



BAY AREA
 AIR QUALITY
 MANAGEMENT
 DISTRICT

November 14, 2011

Request for Proposals
 2011-010

2004 Drayage Truck Replacement Program

SECTION I – SUMMARY..... 1
SECTION II – BACKGROUND..... 3
SECTION III – INSTRUCTIONS TO BIDDERS 3
SECTION IV – SCOPE OF WORK..... 5
SECTION V – PROPOSAL FORMAT AND CONTENTS..... 10
SECTION VI – PROPOSAL EVALUATION 12
SECTION VII – SAMPLE CONTRACT..... 13

SECTION I – SUMMARY

The Bay Area Air Quality Management District (Air District) has released this Request for Proposals (RFP) to solicit a contractor(s) to assist with the implementation of a Port Drayage Truck emission reduction grant program. The program will provide grant funds to drayage truck owners that operate a truck that:

- Has a gross vehicle weight rating (GVWR) of 33,000 lbs. or greater (Class 8 truck) with model year (MY) 2004 engine;
- Is registered to a Bay Area address in the California Air Resources Board's (ARB) drayage truck registry as of September 2011

The Air District will provide qualifying owners with funds to assist them in replacing their current MY2004 vehicles with newer trucks certified by the ARB to MY 2007 engine emissions standards or cleaner (Program). The Air District estimates that there are approximately 247 of these trucks registered in the Bay Area. .

The selected contractor(s) would offer a trade-in value of between \$8,000 to \$15,000 on the MY 2004 truck, and a fixed price of no greater than \$60,000 on the purchase of qualifying MY 2007 drayage truck. Traded-in MY 2004 trucks must be sold outside of the State of California and guaranteed not to return service within the state for a minimum of 10 years. Additionally, the contractor(s) will assist the drayage truck owner and Air District with the administrative implementation of the Program. The Air District expects to have up to \$2.47 million in grants to eligible truck owners for this program

(approximately \$10,000 in grant funding for each truck replaced). The Air District may also at its sole discretion, increase or decrease the amount of funding available for this program or individual grants under this program. Through this RFP, the Air District may select one or more contractors to carry out the responsibilities set forth in this request.

To respond to this RFP, an interested company should submit two hard (2) copies and one (1) electronic copy (in Microsoft Office or Adobe format) of its proposal to:

**Tom Flannigan, Administrative Analyst, tflannigan@baaqmd.gov
Bay Area Air Quality Management District
939 Ellis Street San Francisco, CA 94109**

**Proposals must be received at the Air District offices at
939 Ellis Street, San Francisco, California, 94109
by 4:00 p.m. on November 28, 2011.
Late proposals will not be considered.**

Proposals must address all information requested in this RFP. A proposal may add information not requested in this RFP, but the information should be in addition to, not instead of, the requested information and format. Minority business enterprises, women's business enterprises, veteran's business enterprises, and Certified Green Businesses are encouraged to submit proposals. **Any questions regarding this RFP should be directed to Tom Flannigan at: tflannigan@baaqmd.gov.**

SECTION II – BACKGROUND

A. Air District Overview

The Bay Area Air Quality Management District (Air District) was created by the California Legislature in 1955 as the first regional agency to deal with air pollution in California. The Air District jurisdiction includes Alameda, Contra Costa, Marin, Napa, Santa Clara, San Francisco, San Mateo, southwestern Solano, and southern Sonoma counties.

The State Legislature originally gave the Air District the authority to regulate stationary sources of air pollution, such as factories, oil refineries, chemical plants, gasoline stations, and agricultural burning. With more recent legislation, the Air District was granted authority to enact certain transportation and mobile source measures.

The Air District is governed by a twenty-two member Board of Directors, consisting of elected officials, including county supervisors, mayors, and city council members. The chief executive officer of the Air District is the Air Pollution Control Officer (APCO), a position currently held by Jack Broadbent.

SECTION III – INSTRUCTIONS TO BIDDERS

A. General

1. All proposals must be made in accordance with the conditions of this RFP. Failure to address any of the requirements is grounds for rejection of this proposal.
2. All information should be complete, specific, and as concise as possible.
3. Proposals should include any additional information that the respondent deems pertinent to the understanding and evaluation of the bid.
4. The District may modify the RFP or issue supplementary information or guidelines during the proposal preparation period prior to the due date. Please check our website for updates.
5. Proposals shall constitute firm offers. Once submitted, proposals cannot be altered without the written consent of the District, but proposals may be withdrawn.
6. The District reserves the right to reject any and all proposals.
7. The total quotation for this project should not exceed \$2.47 million.
8. All questions must be emailed to Tom Flannigan before 3pm on Tuesday, November 22, 2011. All questions will be answered and posted on the BAAQMD RFP webpage by 6pm, Wednesday November 23, 2011.
9. The cost for developing the proposal is the responsibility of the bidder, and shall not be chargeable to the Air District.

B. Submittal of Proposals

All proposals must be submitted according to the specifications set forth in Section V (A) – Contents of Proposal, and this section. Failure to adhere to these specifications may be cause for the rejection of the proposal.

1. Due Date – All proposals are due no later than 4:00 p.m., **Monday, November 28, 2011**, and should be directed to:

Tom Flannigan, Administrative Analyst
tflannigan@baaqmd.gov
Bay Area Air Quality Management District
939 Ellis Street San Francisco, CA 94109

2. Proposals received after the time and date provided previously specified will not be considered.
3. Signature – All proposals should be signed by an authorized representative of the bidder.
4. Submittal – Submit two hard (2) copies and one (1) electronic copy (in Microsoft Office or Adobe format) of the proposal in a sealed envelope. Electronic submissions will be acknowledged with a return email. Plainly mark the upper, left-hand corner with the name and address of the bidder and the RFP number. Late proposals will not be accepted. Any correction or re-submission of proposals will not extended the submittal due date.
5. Grounds for Rejection – A proposal may be immediately rejected at any time if it arrives after the deadline; is not in the prescribed format; or is not signed by an individual not authorized to represent the firm.
6. Disposition of the Proposals – All responses to this RFP become property of the Air District and will be kept confidential until a recommendation for award of a contract has been announced. Thereafter, submittals are subject to public inspection and disclosure under the California Public Records Act. If a respondent believes that any portion of its submittal is exempt from public disclosure, it may mark that portion “confidential.” The District will use reasonable means to ensure that such confidential information is safeguarded, but will not be held liable for inadvertent disclosure of the information. Proposals marked “confidential” in their entirety will not be honored, and the District will not deny public disclosure of any portion of submittals so marked.

By submitting a proposal with portions marked “confidential,” a respondent represents it has a good faith belief that such portions are exempt from disclosure under the California Public Records Act and agrees to reimburse the District for, and to indemnify, defend, and hold harmless the District, its officers, employees, and agents, from and against any and all claims, damages, losses, liabilities, suits, judgments, fines, penalties, costs, and expenses, including without limitation, attorneys’ fees, expenses, and court

costs of any nature whatsoever, arising from or relating to the District's non-disclosure of any such designated portions of a proposal.

7. Modification – Once submitted, proposals, including the composition of the contracting team, cannot be altered without prior written consent of the Air District. All proposals shall constitute firm offers valid for ninety (90) days from the due date.

C. Interviews

1. The Air District, at its option, may interview bidders. The interviews will be for the purpose of clarifying the proposals.
2. Submittal of new proposal material at an interview will not be permitted.
3. Interviews may involve a presentation or a question-and-answer format or any combination of these.

SECTION IV – SCOPE OF WORK

A. Definitions

1. A drayage truck means any in-use on-road vehicle (Gross vehicle weight rating (GVWR) of 33,000 lbs. or greater (Class 8)) that pulls a trailer or chassis that is used for transporting cargo (such as containerized, bulk, or break-bulk goods) that operates:
 - a. On or transgresses through port or intermodal rail yard property for the purpose of loading, unloading, or transporting cargo, including transporting empty containers and chassis, or
 - b. Off-port or intermodal rail yard property transporting cargo or empty containers or chassis that originated from or is destined to a port or intermodal rail yard property.
2. An "eligible drayage truck" for this program is defined as a Class 8 heavy-duty vehicle with a model year (MY) 2004 engine that was registered at a Bay Area address in the California Air Resources Board's (ARB or CARB) drayage truck registry as of September 2011.

B. Objectives

The selected contractor(s) shall perform the following functions:

- Provide customer service, outreach, application assistance, and loan/ financing assistance potential participants;
- Provide truck quotes to truck owners as part of their project application to the Air District for grant funding;
- Assist the truck owner with the trade-in of their existing drayage truck to an out-of-state location. The contractor(s) will be responsible for ensuring the truck that was traded in and does not re-enter California for 10 years. The trade in value of the existing truck is intended to be used towards the purchase of the replacement vehicle;
- The contractor will endeavor to provide the highest trade-in value possible to the truck owner. It is expected that that trade-in value will be in the

- \$8,000-\$15,000 range dependent on the condition of the MY2004 truck;
- Assist the Air District with the inspection of old and new trucks;
- Assist with the implementation of the program through 2012;
- Submit annual reports to the Air District through 2023 on the out-of-state location and operation of the replaced trucks with 2004 engines;
- Retain all records for a period of at least 3 years following the delivery of the last vehicle;
- The Contractor shall invoice the truck owner for remaining costs. It is the truck owner's responsibility to cover the costs of the funded equipment that are not covered by the Air District grant award, and;
- Be able to provide up to 247 trucks that meet the following specifications:
 - The Replacement truck can be a new or used truck
 - Class 8 (33,001 lbs. or greater GVWR) truck
 - Mileage on the replacement truck must be between 300,000 – 600,000 miles to qualify for the highest dollar range on offer as part of this program (\$52,000-\$60,000), trucks with mileage of between 600,001 – 800,000 miles will qualify for the lower range of this program (less than \$52,000)
 - Fixed sales price for the replacement vehicle must be in no case greater than \$60,000.
 - Replacement truck must be able to be delivered by March 2012
 - The replacement truck must meet all California certification and safety requirements
 - The replacement truck must have an engine that is certified to the 2007 ARB emissions standards or cleaner. The 2007 emissions means 1.20 g/bhp-hr or less NOx (FEL and CERT values) and 0.01 g/bhp-hr or less PM (CERT value) as certified by an ARB Executive Order for on-road use.
 - All replacement truck engines must be certified by an ARB Executive Order for on-road use with an intended service of Heavy-Heavy Duty Diesel (HHDD) for diesel engine
 - No MY 2007 family emissions limits (FEL) trucks are eligible to receive funding under this program

The Air District shall perform the following functions:

- Promote the Program on its website, in a press release and by direct email to eligible truck owners;
- Evaluate project applications;
- Conduct project inspections;
- Contract with the truck owners for the grant funding;
- Serve as a Program liaison;
- Respond to contractor(s) questions;
- Provide to the contractor(s) a list of qualifying vehicles and grantees;
- Monitor contractor(s) performance, and;
- Reimbursement:
 - Reimburse grant funding to the truck owners for the costs incurred after delivery of the new vehicle and inspection.
 - The Air District will not reimburse the contractor for any administrative expenditures.
 - The Air District shall only provide direct payment to Contractor if

authorized to do so by the truck owner in the grant agreement between the Air District and truck owner or as otherwise directed by the truck owner in subsequent documentation signed by truck owner. Where Air District is directed by truck owner to pay Contractor directly, Air District shall not remit payment to Contractor until it has received, reviewed and inspected all aspects of the project including a final invoice from the Contractor and determined that the project has been implemented as described in the grant agreement between the Air District and the truck owner. Air District payments to Contractor shall be remitted within 45 days after the Air District has determined that the project has been implemented in accordance with the grant agreement.

C. Work Statement

1. Program Implementation: The proposal must describe how the Contractor would implement the Program, including all interactions with Program Participants/ truck owners, and the Air District as described below.
 - a. **Timeframe:** The Program is anticipated to begin operation on or around December 7, 2011, and run through June 1, 2012, or until funding is exhausted, whichever occurs first. The District may choose to extend the contract term at its sole discretion for up to one year. A timeline for the project is as follows:
 - **November 14, 2011:** RFP issued
 - **November 28, 2011:** Proposals due back to the Air District
 - **December 7, 2011 (TENTATIVE):** contractor(s) recommendations presented to the Air District's Board of Directors for approval.
 - **December 7, 2011 (TENTATIVE):** Air District starts accepting program applications from truck owners.
 - **December 30, 2011 (TENTATIVE):** Last day for truck owners to submit their project applications.
 - **By February 28, 2012 (TENTATIVE):** Air District contracts with truck owners. Trucks owners cannot place orders for replacement trucks until the Air District and truck owner have both signed the grant agreement for the project.
 - **May/ June 2012 (TENTATIVE):** All new trucks are delivered, and grant payments are made by the Air District.
 - b. **Outreach/ assistance:**

It is the contractor(s) responsibility to do the following:

 - Respond to inquiries from applicants and Air District staff within 2 business days;
 - Be available for onsite assistance in Oakland, CA during the application acceptance period, and;
 - Provide staffing resources to provide assistance to applicants and the Air District.
 - c. The contractor(s) shall work with the truck owners for projects approved by the Air District, to coordinate the financing (if needed), order, and delivery of the replacement truck.
 - d. **Trade-in coordination:**
 - The contractor is responsible for assisting the truck owner with the

- trade-in of their existing truck, and ensuring that the truck is sold to a new owner located outside of California.
- The truck shall not re-enter California for at least 10 years, and the contractor will submit annual reports to the Air District with the location and owner information for the truck or provide an alternative proposal to the Air District on how out of California service will be monitored.
 - The traded-in MY2004 truck must be taken out of state, within 30 days of the delivery of the replacement truck as defined below.
- e. **Existing truck:** Participating drayage trucks must meet the following specifications:
- Engine model year (MY) of 2004
 - Class 8 truck (33,001 lbs. or greater GVWR)
 - The truck must have been registered at a Bay Area address in the ARB Drayage Truck Registry (DTR) database prior to September 2011
 - Be able to document annual mileage greater than 20,000 miles per year, over the past 2 years
 - At least 75% operation within California for the past 2 years
 - Registration requirements:
 - Continuous registration (California base-plated or International Registration Plan (IRP)) within the Bay Area for the past 2 years, or
 - Current California registration and minimum 8 months available California Department of Motor Vehicles (DMV) registration history supplemented by alternate documentation showing California operation for the past 2 years.
- f. **Replacement truck:** The Contractor must be able to provide up to 247 trucks meeting the following specifications:
- g. The Replacement truck can be a new or used truck;
- h. Mileage on the replacement truck must be between 300,000 – 600,000 miles to qualify for the highest dollar range on offer as part of this program (\$52,000-\$60,000), trucks with mileage of between 600,001 – 800,000 miles will qualify for the lower range of this program (less than \$52,000);
- Fixed sales price for the replacement vehicle must be in no case greater than \$60,000;
 - Replacement truck must be able to be delivered by March 2012;
 - Class 8 (33,001 lb. or greater GVWR) truck;
 - The replacement truck must meet all California certification and safety requirements;
 - The replacement truck must have an engine that is certified to the 2007 CARB emissions standards or cleaner. The 2007 emissions means 1.20 g/bhp-hr or less NOx (FEL and CERT values) and 0.01 g/bhp-hr or less PM (CERT value) as certified by an ARB Executive Order for on-road use. The contractor(s) shall provide to the Air District a copy of the ARB Executive Order documenting the replacement truck's engine certification;
 - For Class 8 trucks the engines must be certified by an ARB Executive Order for on-road use with an intended service of Heavy-Heavy Duty Diesel (HHDD) for diesel engine, and;

- No MY 2007 family emissions limits (FEL) trucks are eligible to receive funding under this program.
- i. **Contractor(s) reporting:**
 - The Contractor(s) will provide to the Air District, on a monthly basis, a summary of the trucks provided and replaced. This report will include the makes, models, vehicle identification numbers (VIN) of the vehicle surrendered and provided under the program. Additionally, this reporting will include the name, address and contact information for the grantee receiving the new vehicle.
 - The contractor(s) will provide annual reports to the Air District on the location, and ownership of the truck traded-in (with the 2004 model year engines) by the truck owner or reporting on an alternative method of ensuring that the traded in truck has not returned to California.
- j. **Invoicing:** The Contractor shall produce quotes and invoices that:
 - Specify the truck information for the replacement vehicle;
 - Include a copy of the ARB Executive Order for the engine;
 - Specify the source of the financing provided and trade-in value of the existing truck;
 - Specify any taxes, fees, administrative, and misc. costs included in the sales price, and;
 - Indicate the monthly payment (if any) to be assumed by the driver upon purchase of the replacement vehicle.
- k. **Inspections:** The Contractor shall inspect the truck to be replaced, and the replacement truck, and verify the following information on the District-supplied form:
 - Equipment owner's name, mailing address and telephone number
 - Vehicle type including make, model and model year
 - VIN
 - Vehicle license plate
 - CA highway patrol number
 - GVWR
 - Fuel type
 - Engine family name and number
 - Engine make, model, model year and engine serial number
 - The contractor shall witness and verify on the inspection form that the vehicle and engine are operational. The Contractor must visually witness and verify the engine starts up and that the truck is operating properly (i.e., the truck can go forward and backwards and perform all other functions relating to legal operation on California roadways).
 - The contractor shall take and electronically transmit to the Air District digital photographic documentation of the replacement equipment. This documentation shall include:
 - A photograph of the serial number of the engine;
 - A photograph of the license plates or other distinguishing identification that are visible on the equipment; and
 - A photograph that captures the full piece of equipment (i.e. the entire truck) that is being inspected.
- l. **Contractor qualifications:**
 - Contractor is authorized to do business in the State of California.

Contractor attests that it is in good tax standing with federal and state tax authorities.

- Contractor agrees to obtain any and all required licenses, permits, and all other appropriate legal authorizations from all applicable federal, state and local jurisdictions and pay all applicable fees.
- Contractor shall not engage in any performance of work during the term of the contract that is in direct or indirect conflict with duties and responsibilities set forth in the Work Statement.
- Contractor shall exercise the degree of skill and care customarily required by accepted professional practices and procedures.
- Contractor shall ensure that any sub-contractors, employees and agents comply with all performance standards.
- Contractor shall be licensed by the California Department of Motor Vehicles (DMV) and also have a valid California Environmental Protection Agency (Cal/EPA) Hazardous Materials Generators Permit if required by law. In addition, Contractor must ensure compliance with any federal, state and local material disposal requirements, regulations, permits or requirements.
- Contractor must be a qualified lender under the CALcap program and must be able to access loan guarantee funding from the ARB to assist applicants with poor or lower credit scores.

m. **Insurance:** Contractor shall maintain the following insurance:

- Workers' compensation and employers' liability insurance as required by California law or other applicable statutory requirements.
- Occurrence-based commercial general liability insurance or equivalent form with a limit of not less than one million dollars (\$1,000,000) each occurrence. Such insurance shall include DISTRICT and its officers, agents, and employees as additional insureds and shall be primary with respect to any insurance maintained by the Air District.
- Business automobile liability insurance or equivalent form with a limit of not less than one million dollars (\$1,000,000) each accident. Such insurance shall include coverage for owned, hired, and non-owned vehicles.
- Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII.

SECTION V – PROPOSAL FORMAT, CONTENT, AND SUBMITTAL

A. Contents of Proposal

Submitted proposals must follow the format outlined below and include all requested information. Failure to submit proposals in the required format can result in the proposal being eliminated from evaluation and consideration.

1. Technical Proposal

- a. Cover Letter (Section I) – Must include the name, address, and telephone number of the company, and must be signed by the person(s) authorized to represent the firm.

- b. Contractor Contact Information – Provide the following information about the firm:
- Address and telephone number of office nearest to San Francisco, California and the address and phone number of the office that each of the proposed staff members are based out of if different.
 - Name of firm’s representative designated as the contact
 - Name of project manager, if different from the individual designated as the contact
- c. Table of Contents – Clearly identify material contained in the proposal by section
- d. Summary (Section II) – State overall approach to the 2004 Drayage Truck Replacement Program, including the objectives and scope of work. To the extent the information is available; the proposal shall include the details of the trucks being provided, including truck and engine information, general location of origin, estimated current mileage, etc.
- e. Program Schedule (Section III) – Provide projected milestones or benchmarks for completing the project within the total time allowed.
- f. Firm Organization (Section IV) – Provide a statement of your firm’s background and related experience in providing similar services to governmental organizations. Describe the technical capabilities of the firm and, in particular, the firm’s exposure with working with environmental regulations, if any. Provide references of other, similar projects including contact name, title, and telephone number for all references listed.
- g. Project Organization (Section V) – Describe the proposed management structure, program monitoring procedures, and organization of the engagement team. Provide a statement detailing your approach to the project, specifically address the firm’s ability and willingness to commit and maintain staffing to successfully conclude the project on the proposed schedule.
- h. Assigned Personnel (Section VI) – Provide the following information about the staff to be assigned to the project:
- List all key personnel assigned to the project by level and name. Provide a description of their background, along with a summary of their experience in providing similar services for governmental agencies, and any specialized expertise they may have. Background descriptions can be a resume, CV, or summary sheet. Substitution of project manager or staff will not be permitted without prior written approval of the Air District’s assigned program manager.
 - Provide a statement of the availability of staff in any local office with requisite qualifications and experience to conduct the requested project.

- Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project. Make particular mention of with reference to experience dealing with governmental agencies, procedures, and environmental regulations.
 - i. Retention of Working Papers (Section VII) – All working papers are the property of the Air District. Include a statement acknowledging that if your firm is awarded the contract, you will retain project related papers and related reports for a minimum of five (5) years.
 - j. Subcontractors (Section VIII) – List any subcontractors that will be used, the work to be performed by them, and the total number of hours or percentage of time they will spend on the contract.
 - k. Conflict of Interest (Section IX) – Address possible conflicts of interest with other clients affected by contractors' actions performed by the firm on behalf of the Air District. The Air District recognizes that prospective bidders may have contracts to perform similar services for other clients. Include a complete list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. The Air District reserves the right to consider the nature and extent of such work in evaluating the proposal.
 - l. Additional Data (Section XI) – Provide other essential data that may assist in the evaluation of the proposal (e.g. green business certification, etc).
 - m. References (Section XII) Provide references of public agencies that have purchased equipment from vendor within the previous 12 months including contact name, title, and telephone number for all references listed.
2. Cost Proposal
- a. Name and Address – The Cost Proposal must have the name and complete address of the bidder in the upper, left hand corner.
 - b. Cost Proposal – The cost proposal must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and administrative staff to be used to perform the tasks required by this RFP. In addition, costs should be estimated for each of the components of the Scope of Work. Proposals shall include a fixed sales price range for the trucks being proposed. The proposed price range should be itemized to show all taxes, fees, and costs that are included in the sales price.
 - c. The Cost Proposal does not need to be a separate, sealed document.

SECTION VI – PROPOSAL EVALUATION

A panel of Air District and Alameda County staff will evaluate all proposals. The panel will recommend the selection of the contractor to the Air Pollution Control Officer (APCO), who will, in turn, make a recommendation to the Air District Board of Directors. The Air District Board of Directors must approve the contract to carry out the work described in this RFP. An example of a typical contract for professional services used by the Air District is included in Section VII.

Proposals will be evaluated on the following criteria:

Technical expertise and past experience of the firm. In particular, experience of the team working on projects of similar scope for other governmental agencies.	30%
Responsiveness of the proposal, based upon a clear understanding of the work to be performed.	20%
Cost of the replacement trucks	40%
References of the firm, local business/Green Business*	10%

- * The District gives preferences to local businesses and those that are certified as green businesses by a government agency or independent private rating organization.

The Air District reserves the right to reject any and all proposals submitted and/or request additional information. During the selection process, the Air District's evaluation panel may interview bidders. The interviews will be for clarification only. The submittal of new material will not be permitted at that time. Interviews may involve a presentation or a question-and-answer format or any combination of these.

If two or more proposals receive the same number of points, the Air District will accept the lower cost offer.

SECTION VII – SAMPLE CONTRACT

A sample contract to carry out the work described in this RFP is available on the District's website at <http://www.baaqmd.gov/Divisions/Administration/RFP-RFQ/Sample-Documents.aspx>