



REQUEST FOR PROPOSALS (RFP) FOR UNSUBSIDIZED EXPRESS BUS SERVICE ALONG DESIGNATED ROUTES BETWEEN THE BOROUGH OF MANHATTAN AND LAGUARDIA AND KENNEDY AIRPORTS IN THE BOROUGH OF QUEENS AND BETWEEN THOSE AIRPORTS

Solicitation Number: 84110MBAD507

ADDENDUM THREE

May 17, 2010

Amendments to the RFP:

The following amendments are hereby made to the RFP. Added language is underlined. Deleted language is marked with a ~~strikethrough~~.

Section II – Scope of Services

The fourth paragraph is hereby amended to read as follows:

The Franchisee will be responsible for providing safe, timely, clean, comfortable and courteous service to passengers, and transporting their baggage, during all hours of service specified below, between bus stop locations on City streets designated by the Department and locations at the airports designated by the Port Authority of New York and New Jersey (the “Port Authority”). It shall be the Franchisee’s sole responsibility to seek and obtain from the Port Authority any authorizations necessary to operate this service within the airports and to meet all Port Authority requirements. The Department has been advised by the Port Authority that it intends to charge a fee equal to 5% of gross receipts on all business departing the airports and 25% of advertising revenue for the authorization to operate the Bus Service within the airports. Failure by the Franchisee to obtain and maintain permission to operate within the airports shall be grounds for termination of the Franchise Contract. For questions regarding Port Authority requirements, proposers should contact Anthony Callender at the Port Authority, by phone at 212.435.3796 or by email at acallend@panynj.gov.

Section III – Scope of Services

Equipment and Vehicle Standards

NYC Department of Transportation

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The first paragraph is hereby amended to read as follows:

All vehicles used to provide service under the Franchise shall be compliant with the Americans with Disabilities Act and meet the highest standards of safety, reliability, baggage capacity, and sustainability (fuels and emissions). All vehicles shall have interior luggage racks. All vehicles shall have a seating capacity of not less than ~~twenty-five (25)~~ twenty-one (21) passengers, including the driver. (Proposers are advised that the Port Authority currently requires a seating capacity of not less than twenty-five (25) passengers, including the driver.) Underbody storage of luggage is preferred, although in-vehicle luggage racks may be substituted for a small number of seats, subject to Department and Port Authority approval. All buses shall be alternative fuel vehicles or be equipped with the best available after-treatment technology to reduce particulate emissions. After-treatment technology shall be subject to Department review and approval.

Answers to Questions Asked at the Pre-proposal Conference on April 12, 2010:

1. **Question:** Request for relevant DOT email address:
Answer: All email correspondence intended for this RFP should be sent to: franchises@dot.nyc.gov.
2. **Question:** The RFP refers to a “non-exclusive franchise.” Can you clarify?
Answer: See Addendum One.
3. **Question:** What are the current fares? What is the process for changes in fares?
Answer: See Addendum One.
4. **Question:** RFP Section IV – Revenue and Compensation, Compensation to the City, states “The Franchisee will be required to submit reports at such times and in a format and manner to be determined by the Department detailing Gross Revenue and ridership and, at the end of each operating year, a detailed income and expense statement for the past year’s operation.” Please provide a copy of a ridership and revenue report submitted by the current franchisee.
Answer: See Addendum One for reports submitted by the current franchisee. Proposers are advised that the requirements of the franchise to be awarded through the RFP may not be the same as those under the current franchise.
5. **Question:** What is the purpose of the requirement in Exhibit B of the RFP, General Contract Provisions, that the Franchisee maintain an office in New York City?
Answer: The City Council Authorizing Resolution for the franchise (RFP Exhibit A) requires that the Franchisee maintain an office in New York City. The office may

be used to allow City officials to examine or audit books and records, for service or delivery of legal and other notices, or other purposes.

6. **Question:** Can you describe point of sales procedure currently being performed? How might you want it to be done differently?

Answer: The current franchisee makes tickets available for purchase by credit card via the Internet, by cash from the bus drivers, and by cash or credit card from a storefront near the Grand Central Station bus stop.

The RFP requires proposers to submit a plan and schedule for the implementation of automated fare collection by credit and debit card. Such plan should show implementation within five years of the beginning of the term of the franchise. Since many of the users of this service are tourists, earlier implementation is encouraged. Hand-held scanners allowing drivers to sell tickets on buses and other technology may be used to provide automated collection subject to review and approval by DOT.

Sale of tickets at the airports and at the Port Authority Bus Terminal is subject to the approval of the Port Authority of New York and New Jersey ("Port Authority"). See the amendment above for contact information.

7. **Question:** When do you anticipate that service will be able to start?

Answer: Please refer to Section I of the RFP, Basic Information and Timetable, regarding Contract Start Date. Please refer to RFP Section VII, General Information, regarding the steps between the evaluation of proposals and the award of a Franchise, in particular: K. Supplemental Information, Presentations, and Demonstrations; L. Negotiations, Best and Final Offers; N. Franchise Contract Award; and O. Determination of Proposer Responsibility.

8. **Question:** What percentage of the reported gross revenue is derived from advertising? Can we receive the advertising revenues for the three year period 2007-2009?

Answer: Please see the chart below:

Calendar Year	Reported Gross Revenue	Advertising Revenue
2009	\$11,031,830.67	\$206,000.00
2008	\$10,583,626.50	\$199,172.50
2007	\$10,996,303.50	\$71,500.00

9. **Question:** Please provide a breakdown of current ridership by time of day.

Answer: DOT does not have this information.

10. **Question:** The RFP mentions City Environmental Quality Review (“CEQR”) and the Uniform Land Use Review Procedure (“ULURP”). In what cases would these apply?
Answer: See Addendum One.
11. **Question:** How long will the current franchisee be allowed to operate?
Answer: The current franchise will expire on June 30, 2010, but DOT has sought authorization to extend it until June 30, 2011, with the provision that DOT may terminate the extension at any time prior to that date. DOT will set a date for termination of the current franchise once the new franchise contract is registered with the Comptroller.
12. **Question:** Will the Franchisee be allowed to operate lower capacity vehicles during times of day when ridership is low?
Answer: Please see the above amendment to the RFP.
13. **Question:** Do you require new vehicles?
Answer: DOT does not require 2010 vehicles but all buses must comply with the requirements set forth in RFP Section III – Scope of Services, Equipment and Vehicle Standards, as amended. Proposers are advised that the age of the buses, a replacement schedule, and the extent to which the vehicles meet standards of safety, reliability, sustainability, and baggage capacity will be considered in the evaluation of proposals.
14. **Question:** You mention in the RFP that a current schedule of service must be made available online. Who is required to provide the online service schedule, DOT or the Franchisee?
Answer: The Franchisee will be required to post the service schedule online, after it has been approved by DOT.
15. **Question:** Is the current bus lead time 30 minutes? Could a change be proposed to the schedule?
Answer: The current airport bus schedule is listed online at: <http://www.nyairportservice.com/>. Per the RFP, each proposal shall include a detailed schedule of service on each route, which may or may not be the same as the current franchisee’s schedule. The initial schedule of service and any subsequent changes will be subject to City approval. Please refer to Addendum One, “Routes, Schedules and Equipment,” for information about other possible reviews of significant increases in the schedule of service.
16. **Question:** Will the Franchisee have access to the current ticketing office near the Grand Central Station bus stop?
Answer: See Addendum One.

17. **Question:** Will the City consider awarding to multiple franchisees to serve different sections of the routes?
Answer: See Addendum One.
18. **Question:** Is it correct that, according to the RFP, the Franchisee is responsible for cleanliness at the bus stops?
Answer: DOT has been made aware of community concerns regarding litter generated by passengers queuing at bus stops for this service. The Franchisee will be responsible for monitoring and removing litter around the designated bus stops on City streets.
19. **Question:** Who is on the evaluation/selection committee?
Answer: See RFP Section VI – Proposal Evaluation and Contract Award Procedures.
20. **Question:** Is the Franchisee required to operate a certain minimum number of vehicles? How many vehicles are being used currently and is that number required?
Answer: RFP Section III – Scope of Services, Equipment and Vehicle Standards, requires a minimum of 25 vehicles to provide the service, a minimum of 20 of which must be operated in the course of day-to-day operations. The operations of the current franchisee should not be used as a basis for responding to the RFP.
21. **Question:** Is there a requirement that all vehicles be wheelchair accessible?
Answer: All vehicles must be compliant with the Americans with Disabilities Act, as stated in RFP Section III – Scope of Services, Equipment and Vehicle Standards.
22. **Question:** What are the specifications/standards for luggage capacity, exterior or interior?
Answer: The specifications/standards for luggage capacity are outlined in RFP Section III – Scope of Services, Equipment and Vehicle Standards (p. 8). Proposers should determine how much baggage storage space will be required to serve their passengers.
23. **Question:** Is there a final date for submission of questions?
Answer: As stated in the RFP (Section I – Basic Information and Timetable, under Authorized Department Contact), DOT cannot ensure a response to inquiries received less than 10 calendar days prior to the Proposal Due Date.
24. **Question:** Will the Franchisee be allowed to charge a baggage fee? Must the luggage fee plus the fare be within the uniform maximum fare of \$18.00?
Answer: The Franchisee will be permitted to charge a fee for baggage. However, the total amount paid by any one passenger, including any baggage fees, may not

exceed the uniform maximum fare. Proposals should explain the proposer's plans for baggage fees, if any.

25. **Question:** Is there anything that the Port Authority requires or requests for its employees? Can we propose an employee fare specifically for Port Authority or airline employees?

Answer: As stated in Section IV – Revenue and Compensations, Fares , “The proposed fare structure may include reduced fares for special populations, including seniors, people with disabilities, children, and students, and other fare programs, such as frequent-rider rates, that the proposer believes will best serve its customers.” Proposers may propose reduced fares for Port Authority or airline employees, which, like the entire fare structure, will be subject to the approval of DOT. The Port Authority representative at the meeting stated that the Port Authority would not reduce its fees for entering the airports or provide a subsidy for discounted fares for its employees.

26. **Question:** Will the Franchisee need approval from both DOT and Port Authority? Will the Franchisee be required to pay a fee to Port Authority?

Answer: See RFP Section II – Summary, 4th paragraph. DOT cannot guarantee that the proposer selected through the RFP will be able to obtain Port Authority approval to enter the airports.

27. **Question:** Will the Franchisee be allowed to transport packages or luggage not associated with a passenger and charge a fee for this service?

Answer: No, the Franchisee will not be allowed to transport packages or luggage not associated with a passenger. In accordance with the Authorizing Resolution, the purpose of the franchise is to provide service to passengers.

Except as modified herein and in previous addenda, all terms and conditions of the RFP are unchanged and remain in full force and effect.