

ADDENDUM NO. 2

DATE: November 15, 2024

TO: All Potential Proposers

FROM: Penny Owens, Purchasing Agent, City of Knoxville

SUBJECT: Addendum No. 2 – RFP Automated Traffic Camera Enforcement

PROPOSAL DUE DATE: November 21, 2024** at 11:00:00 am (Eastern)

This addendum is published to respond to questions and provide clarification regarding the above referenced RFP. This addendum becomes a part of the contract documents and modifies the original specifications as noted below.

CLARIFICATION #1 - Postponement of Proposal Due Date: The due date for proposals is hereby postponed until **December 3, 2024 at 11:00:00 am (Eastern)** allowing time to complete responses to all questions with Addendum No. 3 to be issued.

CLARIFICATION #2 – Postponement of Question Deadline: The due date for questions is hereby postponed until November 21, 2024.

CLARIFICATION #3 – Addition of Section to Contract Requirements: Section 6.24 is hereby added, as follows. **6.24 Changes in State Law.** The Contractor shall agree the contract and any subsequent contract renewals will conform to any changes in state law in accordance with T.C.A. § 55-8-198(n).

Question #1: Will the City consider a reasonable cap/limit of liability? The language as written, appears to offer unlimited liability meaning the City expects the vendor to indemnify the City against all losses even if those losses exceed the value of the contract.

Response: The required indemnification language listed in the RFP is the City’s standard requirement that the winning proposer is expected to sign. While you may take exceptions to the language in your response (on the provided form), exceptions that the City cannot except may result in rejection of your proposal.

Question #2: Can the City please clarify their interpretation of “notice to proceed” (NTP)? Is NTP the same as the contract signature date or is NTP the same as receiving permit approvals and then issuing the NTP. Becoming fully operational 60 days from NTP could be challenging, if not impossible, for any vendor other than the incumbent to meet.

Response: The interpretation of “notice to proceed” is a separate document issued after the execution of the contract. Given the anticipation of the need for time to obtain permits and equipment, the City envisions issuing the notice to proceed in a time frame that allow for obtaining permits.

Question #3: If the City decides to add additional systems near the end of the term, will the City consider either extending the term or agree to renegotiate pricing so the vendor can recover sunk costs associated with equipment and construction, even if there is limited term remaining?

Response: The City may not be able to agree to an extension of the term but the City would consider a tiered pricing approach in the proposal to allow for late term additions.

Question #4: Does the City want Proposers to submit both electronically AND via hard copy or are Proposers free to choose which option works best for them?

Response: No, the City does not want Proposers to submit both electronically and via hard copy. The preferred method is electronically through our website but Proposers are free to choose either option.

Question #5: Can the City please clarify that legislation is needed to enforce noise violations with an automated system and that legislation does not currently exist at the state level? Does the City anticipate legislation allowing for this type of enforcement will be passed in the near future?

Response: There will need to be legislation (City Council action only) to authorize automated enforcement of noise violations. There is no state statute authorizing or prevent use of automated enforcement for noise, and as with red light cameras (which were introduced here before any state legislation), it remains our position that, in the absence of state law requiring authorization, the City’s inherent police powers allow it to authorize automated enforcement.

Question #6: Is the Contractor allowed to pull power from an existing source, such as a traffic controller or light pole? If so, would the contractor be responsible for paying the monthly electrical cost associated with running the equipment and if so, would the contractor need to install a power meter?

Response: No, power for enforcement cameras may not be pulled from City traffic signals or streetlights. Existing red-light cameras have their own power drop and meter. The only connection to City equipment is line voltage indicators attached to signal wires in order to detect which color is active. Power connections will need to be coordinated with KUB or LCUB.

Question #7: Can the City confirm that traffic studies are only needed for new locations and not required for existing, such as the existing red-light approaches?

Response: State law requires that “[p]rior to implementation of any new unmanned traffic enforcement camera used to enforce or monitor traffic violations, the local governing body shall conduct a traffic engineering study for the area being considered.” TCA 55-8-198(g). Our interpretation has been that the statute requires a traffic study only when a camera system is placed at a location or an approach where there is no currently operating camera system; in other words, a camera system replacing an existing camera system at the same location and approach would not require a new traffic study.

Question #8: Are there any new permits or approvals required if the Contractor needs to perform additional construction in order to retrofit existing sites? Is the Contractor allowed to attach to existing infrastructure for both the red-light and school zone speed installations if available? Is any of the existing infrastructure (poles, pole bases, etc.) owned by the current vendor?

Response: All work, including retrofit plans review, shall be coordinated with the City's Transportation Systems Manager. Contact RoadClosures@knoxvilletn.gov for any work that requires a temporary traffic control permit. Any excavation, tree cutting or trimming, construction, or installation within public rights-of-way requires a Right-of-Way Permit from the City of Knoxville Engineering Department. Contact Tony Vandergriff, TVandergriff@knoxvilletn.gov, for additional information and assistance. All work shall conform to applicable electrical codes except when City Standards supersede. Contractor to obtain their electrical permit from City of Knoxville Plans Review & Inspections, bldginspections@knoxvilletn.gov. Attachments to existing infrastructure will be reviewed on a case-by-case basis.

Question #9: Can this City please explain the possible use case for this requirement? “Indicate the ability to upload images from violations to the Axon platform Evidence.com.

Response: The City currently utilizes the platform for storage of digital evidence. Proposal should indicate the image format to allow the City to confirm compatibility.

Question #10: Can the City please provide an estimate of the number or ratio of fixed systems vs. portable speed zone enforcement cameras?

Response: This is unknown at this time and will depend on the results of the traffic studies. All current signal enforcement cameras are fixed.

Question #11: May we have a copy of the current contract?

Response: Yes, please find a copy of the current agreement attached.

Question #12: For the Matrix, we noticed there were some incomplete sentences and we wanted to clarify the correct information for the following cells:

- 1) Section 3, Row 20
- 2) Section 3d, Row 27 reads “and” then nothing else
- 3) Section 7F, Row 66
- 4) Section 10c, Row 98

Response: 1) Section 3, Row 20 is an affirmation that the Contractor will cooperate with the City to provide information needed about the system to provide awareness to the public, as stated in the first paragraph of Section 3.

2) Section 3d, Row 27 is hereby corrected to read, “Contractor will assist the City with the content and design of public education materials to be funded by the City and implemented by the City”

3) Section 7F, Row 66 reads, “Contractor will provide the retrieval of archived information within 3 business days of a request for retrieval.” The proposer is expected to either confirm this or not.

4) Section 10c, Row 98 reads, “Contractor will provide City with a monthly activity report within ten (10) days following the end of the month.” The proposer is expected to either confirm this or not.

Question #13: It is our understanding that “full motion video” only relates to red-lights and still photos only relate to speed violations. Is this presumption correct? If not, can the City please elaborate on this requirement?

Response: This is correct, however, for evidentiary purposes, full motion video would enhance the ability to enforce the speed violations.

Question #14: Please clarify the Cities’ definition of “modular in construction”

Response: The City defines this as meaning the different parts of the units are easily assembled and easily maintained to reduce the construction time or repair time needed in the installation locations.

Question #15: Please clarify if the Automated School Zone program requires both Radar and LiDAR.

Response: The City did not set a preference. Proposers may offer one or options for both, with a preference to the method that offers the most accurate data.

Question #16: “The contractor will be responsible for performing a traffic study prior to installing school zone speed camera as required by city and state code.” – The law referenced states the vendor will not be allowed to conduct the traffic engineering study or participate in the selection. Can the City please confirm if this is an error, or two different subjects?

Response: That is an error. The winning proposer cannot conduct or participate in the traffic engineering study per T.C.A. § 55-8-198.

Question #17: The RFP contains three (3) Programs: Automated Traffic Signal Enforcement, Automated School Zone Speed Enforcement, and Automated Noise Enforcement. Should revenue from all programs be processed, billed and reported on separately, or all together?

Response: The revenue from all programs may be processed and billed together, provided the reporting delineates the performance and revenue for each program separately.

Question #18: Does the City have a preference for “stand alone power”?

Response: Yes, see response to Question 7 above.

Question #19: Can the City please define, or elaborate on their definition of “expandable system”?

Response: Expandable means the ability to increase or decrease the number of cameras as well as move cameras dependent on the traffic study and enforcement efforts.

Question #20: Does the City have any specific requirement or list for “Approved Engineering Standards”?

Response: Approved standards that are applicable to the City's operation of traffic signals include: 1.) Latest Manual on Uniform Traffic Control Devices (MUTCD), 2.) Latest AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals, 3.) Any and all City of Knoxville standards for traffic control, erosion prevention and sediment control, sidewalk, etc., 4.) Any and all applicable TDOT standards that are more stringent than COK and current edition of TDOT Standard Specifications for Road and Bridge Construction, 5.) Any applicable KUB or LCUB electrical standards/details

Question #21: Are red light enforcement citations also expected to monitor/report speed of vehicle, during time of red-light infraction?

Response: Yes.

Question #22: Can the City please elaborate on, and / or give examples that fulfill this requirement? “Contractor shall detail any quality standards (either national or international) with which their equipment complies. Standards should be related to any relevant U.S. standards which may have been promulgated.” (Q25 online)

Response: List any quality standards the equipment may meet, such as IEEE Standards Association, the Radar Quality Index, the standards listed in the response to question 23 above, the International Organization for Standards (ISO), etc.

Question #23: Can you give us more information on the noise cameras program - The Click through does not work.

Please find details here:

https://www.knoxvilletn.gov/government/city_departments_offices/policy/noise_camera

Response: Me

Question #24: Can you give us data on the pilot program?

Response: Please find details here:

https://www.knoxvilletn.gov/government/city_departments_offices/policy/noise_camera

Question #25: Are you expecting the vendor to use these cameras, or can we offer other options?

Response: Equivalent models may be proposed.

Question #26: Can you give us more information on the purchase of the systems, has the city already purchased these systems?

Response: No, the City did not purchase a camera during the trial.

Question #27: Is the vendor expected to process the violations using the Intelligent Instruments cameras?

Response: The proposer may offer to use Intelligent Instruments cameras or an equivalent that can provide the same or better data.

Question #28: Has the noise camera vendor agreed to integrate with the vendor's back office?

Response: The proposers are required to negotiate any arrangements with the noise camera provider.

Question #29: Can you provide us with your contact within Intelligent Instruments.

Response: The contact information is available here: <https://soundvue.com/contact-us>

Question #30: What would be the number of transportable vs fixed cameras for School Zone Speed? and how often would they want to move them?

Response: See response to Question #11 above.

Question #31: What kind of content is needed to be included in the informational pamphlets and brochures? Should these be hard copy brochures or just a paper copy? Should they go out with just 1st notices, or every mail being sent out? Should they be color? Please provide any further detail pertaining to these informational pamphlets and brochures

Response: A paper copy will suffice and will contain information detailing the fines associated with the program, timelines for paying citations. These will be sent with the warning citations sent during the grace period following new installation.

Question #32: Could the City clarify **Requirement 9e**, "If additional enforcement of other traffic regulations are permitted by the City in the future, the Contractor will provide such additional services at the direction of the City" - could the City share what services they may anticipate?

Response: Nothing is currently anticipated at this point but this would include the opportunity for additional automated traffic camera enforcement as code or law allows.

Question #33: We can offer a tiered pricing structure in which the price to the City decreases over the life of the contract. Will the City consider this pricing structure?

Response: Yes, the City would be open to a tiered pricing structure.

Question #34: The RFP mentions in the red light section (page 9):

"The City expects the contractor to implement a fully operational program within 60 days from receipt of the "notice to proceed," for the City's pre-existing functional camera intersections, and within another 90 days for each new intersection identified by the City for camera implementation."

What is the anticipated timeline for speed?

Response: The section of the RFP entitled "Automated School Zone Speed Enforcement Program" is hereby revised to include the following:

"The Automated School Zone Speed Enforcement Program involves the monitoring of up to 100 approaches as specified by the City. The City anticipates a phased in approach to implementation of the program, issuing a notice to proceed for multiple stages of implementation following completion of a traffic study to determine locations. The City expects the contractor to implement a fully operational program within 180 days from receipt of the "notice to proceed," for Automated School Zone Speed Enforcement camera implementation. Proposals should include a proposed implementation plan to install up to 100 cameras. The City will have the right, at its sole discretion, to add, delete, or revise any Services to meet its changing needs at no cost."

Question #35: Will there be a warning period for red light? If so, for how long?

Response: Yes, see Section III.9.f of the RFP

Question #36: Will there be a warning period for speed? If so, for how long?

Response: Yes, see Section III.9.f of the RFP

Question #37: For the items in the overview sections (pages 4-10) that are also on the spreadsheet, is the expectation that only the spreadsheet response be included? If so, what is the expected response for items such as 1)h):

*“Contractor will **describe** how they will monitor systems to determine operational usage and system outages.”?*

Response: The proposers are expected to complete the spreadsheet and may include a written narrative to describe their proposed program with the proposal.

Question #38: 7)a) of the scope states:

“The Contractor shall keep true and accurate records of revenue and expenses, making a clear distinction between the type of fees collected...”

Can you please explain what is meant by the type of fees collected?

Response: The fees include the citation of \$50, the late fee of \$68 to cover court costs (of which all goes to the City), and the Contractor may include fees for collection costs (Section III.4 of the RFP).

Question #39: Does the City anticipate going live with 100 speed cameras at the same time, or will the City deploy the program like most large programs and launch cameras in stages for a better experience, improved public awareness, and to expedite the start of the program?

Response: Yes, see response to Question #38 above.

Question #40: What are the reasons for the dramatic variation in red light citations issued from 2021 to 2023 (i.e., +20K then -26K)?

Response: The data for the number of citations was incomplete. Total number of citations in 2023 was 64,195.

Question #41: What are the current penalties for late and non-payment on red light?

Response: The current penalty is \$68, all of which goes to the City to cover court costs.

Question #42: Does the citation need to be printed in black and white or color? If the first notice is printed in color, can the second notice be printed in black and white?

Response: The preference is for both first and second notice to be printed in color, which occurs with the current program.

Question #43: What are the specific requirements of the traffic studies?

Response: Per the State statute, a traffic engineering study is required for any new camera location: Prior to implementation of any new unmanned traffic enforcement camera used to

enforce or monitor traffic violations, the local governing body shall conduct a traffic engineering study for the area being considered. The study shall follow standard engineering practices as determined by the Institute of Transportation Engineers (ITE) and shall be stamped by a professional engineer specializing in traffic engineering and licensed to practice in this state. A vendor of traffic enforcement camera systems shall not be allowed to conduct the traffic engineering study, or to participate in the selection of such traffic engineer, to document the need for a traffic enforcement camera.

Question #44: The City requests that the walk-in facility be centrally located. Could you please specify the geographic boundaries for this?

Response: The City has no set boundaries but would prefer a location as close to the City center, as possible. The current office is located on E. Hill Avenue.

Question #45: Is there is any way that the noise camera aspect could be separated or if we could bid directly for it?

Response: While the City prefers all three camera programs be integrated, the City is open to receiving proposals that only include the Noise Camera Program, provided the program includes the back office support and processing of citations required by the RFP. The City does not have staffing to manage that piece of the program.

Question #46: In the RFP, the City has wisely offered to accept several fee options that might best benefit the City. Will the City also consider additional pricing options that may benefit the city?

Response: Yes, the city is open to options that benefit the City.

Question #47: Since you have an existing program, will there be a warning period for red light? If so, for how long?

Response: There will not be a warning period for cameras in existing locations but the City will have a warning period for red light per Section III.9.f of the RFP.

END OF ADDENDUM NO. 2