

Tuxedo Union Free School District  
1 Tornado Drive  
Tuxedo Park, New York 10987

# Addendum No. 1

Attached please find Addendum No. 1 to the Transportation Specifications for the Tuxedo Union Free School District, who has a Bid opening date of December 15, 2020. Your firm was either in attendance at the pre-Bid conference or has previously received specifications. This Addendum is six (6) pages (including this cover page).

**Please acknowledge your receipt of this Addendum by signing this cover memo in the space provided below and submitting this acknowledgement with your Bid document on December 15, 2020.**

We look forward to your participation in this contracting opportunity.

ACKNOWLEDGMENT:

Addendum No. 1 was received:

PRINT DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

PRINT TITLE: \_\_\_\_\_

PRINT COMPANY: \_\_\_\_\_

**Tuxedo Union Free School District  
1 Tornado Drive  
Tuxedo Park, New York 10987**

**ADDENDUM TO THE SPECIFICATIONS AND BID FORMS FOR STUDENT TRANSPORTATION  
BID DUE DECEMBER 15, 2020**

**ADDENDUM No. 1**

December 8, 2020

Pursuant to the terms of the Transportation Specifications issued by the Tuxedo Union Free School District with a Bid opening date of December 15, 2020, this Addendum will clarify or modify certain identified aspects of the Specifications. This Addendum is made a part of the contract and is enforceable under the same terms and conditions as the original Specifications.

Whenever a page number, section or appendix is referred to in the following modifications/clarifications, the page, section or appendix refers to the Transportation Specifications as issued by the Tuxedo Union Free School District as described above. In locations where paragraph numbers are identified, they are identified utilizing the paragraph symbol (§) and the paragraph number refers to the full paragraphs on the designated page (not carry-over paragraphs from the previous page).

The following addendum is added to the Bid specifications:

In addition to representatives from the Tuxedo School District and Transportation Advisory Services, representatives from the following school bus Contractors were present at the Pre-Bid meeting on Tuesday, December 8, 2020:

Contractor

1. Orange County Transit/East End Bus Lines
2. Rolling V Bus Company
3. Student Bus Company
4. Total Transportation/MAT Bus Corp.
5. The Trans Group/Chestnut Ridge Transportation
6. VW Trans/Visconti Bus Service and West Point Tours

Prospective Bidders and others who wish to view the Bid opening on Tuesday, December 15<sup>th</sup>, at 10:30 am are to contact Louis Boffardi via email ([LBoffardi@TransportationConsultants.com](mailto:LBoffardi@TransportationConsultants.com)) of **TAS** and inform him of their interest. Provide you name, Company name, and email address. Contact is to be made prior to 1:00 pm on Monday afternoon, December 14<sup>th</sup>.

The following questions were asked as part of the pre-Bid meeting on Tuesday, December 8<sup>th</sup>.

Ques. 1: Who will be responsible for Workers' Compensation claims for any injuries sustained by the four (4) School District employees while they are driving Contractor owned buses for the School District?

Ans. 1: Since the four (4) drivers are School District employees, Workers' Compensation insurance is, and will continue to be, provided by the School District.

Ques. 2: Is there a time frame or a lease in place between the School District and the Town for the use of the lot on which the buses can be parked?

Ans.: 2: Presently, there is no formal written agreement between the School District and the Town on the use of the lot. The intent is to formalize an agreement for the use of the lot and to include in the agreement the School District's allowance of a third party (a school bus Contractor) to use the lot for the operation of the School District's transportation program.

Ques. 3: Will the School District pay for the fixed costs of the Contractor if schools are closed due to COVID-19?

Ans. 3: In Item No. 10 of the Instructions to Bidders (page 5 of the Bid specifications), the School District says that it "may provide negotiated amounts of payment for any fixed cost portion of the Home-to-School student transportation services Contract . . ."

The intent is to provide some negotiated payment to the Contractor for fixed costs if schools are closed due to COVID-19.

Ques. 4: Can the School District define fixed costs?

Ans. 4: Yes, it can. What is to be included for any payments to the Contractor will be part of the negotiations stated above between the School District and the Contractor.

Ques. 5: Has the School District provided any student transportation services this school year?

Ans. 5: The School District operated a fully remote instructional program until the end of October. Beginning in November, and until the end of the Thanksgiving recess, the School District provided a full in-person instructional program. Presently, and until January 19, 2021, the School District is back to operating a remote instructional program. However, the School District has provided transportation to private/parochial schools and special education locations since September unless the receiving school closed for a period of time due to COVID-19.

Ques. 6: Are mid-day routes to be included in the four live hour guarantee of payment?

Ans. 6: The answer given at the pre-Bid meeting was incorrect. Stated was that they are part of the four live hour guarantee. Item 3.2.3 on page 25 of the Bid specifications states that the four (4) live hour guarantee of payment is for the total of the AM and/or the PM daily live hours. Mid-day routes will be considered as operating at a minimum of one (1) daily live hour. Payment for the mid-day routes will be at the Excess Live Hourly rate with live hours after the guaranteed one (1) hour being in 15-minute increments rounded to the nearest quarter hour with the division at the quarter-hour, the half-hour, or the three-quarter hour point.

Presently, there are no mid-day routes.

There is a route that transports students in the morning to the Orange-Ulster BOCES Career and Technical Education Center in Goshen. The bus lays-over at the site and then transports the students back to Tuxedo High School. Payment will be for the route time and the layover time.

Ques. 7: Are the drivers who are part-time included in the collective bargaining agreement with the School District?

Ans. 7: Although they are eligible for membership in the bargaining unit, they are not members.

Ques. 8: What benefits do they part-time drivers receive?

Ans. 8: Payment is only their hour rate plus payroll taxes such as the employer contribution to FICA and disability coverage. Although they are eligible for membership in the New York State Employees Retirement System (ERS), they are not members.

Ques. 9: What are the hours of pay for the part-time drivers?

Ans. 9: The hours are from 7:00 to 9:00 am and from 2:00 to 4:00 pm – four (4) hours in total. Some drivers who drive some routes for private/parochial school students and/or special education students work five (5) and five-and-a-half (5½) hours. They are paid for this additional time.

Ques. 10: For how long is the Contractor's commitment to be to the four (4) full-time employees who are School District employees and school bus drivers?

Ans. 10: The committed to them is to be for as long as they remain employees of the School District.

The following additional questions were received by email after the pre-Bid meeting:

Ques. 11: Can the prospective Bidders receive copies of the current routes – with times of pick-up and drop-off?

Ans. 11: A copy of the in-School District routes is available on the School District's website.

Ques. 12: Can the prospective Bidders get a copy of the bell schedules to each of the schools in this Bid?

Ans. 12: The start/end time of the School District's school is in Appendix A of the Bid specifications. Whatever the School District has in terms of calendars and school start/end times for private/parochial schools and special education locations will be shared with the successful Bidder following the award by the Board of Education. However, please note that Item 8.10.8 on pages 71 and 72 of the Bid specifications states in the third paragraph of this item (page 72) that "It is the responsibility of the Contractor to secure the calendars, to be knowledgeable of the start/end times, and the drop-off/pick-up locations of the non-public schools as well as the special education and homeless student instructional locations."

Ques. 13: Is it the Tuxedo Board of Education's intention to allow the Contractor to operate from the current District parking lot (Warwick Brook Road) for all four-and-a-half (4.5) years of the contract without charge? If so, what does 8.8.3.3 refer to when it mentions "facility" signed leased on page 65? What insurance requirements are needed? Are there environmental issues on the existing lot? Whose Workers' Compensation policy is in effect for the lot?

Ans. 13: As stated in the Bid specifications and at the pre-Bid meeting, the lot on Warwick Brook Road is the property of the Town, but it has been used by the School District through what appears to be an informal agreement with the Town. It is the School District's intention to have the Town allow the Contractor to use the lot as part of the operation the School District's transportation program for as long as the Contractor is providing the School District's student transportation service. A third-party use through a formalized agreement with the Town will be established.

Item 8.8.3.3 on page 65 of the Bid specifications is a follow-up of Item 8.8.3.2 on page 64. It deals with the Contractor having a facility to repair/maintain the buses used for the School District as well as to park any buses used for the School District. The use of the lot on Warwick Brook Road is not a requirement. A Contractor may wish to use its own nearby facility for parking or secure another lot.

Information on any insurance requirements for the use of the lot will be provided in a subsequent document.

To the School District's knowledge, there are no environmental issues that are affecting the use of the lot.

With the exception of the four (4) School District employees who may be driving school buses owned by the Contractor, all other people using the lot would be the Contractor's employees. Therefore, these people would be covered by the Contractor's Workers' Compensation insurance policy. Any Town employees coming onto the lot to use the fuel tanks would be covered by the Town's Workers' Compensation insurance.

Ques. 14: Is the fueling facility on Warwick Brook Road available to the successful Bidder? Do we need insurance, hold harmless type lease, or paperwork?

Ans. 14: As stated in Item 8.8.4.1. (the second paragraph on page 66), the fueling facility on Warwick Brook Road is available to the successful Bidder. The insurance requirements, if any, for fueling, is part of the discussion between the School District and the Town and will be provided in a subsequent document.

Ques. 15: A COVID-19 related paragraph suggests that a bus MUST be taken out of service for 24 hours if there is exposure, what happens if it happens to two or three vehicles simultaneously?

Ans. 15: Pages 91 to 93 of the Bid specifications (Appendix B) deals with the protocols for the transportation of students during the COVID-19 Crisis. A sentence on page 92 states that if a student bus rider becomes ill with COVID-19, the bus is to be taken out of service and disinfected following CDC guidelines. The intent is to have the bus thoroughly disinfected through a substantial cleaning of all portions of the bus in order to provide for the health and the safety of student passengers and adults who ride the bus. This takes time and 24 hours is the projected time needed to accomplish the level of cleaning/disinfection the School District feels is minimally required and for any inspection of the cleaning the School District may undertake.

If two or three students on separate buses become infected with COVID-19 simultaneously, then the two or three buses will have to be taken out of service simultaneously and cleaned/disinfected thoroughly.

Ques. 16: Page 57 says the Bidder needs to have five (5) substitute drivers and two (2) substitute monitors for 11 vehicles. Is this correct?

Ans. 16: This is correct. Item 8.8.1.13 says the above. The substitute drivers and substitute attendant/monitors for an 11-bus operation should be much less. Two (2) substitute drivers and one (1) substitute attendant/monitor are more realistic and appropriate.

Ques. 17: What are the full-time employee benefits in relation to sick days, vacation days, and personal days?

Ans. 18: For each year of employment, full-time support staff employees receive 11 paid School District holidays, 13 sick days, and three (3) personal days. These four (4) employees receive no vacation days since they are 10-month employees.

Additional questions following the above series of questions was received.

Ques. 19: Is it was possible for a prospective Bidder to interview the potential part-time drivers to gauge interest before the Bid opening.

Ans. 19: During their non-working time, the part-time drivers are free to seek other employment and/or to be interviewed by any prospective employer. However, the School District is not going to make these arrangements or participate in any structure for interviews by any prospective Bidder prior to any award to a Bidder. To be fair, it would have to provide a similar opportunity and to make similar arrangements to all other potential Bidders. The part-time drivers are aware that there will be employment opportunities with the school bus Contractor following the award by the Board of Education. Contacts at that time is what is commonly done and is more appropriate.

Ques. 20: The Bid specifications seem to imply that the buses must say Tuxedo School District on them. Is this correct? Also, if a Contractor operates from School District's controlled property, does that trigger any aspect of a collective bargaining with the union?

If a Contractor wishes to utilize the District's full-time employees, but from our depot, would they have time to get to our depot and back within the two-hour AM and PM schedule?

Ans. 20: Yes, the Bid specifications state in Item 8.8.2.5 on page 63 that the name of the School District (TUXEDO UNION FREE SCHOOL DISTRICT) is to be on the side of the bus. That is the School District's wishes.

If the Contractor operates from the School District's controlled property, it does not trigger any aspect of a collective bargaining with the union.

The time it takes the four (4) full-time School District employees to get back and forth to/from the Contractor's depot is subject to the location of the depot and the location from where they are starting and/or to where they have to go at the end of their bus driving responsibilities. The time it takes them to get to/from the depot shouldn't matter to the Contractor. Any time for payment is being paid by the School District.