

OFFICIAL TRANSCRIPT OF THE
MARYLAND DEPARTMENT OF TRANSPORTATION
MARYLAND TRANSIT ADMINISTRATION
INVITATION FOR BID

FOR

COMMUTER BUS SERVICE LINES

CONTRACT NO. T-8000-0412-0416

May 7, 2013

10:00 A.M.

Maryland Transit Administration
6 St. Paul Street, 7th Floor Conference
Baltimore, Maryland 21202

Agency:

Nanette C. Gibson, MTA Procurement
Timothy Norris, MTA Commuter Bus
Glenn Saffran, MTA MARC Commuter Bus
Gary Brown, Office of Fair Practices

Participants:

Ron Dillon, Jr., Dillon's Bus Service
Nelson Cross, Dillon's Bus Service
Timothy Harrison, New Hope Strategic Solutions/Transit Masters
Marcy Ecklin, Blue Ridge Transportation
Charles D. Keller, Keller Transportation, Inc.
Gregg Bianchini, K. Neal International Trucks, Inc.
Chris Naemeka, Apex Petroleum

Court Reporter:
Kenneth Smith
One Stop Legal
5623 Monroe Street
Hyattsville, MD 20784
(301) 379-6607

1 MS. GIBSON: Good morning.

2 PARTICIPANTS: Good morning.

3 MS. GIBSON: My name is Nannette Gibson. I am the
4 Chief of Operations for the Maryland Transit Administration. I
5 am the Procurement Officer for this solicitation. I would like
6 to welcome you to the Pre-Bid Conference, for solicitation
7 entitled, "Commuter Bus Service Lines 610, 20, 30, 40, and 50."
8 Contract Number is T-8000-0412 through 0416.

9 I'd ask everyone to please sign in. There's a sign-in
10 sheet going around. This conference is being recorded. I'd ask
11 that you please state your name and your firm clearly. I would
12 like for the MTA staff to introduce themselves and then the
13 vendors.

14 MR. BROWN: Good morning. My name is Gary Brown. I
15 am the compliance officer with the Office of Fair Practice.

16 MR. SAFFRAN: Glenn Saffran. I'm the Deputy Director
17 from MARC and Commuter Bus.

18 MR. NORRIS: Tim Norris, Superintendent, Commuter Bus.

19 MR. DILLON: I'm Ron Dillon, Dillon's Bus Service.

20 MR. CROSS: Nelson Cross, Dillon's Bus Service.

21 MR. HARRISON: Timothy Harrison, New Hope Strategic
22 Solutions Group/Transit Masters.

23 MR. KELLER: Charlie Keller, Keller Bus.

24 MR. BIANCHINI: Gregg Bianchini, K. Neal International
25 Truck and Bus.

1 MS. GIBSON: All right. Welcome. Everyone has
2 received a copy of the Invitation For Bid. I'd like to go with
3 some key items. After I go through the key items, then I'll
4 turn the meeting over to the Project Manager to reference the
5 Scope of Work.

6 A Notice to Vendor. I call this the "No-bid notice."
7 This is a very important document if you decide not to bid. I
8 would like to know the reason for not bidding. I ask that you
9 please complete this form if you decide not to bid. The form is
10 located right after the Table of Contents in your IFB.

11 The purpose of the Invitation For Bid is for the MTA
12 to secure, through a competitive procurement process, the
13 service of a bus company or companies to operate a commuter bus
14 route between Waldorf, Maryland and Washington, D.C. That's
15 Lines 610, 620, 630, 640, and 650.

16 Line 610 requires the bus to operate a total of 26
17 daily trips. There are 13 morning and 13 evening. The MTA will
18 provide two additional buses.

19 Line 620 requires buses to operate a total of 26 trips
20 daily, 12 morning and 14 evening. The MTA will provide three
21 additional buses.

22 Line 630 requires the buses to operate a total of 16
23 daily trips. There are eight morning and eight evening. MTA
24 will provide two additional buses.

25 Line 640 requires buses to operate a total of 16 daily

1 trips, eight morning, eight evening. The MTA will not provide
2 any buses.

3 Line 650 requires buses to operate a total of 21 daily
4 trips. There are 10 morning and 11 evening. The MTA will not
5 provide any additional buses.

6 I am responsible for this solicitation. I am your
7 point of contact in all matters related to this solicitation.
8 If you have any questions or concerns, please direct them to me.
9 Any questions must be in writing. Are there any questions?

10 [There was no response.]

11 MS. GIBSON: Questions and Inquiries. Questions and
12 inquiries are due to me, in writing, by the closing date of **May**
13 **20, 2013**. Verbal responses are not binding on the MTA.

14 This is a two-step procurement. Step 1 consists of
15 submitting your technical proposals and your price bid. When
16 received, the technical proposals will be forwarded to
17 evaluation teams for review. At the completion of review, we
18 will move to the second step. If you receive your bid unopened,
19 this means that your technical proposals were deemed
20 unacceptable.

21 Step 2 is the opening of the sealed bids. This step
22 is limited to those bidders who have submitted acceptable
23 technical proposal in Step 1. Those found acceptable will be
24 notified and advised as to when the price bid will be opened.
25 Bids submitted are evaluated and the award is made according

1 with the State Procurement Regulations. And that's COMAR
2 21.05.02.

3 Bid Acceptance. The MTA reserves the right to reject
4 any and all bids in whole or part, received as a result of this
5 IFB.

6 Closing Date. One original and four copies of your
7 technical proposals and one original of your price bid in a
8 separate sealed envelope, clearly marked, are due in this office
9 no later than **2:00 p.m. on Wednesday, June the 5, 2013**. Bids
10 arrived after closing time will be rejected. Any questions?

11 [There was no response.]

12 MS. GIBSON: Bidders must submit a complete Financial
13 Statement, detailing the ability to provide, via purchase or
14 lease, the necessary vehicles or facilities; provide proof of
15 insurance, as required in section entitled, "Insurance
16 Requirements." Submit with your technical, a performance
17 guaranty, either in the form of a performance bond, a pledge of
18 U.S. Government Security, or a Letter of Credit. The amount
19 shall be ten percent (10%) of the five-year estimated value,
20 regardless of the method of performance guaranty provided.

21 Contract Duration. These contracts are for five years
22 or from the start date stated in the Notice to Proceed. If it
23 becomes necessary to revise any parts of the IFB, an addendum
24 will be posted on the MTA's website. We ask that
25 acknowledgement of receipt of all addendas should be required --

1 are required by all bidders receiving the IFB. The MTA reserves
2 the right to cancel, in part or in its entirety, according to
3 COMAR Regulations 21.06.02.

4 MBE Requirements. The MBE participation goals are
5 Line 610, six percent (6%); Line 620 is 6.3 percent (6.3%);
6 Line 630 is 6.3 percent (6.3%); Line 640 is 5.8 percent (5.8%),
7 and 650 is 5.7 percent (5.7%), with no subgoals.

8 Now I will turn the meeting over to the Office of Fair
9 Practice to go over the MBE participation and also the MBE
10 forms, which are Attachment K.

11 MR. BROWN: Thank you. Good morning again. My name
12 is Gary Brown from the Office of Fair Practice. Following the
13 information I'm going to provide to you is from the Office of
14 Fair Practice. And again, this will cover each line item that
15 was just mentioned for contract ending in 0412 through 0416.
16 There are no subgoals on this contract.

17 The following forms are part of the MBE requirement
18 for this project. MDOT MBE Form A is due at the time of bid
19 submission. If the bidder fails to accurately complete and
20 submit this Affidavit, as required, the bid shall be deemed
21 nonresponsive.

22 MBE Form A is a certified MBE Utilization and Fair
23 Solicitation Affidavit, which is your commitment and
24 understanding of the overall MBE participation goal. MDOT MBE
25 Form B is also due at the time of bid submission. If the bidder

1 fails to accurately complete and submit Part 2 and 3 with the
2 bid, as required, the bid shall be deemed nonresponsive.

3 MBE Form B is the MBE Participation Schedule, which
4 lists the certified MBE firms that you will be utilizing. It is
5 important that you engage the MBE firms as early as you engage
6 any other type of supplier or subcontractor or vendor. All MBE
7 firms listed on the MBE Form B must be certified at the time of
8 bid submission to perform the specific Scope of Work.

9 Please visit MDOT's website to access the electronic
10 MBE directory for a complete listing of certified firms. And
11 that can be found at www.mdot.maryland.gov. If you are notified
12 that you are the apparent awardee or, as requested by the
13 Procurement Officer, you must submit MDOT MBE Forms C and D
14 within ten (10) business days of receiving such notice.

15 MBE Form C is the Outreach Effort Compliance
16 Statement. MBE Form D is a Subcontractor's Project
17 Participation Statement. It is mandatory that you obtain
18 signatures on Form D from participating MBE's that are listed on
19 Form B.

20 The Sixty Percent (60%) Rule Supply Items. When
21 calculating your goals, there is a sixty percent (60%) rule for
22 supply items. You may count your entire expenditure to a
23 certified business supplier that manufactures or produce goods
24 from raw materials that are substantially altered goods before
25 resale. However, you may only count sixty percent (60%) of the

1 expenditure to a certified supplier who are not manufacturers.

2 For example, you spend \$2,500 on chemicals to clean a
3 surface of a building. In your calculations for credit, sixty
4 percent (60%) of the \$2,500 is \$1,500, which would be the amount
5 counted toward your MBE goal participation. Additionally, the
6 MBE credit suppliers may not exceed sixty percent (60%) of the
7 entire contract goal.

8 Requesting an MBE Waiver. If you believe that your
9 firm cannot achieve the established overall goal or subgoal, you
10 may have the right to request a waiver. The request should be
11 indicated in your initial bid package on the MBE Form A. The
12 waiver request must be in writing and submitting within ten (10)
13 business days following notification that your firm is the
14 apparent awardee or low bidder.

15 Your waiver request must include the following
16 documentation: Detailed statements of efforts made to select
17 portions of work proposed to be performed by certified MBE's,
18 including the work to be performed by each MBE classification,
19 if any subgoals -- which there are no subgoals -- detailed
20 statements of efforts made to contact and negotiate with
21 certified MBE's; for each certified MBE that placed a quotation
22 or offer that was not acceptable to the bidder or offeror, a
23 detailed statement of the reason for this conclusion; a list of
24 MBE's that were found to be unavailable, which shall be
25 accompanied by an Unavailability Certificate or statement from

1 the apparent successful bidder or offeror that the MBE refused
2 to give the written verification; and Number 5, if the bidder/
3 offeror requested a waiver of a subgoal, a detailed statement as
4 to the bidder or offerors' efforts to meet the overall goal with
5 other MBE classifications. And please note, your request for a
6 waiver, with all supporting documents will be reviewed by the
7 Office of Fair Practice and a determination will be provided to
8 our Procurement Officer. Are there any questions?

9 MR. DILLON: I do have a question. You had mentioned
10 it. I believe it's also in here on --

11 REPORTER: -- State your -- please state your name
12 first.

13 MR. DILLON: I'm sorry. Ron Dillon, Dillon's Bus
14 Service. You had mentioned, and it's also in the IFB on GI 5 of
15 9. It basically says, "The MBE credited supplies may not exceed
16 sixty percent (60%) of the entire contract goal." Does that
17 mean that you would have to find forty percent (40%) of a
18 service to meet the remaining MBE goal? I'm a little confused
19 on that.

20 MR. BROWN: For clarification, I believe that the
21 sixty percent (60%) rule -- you can only -- that MBE can only be
22 credited sixty percent (60%). So your question, again, I'm
23 sorry, is the forty percent --

24 MR. DILLON: -- In the beginning of that paragraph it
25 starts talking about the sixty percent (60%) credit for a

1 supplier, and it goes a little bit further and it says, "The MBE
2 credited supplies may not exceed sixty percent (60%) of the
3 entire contract goal."

4 So for example, if something has a six percent (6%)
5 requirement and I -- ten percent (10%) of my costs are spent
6 with the MBE. So sixty percent (60%) of the ten percent (10%)
7 gives me six percent (6%). Do I meet my goal or do I still have
8 to find forty percent (40%) of the contract goal --

9 MR. BROWN: No.

10 MR. DILLON: -- coming from a service or something?

11 MR. BROWN: For that one, you meet your goal.

12 MR. DILLON: Okay. Thank you.

13 MR. BROWN: Okay. And again, if I could, the forms
14 will be in the packet?

15 MS. GIBSON: Yes. It's in the packet.

16 MR. BROWN: All the forms that --

17 MS. GIBSON: -- It's Attachment E.

18 MR. BROWN: -- I stated, Attachment E.

19 MS. GIBSON: Attachment E.

20 MR. BROWN: All the forms that I was mentioning will
21 be in your packet. If you have any questions, my number is
22 (410) 767-3793.

23 MS. GIBSON: Any other questions concerning the MBE?

24 [There was no response.]

25 MS. GIBSON: Okay. Living Wage Requirements, that's

1 Attachment K. We ask that you please read the Living Wage
2 Requirements and also fill out the Affidavit agreement. If you
3 need additional information, you can visit the website, which is
4 www.dllr.state.md.us., "Living Wage." And this contract is a
5 Tier II.

6 This meeting is now open for questions related to the
7 Scope of Work. I ask that you please state your name and your
8 company clearly, for our records. I will now turn it over to
9 Glenn Saffran, the Project Manager to go over the Scope of Work.

10 MR. SAFFRAN: Okay. Glenn Saffran, MARC Commuter Bus.
11 The Scope is fairly close to the previous contracts that are
12 under -- in process right now. There has been some few minor
13 changes that we've added. We've accumulated the liquidated
14 damages in one section before where it was spelled out as it
15 went through performance. But, I mean, in general, this is --
16 I'm not going to go through the whole Scope, but it's laid out
17 there. If you've provided a service or have seen these
18 contracts before, it is very comparable to what we have.

19 In general, it runs through all the general
20 requirements of the contract, the performance, the vehicles,
21 what the route manager is responsible for. And again, we've
22 consolidated the liquidated damages. We've also incorporated a
23 daily service inspection form that's going to be required that
24 prior -- I think about noon -- either noon or 11:00 a.m. the
25 next day, you're going to have to send MTA information about the

1 morning service and the previous afternoon service if there were
2 any missed trips, trips that you didn't complete. There's a
3 whole list. That's also included in there.

4 In general, what we've done with these five contracts,
5 they exist now -- all that same amount of service or it's the
6 same locations that we serve as being taken care of under one
7 existing contract that has different parts. And they're listed
8 as the Routes 901, 906, and 907. So all the current locations
9 within Washington, within Charles County that we provide the
10 service, they're just -- this is a new series of five contracts
11 broken down, and it is, again, the same amount of stops and
12 locations. It does incorporate an additional number of trips
13 that we currently have.

14 If there is any questions about the service,
15 particularly if you're not familiar with it or you want to --
16 had any questions about that, I'll gladly answer that. But the
17 Scope is pretty much what we've been putting out and it was out
18 currently.

19 MR. DILLON: Ron Dillon, Dillon's Bus Service. Glenn,
20 I can't remember off the top of my head, will the MTA-provided
21 buses last the entire length of the contract, based on service
22 years?

23 MR. SAFFRAN: I noticed here in the Scope -- I mean,
24 we did leave it up to -- in our previous contract, we did
25 explain that the service could be retired during -- in the

1 middle if it does exceed its useful life, but we want to have
2 some flexibility within this contract.

3 If the coach that we are providing you is in good
4 working order, we'll be amenable and continue that for the
5 duration. I mean, some of them we have 68 coaches in the fleet,
6 some of them have fairly low miles, they're very well kept and,
7 you know, we don't necessarily think it's required that we turn
8 those in immediately when it hits the 12-year period.

9 MR. DILLON: Okay.

10 MR. SAFFRAN: So, but however, that a coach during
11 this contractual period that becomes, you know, not -- it's not
12 reasonable to repair or overhaul or to maintain the -- or the
13 maintenance costs are too high, it won't be replaced with an MTA
14 coach. The contractor is required to replace that with one of
15 their own spares in their fleet.

16 MR. DILLON: Thank you.

17 MS. GIBSON: No more questions?

18 [There was no response.]

19 MS. GIBSON: Okay. So please remember to submit your
20 questions to me, in writing, by **May 20th, no later than 4:00**
21 **p.m.** Your technical proposals and **bids are due on Wednesday,**
22 **June the 5th, no later than 2:00 p.m.** You deliver them here on
23 the 7th Floor, to my attention.

24 Do you have any more questions at all about anything
25 about the solicitation?

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[There was no response.]

MS. GIBSON: No? Okay. Well, I thank you for coming.

Have a great day.

Did everyone sign in on the sign in sheet?

(Meeting concluded at 10:24 a.m.)

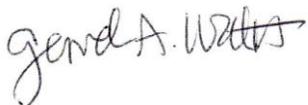
CERTIFICATE OF TRANSCRIBER

I, hereby, certify that the Maryland Department of Transportation, Maryland Transit Administration Pre-Bid Conference for Contract No. T-8000-0412 through 0416 held at 6 St. Paul Street in Baltimore, Maryland on May 7, 2013 was recorded by means of electronic sound recording.

I further certify that, to the best of my knowledge, that the foregoing pages represent a complete and accurate transcript of the electronic sound recording of the conference as transcribed by me.

I further certify that I am neither an employee of MTA or relative to any party, herein, and that I have no interest in the outcome of this solicitation and subsequent award.

In witness whereof, I have affixed my signature this 10th day of May 2013.

By: 
Gervel A. Watts
Transcriber