVE AVAILABLE AND IS ONLY INTENDED TO GIVE AN INDICATION OF THE TYPE OF GROSS REVENUE THAT MAY BE AVAILABLE AT THE VARIOUS LOTS. YOUR MANAGEMENT OF THE LOTS MAY RESULT IN HIGHER OR LOWER GROSS REVENUE.
3		Who pays the possessory interest tax, if applicable?	IF POSSESSORY INTEREST TAX IS APPLICABLE, THIS WILL BE AN APPROVE OPERATING EXPENSE.
4		Does the State mandate all parking rates for each of the facilities or are these rates subject to each of the local jurisdictions (i.e. courthouses)?	RATES ARE DICTATED BY MARKET STUDIES/SURVEYS IN CONJUNCTION WITH THE AOC/COURT INPUT
5		Will you give further clarification regarding the removal of the facility in Long Beach?	NO.
6		Given that we're all bidding using the same union pay rates and static staffing schedules, is it practical to base 50% of the bid award criteria on expenses alone when the revenue almost certainly has a bigger impact on the state's bottom line than the expenses? In other words, would the State consider adjusting the award criteria to include a much bigger emphasis on bottom line revenue to the state?	YES. NO.
7		If we pay for automation or technology upgrades, if the contract is canceled for any reason, will the state pay the unamortized portion of the equipment and installation costs?	ALL AUTOMATION TECHNOLOGY UPGRADES WILL BE NEGOTIATED ON A CASE BY CASE BASIS.
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#	RFQ Reference	Question	Answers
1		Provide a current staffing schedule with the current hourly rates.	NOT AT THIS TIME. PLEASE CONTACT TEAMSTERS LOCAL 911, MR. JOSE MONJARAS, 213-200-0588 FOR THAT INFORMATION.
2	Page 14 Sec V.ii	Provide exact hours of operation by location – it is somewhat vague	NOTED IN PARKING FACILITY SPECIFICATION LIST IN RFP
3		Is this a Union or subject to living wage?	NO.
4		Are employee benefits required – if so Family or Employee only?	PLEASE CONTACT TEAMSTERS LOCAL 911, MR. JOSE MONJARAS, 213-200-0588 FOR THAT INFORMATION.
5		Can you please provide a breakdown of revenue by location?	POSTED IN WEBSITE UNDER ADDENDUM 2 http://www.courts.ca.gov/rfps.htm
6		Under the Management Fee scenarios – is that all inclusive of all expenses?	YES
7		Where is Power Sweeping applicable and or required?	NOTED UNDER SCOPE OF WORK
8		Are there offices provided?	NOTED IN PARKING FACILITY SPECIFICATION LIST IN RFP
9		Can you supply a list of equipment that will be provided by location – i.e. office furniture, computers, etc?	NOT AT THIS TIME. THE SUCCESSFUL BIDDER WILL HAVE ACCESS TO THE FACILITIES AND EQUIPMENT AFTER AWARD OF THE CONTRACT.
10		Do any of the locations accept credit cards?	NO
11	Page 6 2.6	Is there a cost associated with the AOC Live Scan background check and if so what is the cost per person?	YES. RFP SEC 2.6 & SEC 2.7 B (14). THESE COSTS SHALL FALL UNDER OPERATING EXPENSES. COSTS ARE DETERMINED AT THE FACILITY WHERE LIVE SCAN IS CONDUCTED.

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12	Page 12 7.0 d	List of client's names, locations addresses, and telephone numbers within 100 miles of Los Angeles, San Bernardino and Orange Counties. This can be an exhaustive list, can the operator provide a representative list of say, those locations with 500 stalls or more? 1000 or more?	A REPRESENTATIVE LIST OF FACILITIES WITH 500 STALLS OR MORE IS ACCEPTABLE.