



County of El Paso Purchasing Department
800 E. Overland Room 300
El Paso, Texas 79901
(915) 546-2048 / Fax: (915) 546-8180

ADDENDUM1

To: All Interested Proposers

From: Lucy Balderama, Inventory Bid Technician

Date: August 6, 2009

Subject: RFP # 09-069, RFP for the Operation and Management of the Overland Street Parking Lot.

The Purchasing Department received questions relating to the above referenced proposal; the response to the following question:

1. Can the County provide the specifics of what is acceptable of 5-block covenant? Area includes the five blocks north, south, east, and west of the Overland Street Parking Lot. The covenant shall include an agreement that the vendor will not operate a parking lot or parking garage within a five block radius that competes with the Overland Street Parking Lot, and must include language/provisions that detail how the vendor will abstain from or prevent direct competition with the Overland Street Parking Lot. If the covenant sufficiently addresses the aforesaid requirements, it shall be deemed "acceptable". If the submitted CNC does not sufficiently address the aforesaid requirements, the County may, at it's option, negotiate the terms of a CNC that will be included in the contract. If the vendor is not willing to negotiate the terms of CNC they submit, it should state that the CNC is non-negotiable.
2. Is the County requesting vendors terminate or suspend all business and ventures until a contract is awarded or otherwise disqualified?
No.

3. On page 6, the bid package is requesting certain bidders to submit a "Covenant Not To Compete Agreement". Will the County provide this CNC form to complete? **No.** If not, exactly what will be required? **See Question 1.**

4. On page 9, reference is made to bidders submitting a "Revenue Plan" for each bid option on page 15. Exactly what does this "Revenue Plan" entail?
Insert proposed rates for one or more options. Attaching a revenue plan is optional, and if included, should detail efforts that the vendor intends to make to increase revenues, such as marketing and operational procedures.

5. Page 16 requests "projected revenues and expenses for five years", but only has columns for 3 years. Is the "five" a typo?
Five years is preferred, but County will accept a minimum of three years.

6. Is the County required to pay sales tax on collected parking revenues? If so, do the gross revenue figures listed on page 17 include sales tax?
The vendor is responsible for paying all taxes. "Gross Revenue" shall be defined as: gross revenues received by the concessionaire from all categories of services sold or provided there or from there, whether cash or credit, collected or uncollected, and excluding only federal, state, and local sales, excise, or equivalent taxes levied upon services revenues. The Gross Revenue figures listed on page 17 exclude tax.

7. Please define "F.O.B. El Paso County" on page 2 of the bid package.
"F.O.B." means Free on Board. Pertains to the goods & services of merchandise. This is an RFP for the Management of a parking lot so it will not pertain to this RFP.

8. Is the current honor box pay station and signage the property of the county (to remain on site)? If not, how much time will be given to a new contractor to order and/or install this equipment?
The pay station and signage belong to the County of El Paso.

9. Reference is made to the present \$4.00 daily rate, but the rate presently posted is \$5.00/day. What is the present monthly parking rate?
At the time the RFP was posted the rate was \$4.00 per day. The current contractor increased the rate to \$5.00 per day on August 3, 2009 at approximately 8:30 a.m.

\$7,000 Guarantee monthly or 77% of gross – which ever is greater.

10. On page 1, the bid package is requiring a "bid bond in the amount of 5% of the total contract price". In light of the various bid options noted on page 15 (many related to revenue sharing percentages for the one-year term), how is this total contract price to be determined in this regard?

A bid bond is required IF the proposal totals more than \$100,000. Since the initial term is for one year, the bid bond is only relevant to the total for one year. The vendor may submit the 5% bid bond for the highest amount bid in any of the options. For example if the vendor responds that s/he will pay the County a minimum of \$105,000, or 99% of gross revenue under Option 1; and responds that they will receive a fixed management fee of \$101,000 under Option 3, the vendor should submit a bid bond for the greater amount of \$105,000.

11. On page 11, Sec. IV (d), reference is made to an "attached required endorsement". Where is this attachment?

The endorsement shall name the County of El Paso as the Certificate Holder as follows:

County of El Paso Texas
Saul Nañez, Facilities Manager
500 E. San Antonio, Suite M1
El Paso, Texas 79901
Phone: 915-546-2009
Fax: 915-543-3820

The statement of the endorsement shall include the following language:

Should any of the above described policies [as described in the Certificate of Liability Insurance executed by the Insurer] be cancelled, defaulted, decreased, or otherwise changed, the issuing Insurer will endeavor to mail 30 days written notice to the Certificate Holder named in this document.

12. On page 7, Sec. C (2), reference is made to 42 spaces reserved for the County at no charge. This has been reduced to only 25 spaces, right?

Correct.