

Questions Received on the Cross State RFP
June 3, 2010

1. How many times a day does each location get a stop?

Today, each location gets 2 stops, except for the Whately Location. Bins are picked up at the Woburn locations and the courier proceeds to the Shrewsbury location to pick up bins and then out to Whately where they pick up and drop off bins. The Route is then replayed and the courier stops at the Shrewsbury location and drops bins off and then on to the Woburn locations to make drop offs as well.

2. Is there a time window we must meet or are the 4 locations accessible 24/7?

Are there times that are determined the truck would need to be at delivery/pickup locations to meet local schedules? When the sort locations are ready for pick up at end of day?

How late in the morning can deliveries be made to make the sort for that day?
2am? 4am? 6am?

What is the schedule for pickup and delivery at each cross-state site? Would we start route to all the facilities after a particular time? And do any of these facilities close after a certain time of day?

Locations are accessible 24/7; but we expect the successful bidder will work with each of the locations to set a mutually agreeable time. At some locations, the courier has access via code and key. The cross state route should start after the sort locations have had time to sort incoming volume for that day; so sometime early evening or later is preferable. On the return side, the successful bidder should know that some of the library delivery routes start at 6 am. There will be flexibility for the successful bidder to work with the the sort locations to arrange a time that provides a time that is mutually acceptable and provides the service needed in a cost effective and timely manner.

3. What size vehicle needed? What vehicle is used today?

A Cargo Van is used for this deli very. At the end of these questions; we have attached a chart with an average week of bins. The week shown shows 287 bins traveling cross-state – an average of 58 bins per day. That is the total number of bins picked up and delivered; for example 50 bins were picked up at the Western during this week ; 22 of those bins went to the sort location in Shrewsbury and so on. Conversely, the Western location received 58 bins that week 20 came from the Shrewsbury location.

- 4. Can you also tell me what you folks are paying for the run? Or at least direct me to the website that discloses what your costs are.**

The cost of this year's service is \$66,667.

- 5. Is there a place we can view the ruling made by the Attorney Generals Ruling?**

The Attorney General has issued an advisory and it can be found at http://www.mass.gov/?pageID=cagoterminal&L=2&L0=Home&L1=Workplace+Rights&sid=Cago&b=terminalcontent&f=workplace_independent_contractor_advisory&csid=Cago
There is a press release issued by the A-G this past February below.

- 6. How much volume do these routes average? What is the high volume?**

Below is a chart with the number of bins traveling in cross state delivery during an average week. There is an average of 58 per day for this route. Some days will run a little higher and some a little lower.

- 7. Is everything palletized?**

It is bins being moved through the cross-state route; there are not enough bins going to or coming from one location to palletize. The heaviest exchange is between the Shrewsbury and Whately location; libraries being served by these sort centers share the same automated library system.

- 8. Please clarify the 24 and 48 hour option. I.E. is the 48 option referring to having courier run route essentially every other day – so a M-W-F scheduled route?**

The 24 hour option would have the courier run the route Monday-Friday. The 48 hour option would have the same route run M-W-F. We prefer the 24 hour option; but given that the MA Library System will have budget restrictions, we want to explore the 48 hour option to see if there are savings. We would expect that the volume would stay the same under each option.

PICK UP REGION	BRLS	NMRLS	MMRLS	SEMLS	CMRLS	WMRLS	TOTAL BINS/WK	TOTAL BINS/YR	TOTAL ITEMS/WK	TOTAL ITEMS/YR
BOSTON		6	13	10	5	7	41	2132	1025	53300
NORTHEAST METROWEST	25			27	14	20	86	4472	2150	111800
SOUTHEAST	11	15	18		10	11	65	3380	1625	84500
CENTRAL	8	5	6	6		20	45	2340	1125	58500
WESTERN	6	5	8	9	22		50	2600	1250	65000
TOTALS	50	31	45	52	51	58	287	14924	7175	373100

Numbers based on 25 items per bin

Press Release issued by A-G office

February 01, 2010 - For immediate release:

Attorney General Martha Coakley's Office Reaches Agreement with Restaurant Meal Delivery Companies to Resolve Misclassification of Drivers

BOSTON – Attorney General Martha Coakley's Office has reached settlement agreements with four Massachusetts restaurant meal delivery companies to resolve allegations that the companies misclassified their drivers as independent contractors in violation of Massachusetts Law. Under these agreements, the following individuals and their companies have all agreed to fully comply with all Massachusetts Wage and Hour Laws, specifically with the Massachusetts Independent Contractor Statute:

- Michael Hackel, of Brookline, and his Brighton-based company Dining-In, Inc.
- Kevin Abt, of Sharon, and his company Restaurants to You, Ltd., based in Stoughton
- Philip Dumontet, of Boston, and his Boston-based company Dash Deliveries, LLC
- Todor Ialamov, of Allston, and his company Mix Menu, Inc., of Cambridge

In June 2009, the Attorney General's Fair Labor Division began a review of the business practices of various meal delivery companies in Massachusetts. The review followed receipt of a complaint from a driver alleging that he had been misclassified as an independent contractor by Dining-In. Investigators requested and reviewed company records and began proactive discussions with a number of meal delivery companies regarding proper classification of employees. Dining-In, Restaurants to You, Dash Deliveries and Mix Menu were found to have misclassified their employees. All four companies fully cooperated with the Attorney General's Office. As a result of the investigations, the companies entered into settlement agreements with the Attorney General's Office agreeing to classify all drivers as employees instead of independent contractors.

Companies which misclassify individuals deprive their workers of the many protections and benefits, both public and private, that employees enjoy. Misclassified individuals are often left without unemployment insurance and workers' compensation benefits. In addition, misclassified individuals do not have access to employer-provided health care and may be paid reduced wages or cash as wage payments. The Attorney General's Office has issued an advisory about the Independent Contractor Law that is available on the office's [website](#).

The Attorney General's Office is responsible for enforcing the laws regulating the payment of wages laws, overtime and misclassification of employees in the Commonwealth. Workers who believe that their rights have been violated are urged to call the Attorney General's Fair Labor

Hotline at (617) 727-3465. More information about the wage and hour laws is also available in multiple languages at the Attorney General's Workplace Rights website:
www.massworkrights.com.

These matters were handled by Assistant Attorney General Lisa Price and investigated by Investigator Angelique Langford, both of Attorney General Coakley's Fair Labor Division