

REQUEST FOR PROPOSALS
ADDENDUM # 5

ISSUED: 02/26/09

RFP NUMBER: CSP900010
INDEX NUMBER: EPA017
UNSPSC CODE: 78180000

The state of Ohio, through the Department of Administrative Services, Office of Procurement Services, for the Ohio Environmental Protection Agency, is requesting proposals for:

OPERATION OF A VEHICLE EMISSIONS TESTING PROGRAM IN THE CLEVELAND/AKRON AREA

Reason for Addendum: This Addendum is issued to notify of the following changes. Inquiry Period is extended until March 4, 2009, 8:00 AM; Proposal Due Date is extended to March 18, 2009 at 1:00 PM; additions to indicate clarification to stationary source emission credits; station hours are added; and a correction is noted to compliance codes. Pages 1, 7, 21, 23, and 53 are attached, please replace these pages in the RFP; and repagination of the document.

PROPOSAL DUE DATE: March 18, 2009 at 1:00 p.m.

OPENING LOCATION: Department of Administrative Services
Office of Procurement Services
4200 Surface Rd.
Columbus, OH 43228-1395

REQUEST FOR PROPOSALS

RFP NUMBER: CSP900010
INDEX NUMBER: EPA017H
UNSPSC CATEGORY: 78180000

The State of Ohio, through the Department of Administrative Services, Office of Procurement Services, on behalf of the Ohio Environmental Protection Agency, is requesting proposals for:

Operation of a Vehicle Emissions Testing Program in the Cleveland/Akron Area

RFP ISSUED: January 6, 2009
INQUIRY PERIOD BEGINS: January 6, 2009
PRE-PROPOSAL CONFERENCE: January 22, 2009 at 1:00 P.M.
INQUIRY PERIOD ENDS: March 4, 2009 at 8:00 A.M.
PROPOSAL DUE DATE: March 18, 2009 by 1:00 P.M.

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Proposals received after the due date and time will not be evaluated.

OPENING LOCATION: Department of Administrative Services
Office of Procurement Services
4200 Surface Road
Columbus, OH 43228-1395

This RFP consists of five (5) parts and nine (9) attachments, nine (9) appendices, totaling 104 consecutively numbered pages. Please verify that you have a complete copy.

* To indicate changes to the Inquiry Period to end March 4, 2009 at 8:00 AM; and the Proposal Due Date to March 18, 2009

CALENDAR OF EVENTS. The schedule for the Project is given below, and is subject to change. The State may change this schedule at any time. If the State changes the schedule before the Proposal due date, it will do so through an announcement on the State Procurement Web site area for this RFP. The Web site announcement will be followed by an addendum to this RFP, also available through the State Procurement Web site. After the Proposal due date and before the award of the Contract, the State will make scheduled changes through the RFP addendum process. The State will make changes in the Project schedule after the Contract award through the change order provisions located in the general terms and conditions of the Contract. It is each prospective Offeror's responsibility to check the Web site question and answer area for this RFP for current information regarding this RFP and its calendar of events through award of the Contract. No contact shall be made with agency/program staff until contract award is announced.

DATES:

Firm Dates

RFP Issued:	January 6, 2009
Inquiry Period Begins:	January 6, 2009
Pre-Proposal Conference	January 22, 2009 at 1:00 p.m.
* Inquiry Period Ends:	March 4, 2009 at 8:00 a.m.
* Proposal Due Date:	March 18, 2009 by 1:00 p.m.
Testing to commence (no later than):	January 1, 2010

Estimated Dates

Contract Award Notification:	April 14, 2009 or later
Issuance of Purchase Order:	July, 2009 (or upon budget approval)

NOTE: These dates are subject to change.

There are references in this RFP to the Proposal due date. Prospective Offerors must assume, unless it is clearly stated to the contrary, that any such reference means the date and time (Columbus, OH local time) that the Proposals are due. Proposals received after 1:00 P.M. on the due date will not be evaluated.

PRE-PROPOSAL CONFERENCE. A pre-proposal conference will be held on Thursday, January 22, 2009 at 1:00 PM to 4:00 PM in the Buckeye Room, of the Department of Administrative Services, 4200 Surface Road, Columbus, OH 43228. The purpose of this conference is to discuss the RFP and Project with prospective Offerors and to allow them to ask questions arising from their initial review of this RFP. We ask that each question be provided in writing at the meeting for transcription accuracy. Index cards will be provided at the conference to write the question(s). Attendance at the Pre-Proposal Conference is not a prerequisite to submitting a Proposal. The State will answer questions as best as possible. We reserve the right to take questions under advisement and respond through the inquiry process. Offerors are responsible for any and all information exchanged at the conference or via the Internet inquiry process.

To facilitate access to this site, please provide the names, organization and telephone numbers of representatives that will attend the pre-proposal conference and send this information to: Janice L. Fitzpatrick, Ohio Department of Administrative Services, no later than 4:00 PM, January 14, 2009 by email to: Janice.fitzpatrick@das.state.oh.us or fax 1-614-644-1785.

* To indicate change to the Inquiry Period to end March 4, 2009 at 8:00 AM; and extend the Proposal Due Date to March 18, 2009, 1:00 PM.

- * The Offeror must at least have an option to purchase the emission credits. The Proposal must include information regarding the emission credits that will be obtained if the Contract is awarded. If the emission credits come from a stationary source, the proposal must clearly identify facility, premise number, source ID, quantity of the reduction by pollutant by source and the year from which the credits are being obtained. The Offeror must demonstrate within the Proposal that they will be able to obtain the emission credits within thirty (30) days of finalizing the Contract and/or the issuance of a purchase order, whichever comes later. Failure to obtain the emission credits within thirty (30) days of finalizing the Contract and/or the purchase order will result in the Contract being cancelled.
- * Offerors are not required to use stationary source emission reduction credits to meet the acceptable additional program requirements stated on pages 3 and 20 of the RFP. Ohio EPA is providing that option to increase the flexibility of potential Offerors to provide alternative programs. As further stated on pages 3 and 20, the alternative program must allow Ohio EPA to achieve ozone precursors emission reductions sufficient to allow Ohio EPA to obtain U.S. EPA approval of its overall ozone SIP designed to reduce ozone concentrations. To that end, in order for Ohio EPA to evaluate whether the stationary source emission reductions are credible the Offeror must provide Ohio EPA the specific, required information regarding stationary source emission reduction credits (ERCs) in their proposal to show they have the ability to meet the requirements of the RFP (if the Offeror is choosing this option).
- * Ohio EPA cannot objectively review and accept a proposal without having required information regarding stationary source ERCs. This information includes: facility name, premise number, source ID, quantity of reduction by pollutant by source, and the date of the permanent reduction.
- * Ohio EPA has no control over the number of ERCs that are available at any time in an area. Furthermore, Ohio EPA has no control in deciding whether a stationary source would want to sell any available ERCs. If a concern exists about the solvency of the entity from which the emission credits will be generated, it is in the best interest of the Offeror to ensure that any option to purchase emission reduction credits protects the Offeror during the RFP process.
- * Ohio EPA does not view emission reduction credits as short lived. Ohio EPA anticipates that if legitimate, verified emission reduction credits are utilized, the ERCs will be valid throughout the life of the contract.
- * Ohio EPA is willing to accept a proposal that identifies information for the stationary source emission reductions within the proposal. Emission reductions may be in the form of ERCs, a facility shutdown, or additional control equipment purchased for and installed by a stationary source within the region. The Offeror must obtain and provide to the state a copy of the option to purchase the emission reductions, facility or equipment within 30 days of receiving a purchase order from the state of Ohio. The Offeror must purchase the ERCs, facility or equipment no later than 60 days before the projected start of vehicle testing as identified in the Offeror's proposal. If a review of the proposed emission reduction credits does not provide the necessary reductions or does not provide verifiable reductions along with all of the information necessary for Ohio EPA to confirm that the emission reductions are creditable for purposes of SIP credit, the contract will be voidable at the option of the State, and/or subject to other sanctions for nonperformance. Failure to obtain the option to purchase ERCs or to finalize the purchase of ERCs by the deadline specified above will result in the contract being voidable at the option of the state, and/or subject to other sanctions for nonperformance.

General Design of Inspection Network.

1. The Offeror shall:
 - a. Operate a network of inspection locations
 - b. Provide a sufficient number of facilities and lanes or bays that will be adequate to conduct inspections on all the vehicles subject to the motor vehicle inspection and maintenance program; "Lanes" are, with regard to testing areas, areas in which a vehicle enters the testing area by "driving forward through an entrance and then exits the testing area by driving forward through a separate exit. "Bays" are testing areas where the vehicle enters and exits through the same opening by reversing direction.
 - c. Meet the requirements for the waiting times discussed in this division.
2. Network design should take into account the number and location of vehicle owners that have been exempt from emissions inspections by statute or regulation and the fact that the Ohio's vehicle registration program is administered on a birthday staggered basis, i.e. approximately one-three-hundred sixty-fifths (1/365) of the registrations are due for renewal in any single day. These initial inspections will not include motor vehicles four years old or newer as defined in Section 3704.14 of the Revised Code.

- * To indicate clarifications to stationary source emission credits.

11. The contract governing the motor vehicle inspection and maintenance program that expires June 30, 2009, requires the current contractor to convey one or more of its buildings and land sites listed in Appendix C, and the equipment contained thereon (23 Test Stations or any portion of number of stations thereof) to the new Contractor for the book value of each building and land site and equipment listed in Appendix D, and as listed by address in Appendix C. In preparing their Proposals, and as an alternative to building or leasing new facilities, Offerors may consider purchasing these buildings and land sites and equipment at the listed costs from the prior Contractor. The agreement for land, buildings, and equipment only covers the sites listed in Appendix D, and does not include any adjoining parcels. The equipment requirement only pertains to on-site equipment, and does not include proprietary systems software.
12. The Contractor shall not engage in the business of operating, or be connected directly or indirectly in any way to a deputy registrar service licensed by the state of Ohio Department of Public Safety, Bureau of Motor Vehicles.
13. In a centralized test network, the Contractor shall not engage in the motor vehicle-related repair businesses, except that a Contractor may engage in vehicle testing and repair equipment fabrication and sales. In a hybrid or decentralized test network, the Offeror may subcontract with a private business that engages in motor-vehicle related repair business.

* Station Hours of Operation

1. The Offeror's test stations shall operate fifty-five (55) hours per week, 52 weeks a year, except as extended per holiday schedule. An Offeror shall propose at least six (6) days of operation per week, with daily hours of operation occurring at sometime between 7:00 a.m. and 8:00 p.m. Proposed hours should consider public convenience and overall cost effectiveness. Hours of operation shall be posted
2. Changes in the operating schedule must be approved by Ohio EPA. Ohio EPA reserves the right to modify any or all facility operating hours based on facility utilization or public convenience. Ohio EPA shall give the Offeror thirty (30) days written notice prior to any change in the facility operations schedule.

Holiday Schedule and Station Closure.

The Offeror may propose to have test stations closed on any or all of the following holidays:

NEW YEAR'S DAY
MARTIN LUTHER KING DAY
PRESIDENT'S DAY
MEMORIAL DAY
INDEPENDENCE DAY
LABOR DAY
COLUMBUS DAY
VETERAN'S DAY
THANKSGIVING DAY
CHRISTMAS DAY

No later than December 1 of each calendar year the Offeror shall provide a holiday schedule to Ohio EPA. The parties shall agree in advance to the holiday schedule. Changes to the above schedule may be made only with the prior approval of Ohio EPA.

The Contractor in its sole discretion may close any station or any lane in the event the Contractor determines that continued operation of such station or lane presents a health or safety hazard to the Contractor's employees or to the public. Ohio EPA must be notified within one hour of such closing.

Implementation Plan. An Offeror must submit an implementation plan and timetable for its motor vehicle inspection and maintenance program. This plan shall consist of the following:

1. Plan for locating, selecting and, if necessary, acquiring sites in the zone.
2. How the site inspections will be satisfied.
3. If necessary, a schedule for completing site acquisition that meets the requirements of the RFP.

* To indicate addition of station hours inadvertently left out of the RFP.

- b. A "p" character shall be entered in each position for which a test was performed and the result was a "pass."
- c. An "F" character shall be entered in each position for which a test was performed and the result was a "fail."
- d. An "N" character shall be entered in each position for which a code is not applicable.

12. Overall Pass/Fail Decision

This field consists of four (4) characters. The value in this field depends on a series of contingencies, which vary as a function of vehicle class and model year. The contingencies are as follows:

- a. For gasoline powered vehicles subject to the inspection requirements:
 - (i) A "P" shall be placed in this field if the vehicle passes the on-board diagnostics system, the idle test (50th HC and CO), the loaded mode test or the ASM test (both HC and CO), the gas cap pressure test and the tampering test.
 - (ii) A "fail" shall be placed in this field if the vehicle fails the idle test, the loaded mode test or ASM test, the gas cap pressure test or the tampering test.
- b. For diesel powered vehicles subject to the inspection requirements:
 - (i) A "P" shall be placed in this field if the vehicle passes the opacity test.
 - (ii) A "F" shall be placed in this field if the vehicle fails the opacity test.

13. Certificate Status Code

This field consists of one (1) character and shall contain a status code indicating the type of certificate issued as a result of the inspection.

- * "A"- "C" means Certificate of Compliance
- "N"-means Certificate of Noncompliance
- "E" -means Certificate of Permanent Exemption
- "W" -means Certificate of Waiver
- "H" -means Certificate of Hardship Extension
- "X" -means Certificate of Extension
- "B"-means Certificate of Extension Compliance

Only the station manager, assistant manager, and Ohio EPA auditors shall have security access to issue a certificate of waiver.

The certificate identification number shall be automatically entered into the OBMV database field (see paragraph 8.16 of this Section) if the status code field contains "C", "E" or "W".

- a. If the value in the overall pass/fail decision field for initial inspections or reinspection is a "P", then a "C" shall be entered in this field and "COMPLIANCE" shall be printed on the certificate portion of VIR. If the value in the overall pass/fail decision field is an "F", then a "N" shall be entered in this field and "-NON-COMPLIANCE" shall be printed continuously on half of the certificate portion of the VIR, and the CAA 207(8) warranty message printed on the other half. If the value "E" is entered in this field, the "PERM EXEMPT" shall be printed on the certificate portion of the VIR. If the value "W" is entered in this field, then "WAIVER" shall be printed on the certificate portion of the VIR. If the value "X" is entered into this field, then "EXTENSION" shall be printed on the certificate portion of the VIR. If the value "H" is entered in this field then "HARDSHIP EXTENSION" shall be printed on the certificate portion of the VIR.

* To indicate a correction to the compliance code from "A" to "C"