

ADDENDUM 2, RFP 452-9-1164, 8/18/2009

Questions received from the public on RFP 452-9-1164

Q1. What is the projected budget for the work?

A1. The Request for Offers is a competitive bid and so the project budget will not be disclosed. Bidders are encouraged to submit offers that provide best value to the agency.

Q2. Can you provide the list of expected deliverables by the Texas Department of Licensing & Regulation every 30 days?

Q2. Deliverables are offer- specific and vendors are encouraged to closely match offer to the requested services.

Q3. Will we have access to involuntary towing charges as required by Peace Officers?

A3. The Selected Vendor will have access to the towing fees on file with the agency.

Q4. If surveys are required is there a boilerplate set of questions that have already been compiled, or will Texas Department of Licensing & Regulation work with us to compile them?

A4. The Request for Offers requires Vendors to identify TDLR resources required to complete the requested services.

Q5. Will all information be provided for the 1221 towing companies licensed by TDLR?

A5. The Selected Vendor will have access to the towing fees on file with the agency.

Q6. Will complaints and Lawsuit information be available that promulgated the need for this legislative study?

A6. The Request for Offers requires Vendors to identify TDLR resources required to complete the requested services.

Q7. If after review of the resources that TDLR staff supply for filed tow fee schedules it is determined that additional information is needed to perform comprehensive studies in support of HB2571 that may not be readily available from a survey, will resources be made available to obtain needed information in person?

A7. Section 3 says that: TDLR Staff in its sole discretion will work with the Selected Consultant to collect data and other information related to the tasks identified in the approved work plan

Q8. Can towing companies be compelled to respond?

A8. Yes, TDLR has the power to compel responses. However, the time required to compel responses may exceed that time available to complete the requested services.

Q9. If scope of work change orders occur, how are they to be handled in support of HB2571 for TDLR?

A9. Change orders must be consistent with HB 2571 and this RFP.

Q10. What is maximum amount of money that your department has available to pay for consulting services to study private property towing fees, RFP 452-9-1164, initial term?

A10. The Request for Offers is a competitive bid and so the project budget will not be disclosed. Bidders are encouraged to submit offers that provide best value to the agency.

Q11. What time and place is the question/answer session scheduled?

A11. A pre-proposal Conference will be held on August 24, 2009 at the E.O. Thompson Building, 920 Colorado Street, Austin, TX 78701 in the first floor conference room, between 9:00 AM and 11:00 AM.

Q12. Does the consultant have to have 5 years of governmental services? Is private consulting adequate?

A12. Vendor must provide a profile that describes the general nature of previous similar work performed by the Vendor, particularly work in the last five (5) years.

Q13. What is the incentive for the private towing companies to participate in fee disclosure?

A13. Tow company fees are available online and so fee disclosures are not a part of the requested services.

Q14. Is there a minimum required survey response? For example if 100% are surveyed and only 45%, is that adequate?

A14. The determination of statistically valid sampling is within the scope of the RFP.

Q15. Has the state done similar survey cost analysis methodologies that can be used as a template for this effort?

A15. TDLR has not performed a similar survey cost analysis.

Q16. Is the consultant expected to build their own infrastructure or can the consultant use existing state resources (i.e. email, database, reporting, Texas Department of Licensing and Regulation offices.)?

A16. The Request for Offers requires Vendors to identify TDLR resources required to complete the requested services.

Q17. How far back is meant by historical (5 years, 10 years?) when talking about historical and current fee structures.

A17. One year.

Q18. Is the historical data already available within the Texas Department of Licensing and Regulation?

A18. Yes.

Q19. Would the CPI be used for future towing fee schedules?

A19. Each bidder must exercise individual discretion to propose how and when to use a particular methodology.

Q20. What data does Texas Department of Licensing and Regulation currently have for all the towing companies (name, address, etc)?

A20. A5. The Selected Vendor will have access to the towing fees on file with the agency, including name, address and TDLR license number.

Q21. TDLR issued a similar RFP last year. Why is it being reissued?

A21. The previous RFP was not similar to this request and is not being reissued. This is a new project.

Q22. Is there a legal precedent for the towing companies to provide their rate schedules for private property towing?

Q22. See Texas Occupation Code, 2308.206.

Q 23. Does the agency have a preferred method of surveying: on-line, mail, phone or person-to-person? In the past, what method has produced the best results?

Q23. No.

Q 24. Does the agency expect to have difficulties in obtaining information from towing companies?

Q24. The agency has never requested information of this type from the industry and thus has no basis on which to respond to this question.

Q 25. How will TDLR be able to assist in obtaining the rate schedules if the companies are not willing to share the information with a private firm?

Q25. See Texas Occupation Code, 2308.206.

Q 26. How much TDLR staffing will be available to assist in the execution of this contract?

A26. The Request for Offers requires Vendors to identify TDLR resources required to complete the requested services. Section 3 says that: TDLR Staff in its sole discretion will work with the Selected Consultant to collect data and other information related to the tasks identified in the approved work plan.

Q 27. Have there been past bids issued by TDLR for similar services as found in this bid? If so, who were the winning contractors?

Q27. No.

Q 28. Are their contracts/proposals available for viewing? Are the proposals by the losing bidders also available?

Q28. No.

Q 29. If TDLR has not previously issued any bids for similar services, have any other states, cities or counties? If so, which ones?

Q.29. TDLR has not previously issued any bids for similar services and is not aware of any other states, cities or counties issuing similar solicitations.

Q 30. What is the total budget and which organization in the state is paying the contracting fees?

A30. The Request for Offers is a competitive bid and so the project budget will not be disclosed. Bidders are encouraged to submit offers that provide best value to the agency.

Q 31. What is the range expected for hourly rates?

A31. The Request for Offers is a competitive bid and so expected hourly rates will not be disclosed. Bidders are encouraged to submit offers that provide best value to the agency.

Q 32. Are there other states this bill or outcome has been modeled after?

A32. No.

Q 33. Are all of the following factors required and are they equally weighted or are some more critical (what weight of importance is each)?

- a. Cost of Service Questionnaires
- b. Consumer Price Index Analysis
- c. Study of Municipal Rate Studies
- d. Analysis of Consent Tow Rates
- e. Individual Cost Component Analysis
- f. Analysis of Historical and Current Fee Schedules

A33. Each bidder must exercise individual discretion to design and propose how much weight to assign study components or combinations of components.

Q 34. Does the report need to address every county and city in the state or only those now served? "Statewide there are approximately 1,221 tow companies licensed by TDLR. Approximately 786 of the licensed tow companies are located within 23 Texas counties".

A34. Each bidder must exercise individual discretion to design and propose a study methodology that results in rates consistent with HB 2571 and this RFP.

Q 35. What resources will the state provide - access to Towing experts, facilities, data, etc.?

A35. The Request for Offers requires Vendors to identify TDLR resources required to complete the requested services. Section 3 says that: TDLR Staff in its sole discretion will work with the Selected Consultant to collect data and other information related to the tasks identified in the approved work plan.

Q 36. Has an Activity-based costing project been done in the past - or any project that may provide data/reference info for this effort (and if so will the material be made available)?

A36. The Agency expects each proposal to be individualized and is therefore without a basis to determine if another study may provide data/reference info for this effort."

Q 37. Will we be able to speak directly with some of the towing companies to understand their cost drivers?

A37. Yes.

Q 38. One more question - Will we have access to other fees typically charged by towing companies, such as storage fees or after-hours fees assessed for reacquisition of towed vehicles? For example, XYZ Towing has an auto in lock-up and they charge an additional \$50 to have someone at the lot after 5 PM to release the vehicle.

A38. Vehicle storage fees and the release of vehicles is outside the scope of this RFP.