



# Request for Proposals

## for Technical and Communications Services for the Downtown Congestion Pricing Study

Date Issued	Proposals Due	Expected Duration	Budget	DBE Goal	Contact
April 8, 2019	May 7, 2019 at 11:00 a.m. (electronically)	One year and six months	Up to \$700,000	14%	Steve Stamos Management Analyst 415.522.4817 <a href="mailto:steve.stamos@sfcta.org">steve.stamos@sfcta.org</a>

### SECTION I – NOTICE

Notice is hereby given that the San Francisco County Transportation Authority (Transportation Authority) is requesting proposals from qualified respondents (proposers) to provide technical and communications services for the Downtown Congestion Pricing Study Project (Project). It is the intent of the Transportation Authority to contract with one or more consultant firms and/or teams of firms that will collectively provide the best overall service packages for the scope of work described in Section IV.

**Pre-Proposal Conference.** Although attendance at the pre-proposal conference is not mandatory, proposers and sub-consultants are encouraged to attend a pre-proposal conference to be held at the Transportation Authority's offices, 1455 Market Street, 22nd Floor, Hearing Room. See the schedule in Section II for the conference date and time. Attendees are requested to confirm attendance by completing the online registration form at [www.sfcta.org/contracting](http://www.sfcta.org/contracting) by 5:00 p.m. the day before the conference.

**Questions.** Questions may be submitted in writing by the stated deadline in Section II by e-mail to [info@sfcta.org](mailto:info@sfcta.org); please include "RFP 18/19-10 – Congestion Pricing Study" in the subject line. The Transportation Authority's responses will be posted to [www.sfcta.org/contracting](http://www.sfcta.org/contracting) by the date indicated in the schedule, and any addenda to the RFP will also be made available on that webpage prior to the proposal due date. Please see Section II for all important dates and deadlines.

### SECTION II – SELECTION PROCESS SCHEDULE

Date	Phase/Item Due
April 8, 2019	Release of RFP
April 12 5:00 p.m.	Pre-proposal conference attendees requested to submit registration: <a href="http://www.sfcta.org/contracting">www.sfcta.org/contracting</a>
April 15 11:00 a.m.	Pre-proposal conference held at the Transportation Authority's offices
April 16 5:00 p.m.	Proposers to submit written questions to Transportation Authority

April 19*	Transportation Authority issues written responses to questions
<b>May 7 11:00 a.m.</b>	Responses to RFP and separate cost proposals due electronically. Late submissions will not be accepted.
May 10*	Invitation(s) to interview issued to short list of proposers* (if necessary)
May 16-17*	Interviews* (scheduled if necessary)
May 22*	The selection committee's recommendation to Citizens Advisory Committee for award
June 11*	Recommendation to Transportation Authority Board for award
June 25*	Transportation Authority Board awards contract

*\*Subject to change*

SECTION III - BACKGROUND

The Transportation Authority was created in 1989 by the voters of the City and County of San Francisco (City) to impose a voter-approved transaction and use tax (i.e., sales tax) of one-half of one percent to fund essential traffic and transportation projects as set forth in the San Francisco County Transportation Expenditure Plan (Prop B Expenditure Plan) for a period not to exceed twenty years. Beginning in April of 1990, the State of California Board of Equalization started collecting the sales tax revenues for the Transportation Authority. In November 2003, San Francisco voters approved a new 30-year Expenditure Plan (Prop K Expenditure Plan) that superseded Prop B, and continued the one-half of one percent sales tax.

The Transportation Authority Board consists of the eleven members of the Board of Supervisors (BOS) of the City, who act as Transportation Authority Commissioners; nonetheless, pursuant to California Public Utilities Code Section 131000 et seq., the Transportation Authority operates as a special purpose governmental entity, independent of the City.

The Transportation Authority is designated under State law as the Congestion Management Agency for San Francisco County. In this capacity, the Transportation Authority has a wide range of responsibilities which include preparing the long-range County-wide Transportation Plan, prioritizing state and federal transportation funds designated for San Francisco, developing and operating a computerized travel demand forecasting model, and implementing the state-mandated Congestion Management Program. The Transportation Authority is also the designated San Francisco Program Manager for the Transportation Fund for Clean Air Program, a state-mandated program that collects an annual vehicle registration surcharge and allocates the funds to transportation projects that improve air quality.

On November 2, 2010, San Francisco voters approved Proposition AA, establishing a new \$10 vehicle registration fee on motor vehicles registered in the City and designated the Transportation Authority as administrator of the fee. Revenues are used for local road repairs, pedestrian safety improvements, and transit reliability improvements throughout the City in accordance with the voter-approved Expenditure Plan.

On April 1, 2014, the BOS adopted a resolution designating the Transportation Authority as the Treasure

Island Mobility Management Agency (TIMMA) to implement elements of the Treasure Island Transportation Implementation Plan (TTIP) in support of the Treasure Island/Yerba Buena Island Development Project. The TTIP calls for, and TIMMA will be responsible for implementing, the Treasure Island Mobility Management Program: a comprehensive and integrated program to manage travel demand on Treasure Island as the development project occurs, including an integrated congestion pricing program with vehicle tolling, parking pricing, and transit pass components. Assembly Bill 141 (Ammiano), signed in 2014, established TIMMA as a separate entity, providing a firewall between TIMMA and the Transportation Authority's other functions.

#### Project Background and Purpose

In 2010, the Transportation Authority adopted the [Mobility, Access, and Pricing Study](#) (MAPS), which examined a variety of alternatives to implement congestion pricing in San Francisco and recommended a "Northeast Cordon" design. The best-performing design would have implemented a fee to drive during peak periods into or out of a zone bounded generally by Laguna Street, 18<sup>th</sup> Street, and the San Francisco Bay. Under the 2010 proposal, vehicles would be charged \$3 to cross the cordon, but charges would be capped at a maximum of \$6 per day and a variety of discounts would reduce the cost for low-income drivers and other specified groups. Program revenues were slated to fund faster, more frequent, and more reliable transit service and other multimodal upgrades such as street repaving, traffic calming, and pedestrian and bicycle improvements. The MAPS found the proposal would substantially reduce congestion, vehicle trips, greenhouse gas emissions, and traffic collisions while increasing transit speeds and frequencies.

The MAPS considered alternatives for many parameters of a congestion pricing program, including the pricing approach (e.g. area vs. cordon), fee levels, times of day, fees by travel direction, and discount policies. Much of the work focused on using the Transportation Authority's travel demand model, SF-CHAMP, to test a wide variety of potential geographic limits of a cordon zone, ranging from a small zone focused primarily on the South of Market (SoMa) and Financial District neighborhoods to a proposal to charge only vehicles entering or leaving San Francisco. The study recommended the Northeast Cordon as the best performer because it found that a larger cordon would likely have too many internal trips to be effective while a smaller zone would a) not generate enough revenue to support both the program operating costs and expenditure plan, and b) result in issues with traffic diversions around the zone.

The MAPS included a substantial outreach component, including stakeholder, business, and technical advisory committees; several rounds of public workshops; opinion polling; intercept surveys; focus groups; and direct stakeholder and business group meetings. Two key issues that arose were 1) questions about whether the system would be fair, especially to low-income travelers, and 2) whether it would have adverse effects upon businesses. The study worked to address those issues through additional outreach, analysis, and modifications to the recommended proposal, but those issues remain as key challenges.

In 2010 the Transportation Authority Board adopted the MAPS final report and supported moving forward with next steps, however due to the economic recession and opportunities to consider other mobility pricing options the Transportation Authority did not immediately proceed with further planning and implementation. Instead, the Transportation Authority and its agency partners studied and worked toward implementation of different forms of pricing through the [Parking Supply and Utilization Study](#), the [Freeway Corridor Management Study](#), the [Lombard Crooked Street Study](#), and establishment of the [Treasure Island Mobility Management Agency](#). Additionally, the San Francisco Municipal Transportation Agency (SFMTA) implemented the [SEPark](#) program, which manages parking availability using demand-responsive pricing.

Still, given its expected effectiveness in meeting a variety of local and regional objectives, congestion pricing has been included in numerous plans and policy recommendations, including the following:

- [SF Transportation Plans \(2004 –2017\)](#)
- [Regional Transportation Plans \(2009 –2017\)](#)
- [SF Transportation Task Force 2045 Recommendations \(2017\)](#)
- [SF Vision Zero Action Strategy \(2019\)](#)
- [SF Climate Action Strategy \(2004 –2017\)](#)
- [Emerging Mobility Evaluation Report \(2018\)](#)
- [SF Transportation Demand Management Plan \(2017\)](#)
- [Transit Center District Plan \(2012\)](#)

In recent years, traffic congestion on San Francisco’s streets has worsened. The Transportation Authority’s most recent [2017 Congestion Management Program update](#) determined that both traffic and transit speeds had continuously declined over the previous six or more years, with PM peak period arterial traffic speeds dropping 27 percent since 2009 to reach a new low of 12.2 mph. Surface transit speeds dropped less dramatically, but remained slower than auto speeds with an average PM peak period speed of 7.3 mph. The Transportation Authority’s [TNCs and Congestion report](#) studied the causes for the significant decrease in traffic speeds between 2010 and 2016, finding that growth in population and jobs was responsible for about half of the congestion increase over that time period and that the increase in transportation network company (TNC) trips over the same time period was also responsible for about half of the increased congestion. TNCs were responsible for especially large shares of traffic delay in the city’s densest neighborhoods, including downtown and SoMa.

As congestion has worsened, interest in considering congestion pricing as a potential solution has increased. In 2018, State Senator Scott Wiener and Assemblymember Richard Bloom introduced legislation (Assembly Bill 3059) that would have authorized two “Go Zone” congestion pricing pilots in northern California and an additional two in southern California. Although the bill did not move forward in the last legislative session, it could be reintroduced in the current session.

At an October 2018 Transportation Authority Board meeting, staff presented a [summary](#) of the MAPS and the Chair directed staff to develop a scope, schedule, and budget for a new study of congestion pricing. In December 2018, the Board directed staff to proceed with a [proposed study scope of work](#) and to seek funding for the effort. In February 2019, the Board approved an [appropriation](#) of \$500,000 in Prop K sales tax funds to begin the study while staff continues to secure additional funds needed for the full \$1.8 million scope of work. Board discussions have included emphasis on the need to ensure congestion pricing would benefit low-income travelers and other communities of concern and the need to incorporate robust community engagement in the study.

### **Study objectives**

- Understand the objectives and key issues of diverse stakeholders regarding a potential congestion pricing program. Ensure community and stakeholder involvement to identify program goals, develop and refine a proposed congestion pricing program, and build agreement around a recommendation.
- Recommend a preferred congestion pricing program within the downtown area<sup>1</sup> that would best meet identified program goals.

---

<sup>1</sup> “Downtown” for purposes of this study refers to approximately the Northeast Cordon area as defined in the MAPS or a smaller subset of that area.

- Develop a strategy to advance the recommended congestion pricing program for approvals and implementation.

#### SECTION IV - SCOPE OF SERVICES

The Transportation Authority seeks technical and communications consultant services to support the Project. The Transportation Authority has budgeted up to \$700,000 for all consultant services described below, with the full contract amount contingent upon securing additional funding sources. Please note this is a ceiling and not a target. The contract is anticipated to be funded with local and federal funds. It is anticipated that a contract will be awarded for a one-year and six months term.

The Transportation Authority does not have office space available for this contract and, with the exception of progress and coordination meetings, all work shall take place at the consultant offices. Proposers should be prepared to mobilize within 48 hours following contract negotiations and contract award by the Transportation Authority Board.

The scope of work for this RFP presents four separate but interrelated workstreams:

- Workstream 0: Project Management
- Workstream 1: Stakeholder Engagement
- Workstream 2: Program Development
- Workstream 3: Technical Analysis

Proposers must submit a proposal to complete multiple workstreams according to one of the three options as follows:

- Option A: Propose to complete Workstream 0: Project Management, Workstream 1: Stakeholder Engagement, and Workstream 2: Program Development.
- Option B: Propose to complete Workstream 0: Project Management, Workstream 2: Program Development, and Workstream 3: Technical Analysis.
- Option C: Propose to complete all four workstreams.

The proposal options are illustrated in the following table:

<b>Workstreams to include:</b>	<b>Option A:</b>	<b>Option B:</b>	<b>Option C:</b>
0: Project Management	X	X	X
1: Stakeholder Engagement	X	-	X
2: Program Development	X	X	X
3: Technical Analysis	-	X	X

Proposers must indicate which workstreams are addressed in their proposal and the amount of the total budget needed for each workstream for which they are proposing. Proposers are welcome to propose to complete the work according to the scope described below OR to propose a different means of reaching the project objectives than is reflected in how the workstreams are divided and described in the below scope of work. The total budget for all four workstreams must not exceed \$700,000.

The Transportation Authority may select one or more teams to complete the overall scope of work and may select different teams for each workstream (up to two teams). Teams are comprised of a prime consultant and all subconsultants under one contract, and firms can be on more than one team. The Transportation Authority also reserves the right to modify the final scope and budget for each workstream following contract award.

The study scope consists of the following tasks:

- Workstream 0: Project Management
  - Task 0.1: Kick-off meeting and workplan
  - Task 0.2: Ongoing project management
  - Task 0.3: Final report
- Workstream 1: Stakeholder Engagement
  - Task 1.1: Stakeholder and Community Engagement Plan
  - Task 1.2: Message Development
  - Task 1.3: Policy Advisory Committee
  - Task 1.4: Engagement Activities and Materials
- Workstream 2: Program Development
  - Task 2.1: Program Development Plan
  - Task 2.2: Technical Advisory Committee
  - Task 2.3: Goals and Objectives, Purpose and Need
  - Task 2.4: Research and Document Case Studies
  - Task 2.5: Develop and Refine Program Definition, Identify Recommended Program
  - Task 2.6: Implementation Plan
- Workstream 3: Technical Analysis
  - Task 3.1: Technical Analysis Plan
  - Task 3.2: Existing Conditions Data Gathering and Analysis
  - Task 3.3: Additional Analysis for Program Development and Stakeholder Engagement
  - Task 3.4: Cost and Revenue Estimates

The scope for each task and associated deliverables is as follows.

#### Workstream 0: Project Management

##### *Task 0.1: Kick-off meeting and workplan*

The project kick-off meeting will include the selected consultant(s) for each of the workstreams. It will focus on how the workstreams will interrelate and how the teams will coordinate the scopes and schedules for each. The purpose of this meeting will be to outline a combined workplan for all workstreams. The selected consultant for the Program Development workstream will finalize the overall project workplan, incorporating content provided by the selected consultant(s) for the other workstreams.

The workplan should provide for the study scope of work to be completed in 18 months or less (by mid-to late 2020).

##### *Task 0.2: Ongoing project management*

The Transportation Authority will have a project manager to coordinate the overall project effort. If different consultants are selected for individual workstreams, the Transportation Authority project manager will lead study team coordination between those workstreams. Each selected consultant will be expected to lead internal team coordination within and among the workstream(s) it is managing. Each selected consultant will participate in regular bi-weekly project team meetings and submit monthly progress reports.

##### *Task 0.3: Final report*

The study final report will synthesize and document the study process, conclusions, and recommendations. The selected consultant for the Program Development workstream will prepare the final report, incorporating content provided by the selected consultant(s) for the other workstreams. Transportation Authority staff and resources will be used for final report layout and printing.

*Workstream 0 Deliverables:*

<i>Task</i>	<i>Deliverable</i>
<i>0.1</i>	<ul style="list-style-type: none"><li>• <i>Draft and final workplan</i></li><li>• <i>Attendance at project kick-off meeting</i></li></ul>
<i>0.2</i>	<ul style="list-style-type: none"><li>• <i>Attendance at bi-weekly project team meetings</i></li><li>• <i>Monthly invoices and brief progress reports</i></li></ul>
<i>0.3</i>	<ul style="list-style-type: none"><li>• <i>Draft and final study report</i></li></ul>

Workstream 1: Stakeholder engagement

*Task 1.1: Stakeholder and Community Engagement Plan*

The selected consultant will produce a plan for how the project team will engage key stakeholders and the public in development of a congestion pricing program and build agreement around a recommended program. Key stakeholders must be closely engaged as the Program Development workstream progresses, requiring coordination between planning and execution of the two workstreams. The plan will identify key stakeholders, which will include:

- The Policy Advisory Committee (PAC), to be convened in Task 1.4;
- The Technical Advisory Committee (TAC), to be convened in the Program Development workstream;
- Public officials who will have key decision-making roles, and their staffs; and
- Other stakeholders at the local, regional, or state level that have important interests in the study, with a focus on involving Communities of Concern and other vulnerable groups.

The plan should also describe how broader public involvement, both local and regional, will inform the Program Development workstream and engage communities in discussions and education about congestion pricing.

The plan will also be closely coordinated with the Technical Analysis workstream to identify how technical analysis might support the engagement process and address key stakeholder issues.

The engagement plan will identify:

- A timeline of stakeholder engagement and public outreach activities;
- Key messages, audiences, and input to be sought during each set of activities;
- How to engage the PAC over a planned series of meetings;
- Methods to reach and gather input from other key stakeholders and the broader public, with a focus on methods to involve Communities of Concern and other vulnerable groups;
- Opportunities to engage key decision-makers and their staffs in the program development, outreach, and education processes;
- How and when to engage the media; and
- Roles for Transportation Authority and consultant staff and any others who should be involved.

*Task 1.2: Message Development*

The selected consultant will undertake needed background research and information-gathering and produce a strategy for the overall public message of the study, including how the project team communicates about the general topic of congestion pricing, this particular study, and a recommended

congestion pricing program. Information-gathering could include, for example, case studies of other communications strategies, polling, surveys, and/or focus groups. Message development must be integrated with the Program Development workstream to ensure that messages are consistent with the programs under development and with the Technical Analysis workstream to identify any key data points that would support key messages. The selected consultant will document the information gathered and key messaging recommendations.

*Task 1.3: Policy Advisory Committee*

The Project will have a PAC comprised of a diverse set of key stakeholder representatives to advise and provide input to the project team regularly throughout the study process. The PAC will play an important role in shaping the Program Development workstream and identifying key questions for the Technical Analysis workstream to help address. The selected consultant will use its knowledge and familiarity with San Francisco stakeholders and its knowledge of congestion pricing stakeholder engagement in other cities to assist with convening the PAC, including the following:

- Review and advise on a draft list of PAC participants;
- Plan meetings and develop agendas; and
- Support staff at meetings and develop outreach-related content as needed.

The selected consultant will also provide any Stakeholder Engagement-related content as needed to support the TAC, which is convened as part of the Program Development workstream.

*Task 1.4: Engagement Activities and Materials*

The selected consultant will coordinate and implement stakeholder and community engagement activities per the Stakeholder and Community Engagement Plan, including producing supporting collateral materials. Activities could include:

- Listening sessions and meetings with stakeholder groups;
- Public events such as open houses, town halls, workshops, tabling, etc.;
- Surveys and polls;
- Online and social media engagement tools; and
- Multilingual engagement both in-person and online.

Transportation Authority communications staff will work with the selected consultant on outreach content development. The selected consultant will execute outreach activities and logistics (e.g. arranging meetings and venues, producing materials, translations, etc.) and augment staff at events.

*Workstream 1 Deliverables:*

<i>Task</i>	<i>Deliverable</i>
<i>1.1</i>	<i>Draft and final Stakeholder and Community Engagement Plan</i>
<i>1.2</i>	<i>Draft and final Message Development Memo</i>
<i>1.3</i>	<i>Draft and final PAC meeting agendas</i>
<i>1.4</i>	<i>Outreach materials and activities per the Stakeholder and Community Engagement Plan</i>

Workstream 2: Program Development

*Task 2.1: Program Development Plan*



The selected consultant will identify the proposed process for developing and refining potential congestion pricing concepts into a set of recommendations and implementation plan with stakeholder support. To arrive at a recommended congestion pricing program, the study will need to both a) consider and narrow down a range of program possibilities and b) incorporate new input and information to iterate and refine the potential program definition(s). Both (a) and (b) will require stakeholder engagement and technical input. Proposers should discuss how this process should proceed to efficiently meet these needs and the overall study objectives.

In coordination with the Stakeholder Engagement workstream, the plan will identify how engagement with the PAC, TAC, decision-makers, and the general public will help develop the proposed program and shape the deliverables. It should identify how the process will address key stakeholder concerns regarding congestion pricing, including:

- Equity: Whether the program would benefit low-income travelers and other vulnerable populations;
- Economy: How it would affect small and large businesses; and
- Effectiveness: Whether the system will work effectively to reduce congestion without causing negative effects like additional transit crowding or worsened congestion outside a pricing zone.

In coordination with the Technical Analysis workstream, the plan will identify questions that require technical input and discuss how technical input and analysis will be incorporated to support the program development process.

The plan will also identify appropriate roles for Transportation Authority and consultant staff.

#### *Task 2.2: Technical Advisory Committee*

The Transportation Authority will convene a TAC comprised of staff from local and regional partner agencies to advise and provide input to the project team regularly (approximately every other month) throughout the study process. The TAC will play a particularly important role in providing input on the feasibility of potential concepts in the Program Development workstream and helping to guide the Technical Analysis workstream. The selected consultant will assist with convening the TAC as follows:

- Plan meetings and develop agendas; and
- Support Transportation Authority staff at meetings and provide Program Development-related content as needed.

The selected consultant will also provide any Program Development-related content as needed to support the PAC, which is convened as part of the Stakeholder Engagement workstream.

#### *Task 2.3: Goals and Objectives, Purpose and Need*

With appropriate input from Transportation Authority staff, the PAC, TAC, and other key stakeholders as specified in the Program Development Plan, the selected consultant will define the goals of the congestion pricing scenarios and specific objectives under each goal area. Next, per the Program Development Plan and using data on existing and expected future conditions provided as part of the Technical Analysis workstream, the selected consultant will define the purpose and document the need for a congestion pricing program in and around downtown San Francisco. The selected consultant will document the goals and objectives as well as the purpose and need in a single memo.

#### *Task 2.4: Research and Document Case Studies*

In consultation with the project team, the selected consultant will use its experience with congestion and mobility pricing to identify relevant case studies and assist Transportation Authority staff in liaising with

other cities' congestion or mobility pricing program planning and implementation efforts. The selected consultant will share and concisely document the experience of other cities with respect to key issues, such as those identified in Task 2.1; other cities' degree of success in addressing them; and what insights and lessons learned may be applicable to any of the workstreams in this study.

*Task 2.5: Develop and Refine Program Definition, Identify Recommended Program*

The selected consultant will develop and refine potential congestion pricing concept(s) per the Program Development Plan to identify a recommended congestion pricing program. Elements of the program definition should include the following, although proposers should advise if any of these should be considered through a separate or later task or phase of work:

- Congestion charging parameters, such as the type of charge (e.g. cordon, area, road user, etc.), fee amounts, days and hours they would be in effect, types of vehicles to be charged, and geographic limits of a charging zone;
- Discounts, subsidies, incentives, and travel demand management tools/programs to reduce the burden of pricing on vulnerable populations and encourage the use of sustainable travel modes;
- A package of local and regional multimodal improvements to be funded with program revenues, such as transit service increases, street repaving, streetscape improvements, and upgrades to transit, walking, and bicycling infrastructure; and
- Options for technology solutions that could be used to implement the program.

Finally, per the Program Development Plan, the selected consultant will identify a recommended congestion pricing program with appropriate documentation of the rationale for its selection. The selected consultant will incorporate operating cost and revenue estimates developed in Workstream 3, Task 3.4. The recommended program documentation should be sufficient to support presentation of the recommendation to key decision-makers and the public.

Transportation Authority and SFMTA planning staffs will be available to assist with developing program elements (including development of multimodal investment packages), identifying potential funding sources, and related interagency coordination.

*Task 2.6: Implementation Plan*

The selected consultant will prepare an implementation plan that identifies appropriate next steps and roles to secure the needed approvals and implement the recommended alternative. The plan will include a proposed timeline and level of effort needed (e.g. level of environmental review, required state legislation). The plan will incorporate an estimate of costs developed in Task 3.4 for each implementation phase and will identify potential funding sources for each phase. This plan should also include identification of any potential near-term pilot opportunities and/or other opportunities to shorten the timeline to program implementation.

*Workstream 2 Deliverables:*

<i>Task</i>	<i>Deliverable</i>
<i>2.1</i>	<i>Draft and final Program Development Plan</i>
<i>2.2</i>	<i>Draft and final TAC meeting agendas</i>
<i>2.3</i>	<i>Draft and final Goals &amp; Objectives and Purpose &amp; Need Memo</i>
<i>2.4</i>	<i>Draft and final Case Studies Memo</i>
<i>2.5</i>	<i>Draft and final Recommended Program Memo</i>

### Workstream 3: Technical Analysis

#### *Task 3.1: Technical Analysis Plan*

The plan will develop and document the proposed process and methods for performing technical analysis as needed to support the Program Development and Stakeholder Engagement workstreams. The selected consultant will develop the plan in close coordination with the other workstreams to identify the analysis support that will be needed, such as for program development, understanding trade-offs between program options, stakeholder engagement, and implementation planning. The plan should identify known analysis needs and timelines to support the other workstreams, as well as criteria for determining whether additional analysis is required as questions arise during the study. The Transportation Authority has a travel demand model, SF-CHAMP, with the capability to model congestion pricing. However, the plan should identify the most appropriate analysis tools to efficiently and effectively address the needs known or likely to arise in the Program Development and Stakeholder Engagement workstreams and whether and when to use each tool. Lastly, the plan will also identify the roles of consultant and Transportation Authority staff.

#### *Task 3.2: Existing Conditions Data Gathering and Analysis*

The existing conditions analysis will use data and analyses to provide needed background information to support the development of the Purpose and Need documentation in the Program Development workstream. An important component of this analysis will be to consider the socioeconomic equity of the existing transportation system, such as by comparing the trip purposes, modes, travel costs, and reasons for mode selection for peak period downtown travelers by income group. The selected consultant will first inventory available sources of synthesized data and identify gaps where additional data collection and/or synthesis is needed. Existing synthesized data is available on traffic congestion, transit speeds, land use and expected growth, pollution, and public health and safety. However, gathering of additional observed data may be needed to complete the equity analysis.

#### *Task 3.3: Additional Analysis for Program Development and Stakeholder Engagement*

Per the Technical Analysis Plan, the selected consultant will conduct and document analysis as needed to support the other workstreams using the most appropriate and efficient methods available. Anticipated questions that may need technical answers include:

- How a proposed program would affect vehicle delay, transit speeds, vehicle miles traveled, and travel time by mode;
- How a proposed program would change different users' total travel costs;
- How a proposed program would affect the environment in terms of greenhouse gas emissions and localized pollution;
- How a proposed program may affect traffic safety; and
- How any effects of a proposed program would be distributed, e.g. between demographic groups, in Communities of Concern, among San Francisco neighborhoods, and locally vs. regionally.

Transportation Authority staff will work with the selected consultant on analysis tasks, such as running the SF-CHAMP model if needed. The Transportation Authority's proposed Fiscal Year 2019/20 budget currently includes resources sufficient to run several SF-CHAMP scenarios or to assist at a similar level of effort with alternative analysis methods.

The selected consultant will also provide any Technical Analysis-related content as needed to support the PAC, which is convened as part of the Stakeholder Engagement workstream, and the TAC, which is convened as part of the Program Development workstream.

*Task 3.4: Cost and Revenue Estimates*

In coordination with Task 2.5 of the Program Development workstream, the selected consultant will prepare operating cost and revenue estimates for congestion pricing program scenarios. The Program Development workstream will likely need efficiently-provided rough estimates for various scenarios as part of the process of developing and refining potential congestion pricing concepts. The selected consultant will then provide a refined operating cost and revenue estimate for the recommended program.

The selected consultant will also estimate rough costs for each phase of program implementation in support of implementation plan development in Task 2.6. This includes estimates for program design, procurement, and capital costs for deployment of the recommended congestion pricing program including associated multimodal investments. Transportation Authority staff support is available to assist with estimating costs for agency time and multimodal investments.

*Workstream 3 Deliverables:*

<i>Task</i>	<i>Deliverable</i>
<i>3.1</i>	<i>Draft and final Technical Analysis Plan</i>
<i>3.2</i>	<i>Draft and final Existing Conditions Analysis Memo</i>
<i>3.3</i>	<i>Technical analysis memos as defined in the Technical Analysis Plan</i>
<i>3.4</i>	<i>Draft and final Cost and Revenue Estimates Memo</i>

SECTION V – RFP RESPONSE REQUIREMENTS: CONTENT AND FORMAT

All proposals should be clear, concise, and provide sufficient information to minimize questions and assumptions. Proposals should be limited to 15 pages (no smaller than 12-point font shall be used and all page sizes greater than the letter size of 8.5” x 11” will be counted as two pages), excluding cover letter, table of contents, the cost proposal, and the following items, which should be included as attachments: résumés, Disadvantaged Business Enterprise (DBE) certifications, and required exhibits. The 15-page limit is inclusive of the maximum 3-page response to the hypothetical scenarios discussed below. The Transportation Authority accepts no financial responsibility for any costs incurred in the preparation of proposals. Upon receipt by the Transportation Authority, all accepted proposals submitted in response to this RFP will become the property of the Transportation Authority.

Time and Place for Submission of Proposals. By the proposal submission deadline, the following must be transmitted:

- **Proposal** (written proposal, without cost proposal): one (1) electronic copy (PDF) including all information herein requested. Please clearly specify in the subject line of the e-mail transmittal: “Response to RFP 18/19-10 for Congestion Pricing Study”.
- **Cost proposal** (in a separate electronic file): one electronic copy (XLS/XLSX format) including all information herein requested. Please name the file: “Cost Proposal for RFP 18/19-10” and submit along with the proposal.

The proposals must be transmitted electronically to the Transportation Authority at the following address: [info@sfcta.org](mailto:info@sfcta.org).

All responses must be in writing and identified as to content and be received by the Transportation Authority by the due date. Proposals received later than the above date and time will be rejected.

Cover Letter. Proposers must submit a letter of introduction for the proposal. The letter must be signed by a person authorized by your firm to obligate your firm to perform the commitments contained in the proposal. Submission of the letter will constitute a representation that your firm is willing and able to perform the commitments contained in the proposal. The cover letter must also include the following content in the format as shown:

<p><b>1. Project Manager</b> (The individual in charge of the scope of services, and who will be the Transportation Authority's contact throughout the contract duration)</p> <p>Name: Title: Address: City, State, ZIP: Phone Number: Email:</p>
<p><b>2. Selection Process Lead</b> (The individual to whom correspondence and other contacts should be directed during the consultant selection process)</p> <p>Name: Title: Address: City, State, ZIP: Phone Number: Email:</p>
<p><b>3. Negotiating Officer</b> (The individual who will negotiate with the Transportation Authority and who can contractually bind the proposer's firm)</p> <p>Name: Title: Address: City, State, ZIP: Phone Number: Email:</p>
<p><b>4. Company Headquarter Office</b></p> <p>Address: City, State, ZIP: Phone Number:</p>

<p><b>5. List proposed co-venture arrangements or sub-consultants, if any:</b></p> <p>1. Company:  DBE status:  Percentage of involvement:  Name:  Title:  Address:  City, State, ZIP:  Phone Number:  Email:</p> <p>2. ...</p>
<p>6. <input checked="" type="checkbox"/> <b>This letter is signed by an officer that is authorized to bind the proposer contractually.</b></p>
<p>7. <input checked="" type="checkbox"/> <b>This proposal is firm for a 120-day period from the proposal submission deadline.</b></p>

Content. Proposals must contain the following five sections:

**1. Proposer Information and Understanding of Project Objectives.** In this section, the proposer must provide a discussion demonstrating an understanding of the services to be provided, the challenges for each task, and their significance to the Transportation Authority.

**2. Technical and Management Approach.** In this section, the proposer must describe its approach to the delivery of the services included in Section IV. This section must (1) reflect the proposer's knowledge of, and ability to demonstrate, a sound approach to the requested services, (2) include a discussion on potential impacts to cost, scope, and schedule based on lessons learned, including any recommendations the consultant proposes to lower and/or control costs given the proposed scope of the project and (3) demonstrate the proposer's knowledge of adjacent projects and their potential impacts to the delivery of the services of this RFP.

Proposer must provide the names and positions of all staff for the proposed team. An organization chart should be included that clearly establishes principal team member firms and sub-consultants, if any. Proposer must also identify any specialty sub-consultants that would not necessarily be part of the core team, but would be available on an as-needed basis for specialty support. The proposal should also designate the Project Manager in charge of the scope of services and the Transportation Authority's contact throughout the contract duration. In addition, the proposal should briefly address how the efforts of each of the team members will be coordinated. Proposers should provide a staffing plan with level of effort (e.g., person hours per staff) by task. Do not include budget or rate information in the written proposal; this information should be included in the cost proposal. If the work is to be shared among firms and offices at different locations, indicate where each office is located and what work is to be performed in each office.

Proposals must discuss workload for all key team members, indicating their expected availability, the percentage of their time that will be devoted to the Transportation Authority's contract and any other assurances as to their ability to provide the requested services in a responsive and timely manner. The description of the management approach should address proposed response time standard and how the management and team structure will help to meet those standards.

**THIS SECTION IS REQUIRED TO INCLUDE RESPONSE TO THE BELOW HYPOTHETICAL SCENARIO**

Proposers are required to provide a response to the hypothetical scenario below. Responses to the hypothetical scenario must be limited to 3 pages maximum and should include a staffing plan with level of effort (e.g., person hours per staff) and direct costs as well as state assumptions about the Transportation Authority's roles and/or expenditures. **Please include an actual financial cost estimate and budget for the hypothetical in the separate cost proposal.**

Describe your proposed approach to identify additional services that may expand or enhance any one or more of the workstreams described above for an additional budgeted amount not to exceed \$100,000. Proposers are encouraged to think out of the box and suggest practical yet creative strategies to reach Study objectives. Transportation Authority staff time will not count against the \$100,000 budget.

**3. Capabilities and Experience.** Proposers must state the qualifications and experience of the proposed team, emphasizing the specific qualifications and experience acquired while providing services similar to those being sought by the Transportation Authority, particularly for the Project Manager and other key project staff members assigned to the Project. Except under certain circumstances beyond the proposer's control, the Transportation Authority will not accept substitutions of key members of the team put forth as part of the winning proposal.

This section must include the following information:

- Names of Project Manager and team members;
- Résumés of all technical personnel to be assigned to work within the scope of services as outlined in Section IV (provide as attachments; résumés will not count toward the page limit);
- Statement of proposer's background and experience related to activities and services being sought through this RFP;
- Brief description of similar projects for which the proposer has provided services during the past five (5) years, including the following information:
  - Client, including reference contact information
  - Project description and location
  - Description of services
  - Total value of services provided
  - Actual budget performance vs. projected
  - Actual schedule performance vs. projected
  - Key personnel involved
  - Sub-consultants employed

**4. Assurances and Miscellaneous Items.** In this section, proposals must provide the following information:

- a. Proposers must complete and include the exhibits listed below within the submittal. These exhibits do not count toward the page limit; please provide as attachments to proposal. Exhibit samples are attached to this RFP.

<b>Exhibit</b>	<b>Prime Consultant</b>	<b>Subconsultant(s)</b>
Exhibit A – Debarment and Suspension Certification	X	X
Exhibit B – Terminated Contracts	X	X
Exhibit C – Workforce Data Spreadsheets	X	X
Exhibit D – Guidance for Bidders Completing the Good Faith Effort Submittal	N/A	N/A
Exhibit 10-I – Notice to Proposers DBE Information	N/A	N/A
Exhibit 10-O1 – Local Agency Consultant Proposal DBE Commitment	X	N/A
Exhibit 10-O2 – Local Agency Consultant Contract DBE Information	X	N/A
Exhibit 10-Q – Disclosure of Lobbying Activities	X	X
Exhibit 15-H – DBE Information – Good Faith Efforts	X	N/A

- b. Proposers must provide the names, telephone numbers, and e-mail addresses of at least three references, in addition to staff of the Transportation Authority, if any. The references should cover work performed by the Project Manager and other key project staff members, should be for work recently performed and similar in nature to the services sought in this RFP. The references must include a brief description of the projects involved, and the roles of the respective team members in successfully completing the project.
- c. Proposers must specify any potential or perceived conflicts of interest which would disqualify its firm from doing business with the Transportation Authority. If proposers are unaware of existing or foreseeable conflicts of interest, a simple statement will suffice. However, proposers should provide a brief description of each apparent, existing or foreseeable conflict of interest, if any. In addition, list all relevant assignments completed for the City and County of San Francisco within the last five (5) years, and any involvement with Transportation Authority-funded projects, to enable the Transportation Authority to identify any possible conflicts of interest.
- d. Proposers must list any political contributions of money, in-kind services, or loans made to any current member of the Transportation Authority Board of Commissioners within the last three (3) years by management positions of the proposed consultant or sub-consultant. If proposers are unaware of any political contributions, a simple statement will suffice. However, if proposers are aware of any political contribution, proposals should include details, such as to whom, what type of contribution, the date and the amount.
- e. Proposers must clearly designate financial submittals or other materials in its submittal, if any, which it in good faith believes to be a trade secret or confidential proprietary information protected from disclosure. See Section IX below, for further details on public disclosure of responses and other materials.
- f. Proposers shall acknowledge receipt and understanding of the following Transportation Authority contracting requirements and state its ability and willingness to comply with each of them in its



proposal. The Transportation Authority does not intend to deviate from its standard contract language.

**i. Insurance**

Prior to commencement of work, the Transportation Authority will require the successful proposer to provide evidence of appropriate insurance coverage. The Transportation Authority's standard contract requires firms to maintain, during the full term of the contract term, insurance in the following amounts and coverages:

- (a) Workers' Compensation, in statutory amounts, with Employers' Liability Limits not less than \$1,000,000 each accident;
- (b) Commercial General Liability Insurance with limits not less than \$1,000,000 each occurrence Combined Single Limit for Bodily Injury and Property Damage, including Contractual Liability, Personal Injury, Products and Completed Operations;
- (c) Commercial Automobile Liability Insurance with limits not less than \$1,000,000 each occurrence Combined Single Limit for Bodily Injury and Property Damage, including Owned, Non-Owned and Hired auto coverage, as applicable; and
- (d) Professional Liability Insurance with limits not less than \$2,000,000 per claim. Sub-consultants providing professional services under this Agreement shall be added to Contractor's policy as additional insured, or shall provide evidence of their own professional liability insurance which is acceptable to the Transportation Authority's Executive Director.

Such coverage must be provided by an insurance company authorized to do business in the State of California. Commercial General Liability and Business Automobile Liability insurance policies must name the San Francisco County Transportation Authority as an Additional Insured and that the policies will not be cancelled or materially changed without thirty (30) days prior notice in writing to the Transportation Authority. Describe if your firm's insurance coverage and amounts meet the above-stated contract limitations.

**ii. Indemnification**

Contractor shall indemnify and save harmless Transportation Authority and its officers, agents and employees from, and, if requested, shall defend them against any and all loss, damage, injury, liability, and claims thereof for injury to or death of a person, including employees of Contractor or loss of or damage to property, resulting directly or indirectly from Contractor's performance of this Agreement, including, but not limited to, the use of Contractor's facilities or equipment provided by Transportation Authority or others, regardless of the negligence of, and regardless of whether liability without fault is imposed or sought to be imposed on Transportation Authority, except to the extent that such indemnity is void or otherwise unenforceable under applicable law in effect on or validly retroactive to the date of this Agreement, and except where such loss, damage, injury, liability or claim is the result of the active negligence or willful misconduct of Transportation Authority and is not contributed to by any act of, or by any omission to perform some duty imposed by law or agreement on Contractor, its subcontractors or either's agent or employee. The foregoing indemnity shall include, without limitation, reasonable fees of attorneys, consultants and experts and related costs and Transportation Authority's costs of investigating any claims against the Transportation Authority.

In addition to Contractor's obligation to indemnify Transportation Authority, Contractor specifically acknowledges and agrees that it has an immediate and independent obligation to defend Transportation Authority from any claim which actually or potentially falls within this indemnification provision, even if the allegations are or may be groundless, false or fraudulent, which obligation arises at the time such claim is tendered to Contractor by Transportation Authority and continues at all times thereafter.

Contractor shall indemnify and hold Transportation Authority harmless from all loss and liability, including attorneys' fees, court costs and all other litigation expenses for any infringement of the patent rights, copyright, trade secret or any other proprietary right or trademark, and all other intellectual property claims of any person or persons in consequence of the use by Transportation Authority, or any of its officers or agents, of articles or services to be supplied in the performance of this Agreement.

iii. **Incidental and Consequential Damages**

Contractor shall be responsible for incidental and consequential damages resulting in whole or in part from Contractor's acts or omissions. Nothing in this Agreement shall constitute a waiver or limitation of any rights that Transportation Authority may have under applicable law.

**5. Cost.** The cost proposal will not count toward the page limit, and must be submitted as a separate electronic file. The cost proposal should be based on the workstreams addressed in the proposal (Options A, B, or C) under Section IV. This contract will be on a cost-reimbursement basis, which provides for payment of the successful proposer's allowable incurred costs, to the extent prescribed in the contract, plus a fixed fee. The cost proposal must include a budget comprised of a matrix with columns for hourly rate, classification, and name for all personnel and/or sub-consultants involved for the work described in Section IV above. It also must provide a breakdown of hours and costs for each task listed in the scope of work. The cost proposal must also identify profit margins, overhead, any other direct or indirect costs and percentage of any expected salary increases or cost of living adjustments, not to exceed 3% annually. The cost proposal must include a method for establishing rates for personnel or classifications not listed. In addition, the cost proposal must include a billing rate schedule by classification for the prime and all sub-consultants and must contain a breakdown of all cost components to include: unloaded labor base rate, other direct costs, indirect cost rate, escalation (not to exceed 3% annually) and net fee. Sub-consultant costs, travel and all other direct costs will be reimbursed at cost with no markup allowed. The fee (profit) for prime consultant and sub-consultants shall be negotiated and in any event shall not exceed 10% of respective labor costs comprised of the total of wages, overhead, general and administrative expenses within the cost proposal.

SECTION VI - EVALUATION CRITERIA AND METHOD OF AWARD

The proposals will be evaluated by a selection committee appointed by the Executive Director and scored (maximum of 100 points) using the following criteria:

**1. Proposer Information and Understanding of Project Objectives. (15 points)**

- a. Responsiveness to all items requested in the RFP, such as completeness of submission, adherence to required page limits, overall organization and clarity of proposal; and
- b. Understanding of the services to be provided, particularly in relation to the Transportation Authority, and challenges for each task.

**2. Technical and Management Approach. (50 points)**

- a. Effectiveness of the proposed work plan, program and method of execution;
- b. Technical solutions to meet the scope of services; insight and understanding of special issues, problems and constraints, approach towards mitigating and resolving them;
- c. Effectiveness of the team's organizational structure in executing and managing the tasks;
- d. Management approach in providing technically sound and cost-effective services; and
- e. Ability to provide timely, qualified and adequate staffing and services to support project demands.

### **3. Capabilities and Experience. (35 points)**

- a. Capability of project team, specific relevant experience, qualifications and expertise of each firm and subconsultant firm, especially the proposed key personnel; and
- b. Client references as to past project performance.

Evaluation Process. The selection committee retains the right to independently verify and evaluate relevant experience and client references, including any sources not mentioned in the proposal.

Submittals receiving an initial score of less than 70 points will not be considered further in the selection process. Proposers that have received a score of 70 points or higher may, at the Transportation Authority's sole discretion, be invited to an interview with the selection committee. The Transportation Authority reserves the right to invite to an interview the highest-ranking firms proposing on each Option A, B, or C under Section IV that have received a score of 70 points or higher. The Transportation Authority also reserves the right to not conduct oral interviews and determine the winning proposer based solely on the written proposal. If oral interviews are held, individuals who are identified as key personnel in the proposal are required to be in attendance at the interview. Based on the results of the interview, the selection committee may adjust initial scores on the evaluation criteria identified above to arrive at the final evaluation score. The proposer with the highest final evaluation score shall be determined as the top proposer. Proposers who do not arrive for a scheduled interview, if one is held, will no longer be considered further in the selection process.

Once the top proposer has been identified and the proposer's cost and pricing data has been reviewed, Transportation Authority staff will start contract negotiations with that proposer. If contract negotiations are not successful, the second-ranked proposer may be asked to negotiate with the Transportation Authority. Each proposer's cost and pricing data will remain unopened until negotiations begin with that particular proposer. The goal of such negotiations will be to agree on a final contract that delivers the services and work described in this RFP at a fair and reasonable cost to the Transportation Authority. The award, if any, will be made to the proposer whose submittal is most responsive to the RFP and deemed most advantageous to the Transportation Authority. The Transportation Authority reserves the right to modify and/or suspend any and all aspects of this procurement, to obtain further information from any firm or person responding to this procurement, to waive any informality or irregularity as to form or content of this procurement or any response thereto, to be the sole judge of the merits of the proposals received, and to reject any or all proposals.

#### SECTION VII - DBE FOR U.S. DEPARTMENT OF TRANSPORTATION ASSISTED CONTRACTS

Terms. The terms used in this Policy have the meanings as defined in U.S. Department of Transportation (DOT) Code of Federal Regulations Title 49 Section 26 (49 CFR § 26).

DBE Objective/Policy Statement. As the Transportation Authority may receive federal financial assistance to fund a portion of this procurement from the United States Department of Transportation through the

California Department of Transportation (Caltrans) acting on behalf of the Federal Highway Administration (FHWA), the Metropolitan Transportation Commission (MTC), or the Federal Transit Administration, this procurement is subject to Caltrans regulations in accordance with Code of Federal Regulations Title 49 Section 26 (49 CFR 26).

DBEs and other small businesses are strongly encouraged to participate in the performance of contracts financed in whole or in part with federal funds. The consultant should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The proposer shall not discriminate on the basis of race, color, creed, religion, national origin, ancestry, age, height, weight, sex, sexual orientation, gender identity, domestic partner status, marital status, or disability or AIDS/HIV status in the award and performance of subcontracts. Proposers are encouraged to use services offered by financial institutions owned and controlled by DBEs.

**Nondiscrimination.** The Transportation Authority will never exclude any person from participation in, deny any person the benefit of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR 26 on the basis of race, color, sex, or national origin. The Transportation Authority will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing the accomplishment of the objectives of the Caltrans DBE Program Plan with respect to individuals of a particular race, color, sex, or national origin.

**Contract Goal.** For this contract, the Transportation Authority has established a DBE goal of **14%**. Proposers are expected to meet the DBE goal regardless of which workstreams are being proposed through Options A, B, or C under Section IV. Firms are requested to provide all applicable certificates or proof of certification along with their submission, which will not count against the page limit. Proposers must document adequate good faith efforts to involve DBEs by completing and submitting the attached Exhibit 10-O1, *Consultant Proposal DBE Commitment*, Exhibit 10-O2, *Consultant Contract DBE Information*, and Exhibit 15-H, *DBE Information – Good Faith Efforts*. Regardless of whether or not proposers are able to meet the DBE goal, all proposers must complete and submit Exhibit 15-H showing that proposers made adequate good faith efforts to meet the goal. Proposals that do not make an adequate good faith effort to meet the DBE contract goal and document adequate good faith efforts shall be considered non-responsive to this procurement.

**DBE Regulations.** Bidders shall be fully informed with respect to the requirements of the DBE regulations. The DBE regulations in their entirety are incorporated herein by reference. A DBE must be a small business firm defined pursuant to 13 CFR 121 and be certified through the California Unified Certification Program by the proposal due date. A certified DBE may participate as a prime consultant, sub-consultant, joint venture partner with a prime or sub-consultant, vendor of materials or supplies, or as a trucking company. For more information, please refer to Exhibit 10-I, *Notice to Proposers DBE Information*, and Exhibit D, *Guidance for Bidders Completing the Good Faith Effort Submittal*.

## SECTION VIII – PROCUREMENT PROTEST AND APPEAL POLICIES AND PROCEDURES

The Transportation Authority has established protest procedures, which apply to all procurements of supplies, equipment, and services. Proposers must file protests with the Transportation Authority no later than five (5) business days after notice, actual or constructive, by the Transportation Authority's Executive Director or his/her designee, that either their bid (or proposal) is not being considered further, or a recommendation has been made to the Board to award to another bidder. Copies of these policies and procedures are kept at the Transportation Authority's offices and are available upon written request.

## SECTION IX – NOTE REGARDING PUBLIC DISCLOSURE OF RESPONSES AND OTHER MATERIALS

Under the California Public Records Act (PRA; Government Code sections 6250 *et seq.*), records, information and materials submitted to the Transportation Authority, not otherwise exempt, are subject to public disclosure. Immediately after the contract has been awarded, the materials submitted by all proposers will be open to inspection. Each party submitting a response to the RFP should clearly designate financial submittals or other materials, if any, which it in good faith believes to be corporate proprietary information, including trade secrets, protected from disclosure; if no materials are designated, the submitted proposal in its entirety may be subject to the PRA. To the extent permitted by law, the Transportation Authority will attempt to maintain the confidentiality of such information by providing the proposer with notice that it has received a request. If the proposer desires that such materials not be disclosed, it may, at its own expense, take appropriate legal action to prevent such disclosure. However, such confidentiality cannot be assured, and the Transportation Authority will not be liable for the public disclosure of any material submitted to it.

## APPENDICES AND EXHIBITS

The following documents are attached:

- Exhibit A – Debarment and Suspension Certification
- Exhibit B – Terminated Contracts
- Exhibit C – Workforce Data Spreadsheets
- Exhibit D – Guidance for Bidders Completing the Good Faith Effort Submittal
- Exhibit 10-I – Notice to Proposers DBE Information
- Exhibit 10-O1 – Consultant Proposal DBE Commitment
- Exhibit 10-O2 – Consultant Contract DBE Information
- Exhibit 10-Q – Disclosure of Lobbying Activities
- Exhibit 15-H – DBE Information – Good Faith Efforts

**Exhibit A**

**Debarment and Suspension Certification**

Title 2, CODE OF FEDERAL REGULATIONS, PART 180

The Proposer's signature affixed herein, shall constitute a certification under penalty of perjury under the laws of the State of California, that the Proposer has complied with Title 2 CFR, Part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension (nonprocurement)", which certifies that he/she or any other person associated therewith in the capacity of owner, partner, director, officer or manager:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency,
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three (3) years,
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years.

Any exceptions to this certification must be disclosed to the Transportation Authority in the following space:

---

---

---

---

---

---

---

Exceptions will not necessarily result in denial of recommendation for award, but will be considered in determining Proposer responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Exceptions to the Federal Government Excluded Parties List System maintained by the General Services Administration are to be determined by the Federal Highway Administration.

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Proposer are true and correct.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Firm Name

## Exhibit B – Terminated Contracts

Proposers must provide a list of contracts terminated (partially or completely) by clients for convenience or default within the past three (3) years. For each contract, the list must include the following information:

- Contract number;
- Contract value;
- Description of work;
- Sponsoring organization name; and
- Sponsoring organization key contact information, including name, title and current telephone number.

Proposer does not have any terminated contracts by clients for convenience or default within the past three (3) years.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Firm Name

**Exhibit C – Workforce Data Spreadsheet #1  
Breakdown of existing employees**

Name of firm: \_\_\_\_\_

Address: \_\_\_\_\_

EMPLOYEE * CATEGORIES	TOTAL EMPLOYEE		AFRICAN AMERICAN		HISPANIC		ASIAN/ PAC. ISL.		AMER. IND./ ALAK. NTV.		TOTAL MINORITY		PERCENTAGE WHITE		PERCENTAGE MINORITY	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Officials																
Managers																
Professionals																
Technicians																
Admin. Support																
Trainees																
Others																
Full-time																
Part-time																
<b>TOTAL</b>																

COMPLETED BY Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

\* If the list of occupations on the left side of the workforce data form does not match your occupation titles, please modify the data form to indicate occupations particular to your organization.



**Exhibit C – Workforce Data Spreadsheet #2**  
**Breakdown of employees hired in last 12 months**

Name of firm: \_\_\_\_\_

Address: \_\_\_\_\_

EMPLOYEE CATEGORIES	TOTAL EMPLOYEE		AFRICAN AMERICAN		HISPANIC		ASIAN/ PAC. ISL.		AMER. IND./ ALAK. NTV.		TOTAL MINORITY		PERCENTAGE WHITE		PERCENTAGE MINORITY	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Officials																
Managers																
Professionals																
Technicians																
Admin. Support																
Trainees																
Others																
Full-time																
Part-time																
<b>TOTAL</b>																

COMPLETED BY Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

\* If the list of occupations on the left side of the workforce data form does not match your occupation titles, please modify the data form to indicate occupations particular to your organization.



## Exhibit D

### GUIDANCE FOR BIDDERS COMPLETING THE GOOD FAITH EFFORT SUBMITTAL

The specifications in Section 2 of the project Special provisions for each federally-funded project state the following about documentation of adequate good faith efforts:

“The information necessary to establish the bidder’s adequate good faith efforts to meet the contract goal should include:

- A. The names and dates of each publication in which a request for DBE participation for this project was placed by the bidder.
- B. The names and dates of written notices sent to certified DBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the DBEs were interested.
- C. The items of work which the bidder made available to DBE firms, including, where appropriate, any breaking down of the contract work items (including those items normally performed by the bidder with its own forces) into economically feasible units to facilitate DBE participation. It is the bidder’s responsibility to demonstrate that sufficient work to meet the DBE goal was made available to DBE firms.
- D. The names, address and phone numbers of rejected DBE firms, the firms selected for that work, and the reasons for the bidder’s choice.
- E. Efforts made to assist interested DBEs in obtaining bonding, lines of credit or insurance, and any work which was provided to the DBEs.
- F. Efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services, excluding supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate.
- G. The names of agencies contacted to provide assistance in contracting, recruiting and using DBE firms.
- H. Any additional data to support a demonstration of good faith efforts.”

It is recommended that bidders consider the following in making efforts to obtain participation of DBEs, and when preparing the documentation to be submitted, demonstrating their good faith efforts:

- Advertising for DBE participation may be placed in newspapers, trade papers, minority focus papers and on the Internet.
- The more advertising the better. The wider the audience—especially in trade and focus publications—the better a prime contractor can “get the word out” they plan to bid a project, the better potential for DBEs to know about the project and to whom they should bid.



- Solicitations and follow-up telephone contacts should occur within reasonable time before the opening bid date to allow the subcontractor time to prepare a quote to submit to the bidder. Telephone or e-mail logs, and fax receipts may be used to corroborate follow-up contacts.
- Advertisements and solicitations should state which items or portions of work are being made available. The bidder should consider making as many items of work available as possible to meet the goal, including those items normally performed by the bidder with its own forces.
- Bidders are encouraged to assist DBE subcontractors in the areas of bonding (if required), lines of credit, and obtaining necessary equipment, supplies and materials, and inform DBEs of this assistance in their solicitations.
- The documentation to be submitted to the local agency should clearly demonstrate all efforts made by the bidder to meet the DBE goal. To assist in providing clear documentation, bidders should consider the following:
  - Be careful when referring to “See Attachments” without providing explicit information where to find the material. Clearly identifying these items as Attachment A, Attachment B, etc. is suggested.
  - Attachments may include copies of advertisements, solicitations and logs of telephone follow-ups, e-mail or fax receipts.
  - In documenting the work made available to DBEs, list the bid item number, description of the work and what portion of the item was offered, if applicable.
  - Include quotes from rejected DBEs and the quotes from the firms selected. If the bidder is doing the work at less cost, include the items to be performed and the costs.
  - Identify any contacts with agencies, organizations or groups used or contacted to provide assistance in contacting, recruiting and using DBE firms, and any responses or assistance received from them.
  - Describe any additional information which would demonstrate that adequate good faith efforts were made to meet the goal.

**EXHIBIT 10-I NOTICE TO PROPOSERS DBE INFORMATION**

The Agency has established a DBE goal for this Contract of 14%

OR

The Agency has not established a goal for this Contract. However, proposers are encouraged to obtain DBE participation for this contract.

**1. TERMS AS USED IN THIS DOCUMENT**

- The term “Disadvantaged Business Enterprise” or “DBE” means a for-profit small business concern owned and controlled by a socially and economically disadvantaged person(s) as defined in Title 49, Code of Federal Regulations (CFR), Part 26.5.
- The term “Agreement” also means “Contract.”
- Agency also means the local entity entering into this contract with the Contractor or Consultant.
- The term “Small Business” or “SB” is as defined in 49 CFR 26.65.

**2. AUTHORITY AND RESPONSIBILITY**

- A. DBEs and other small businesses are strongly encouraged to participate in the performance of Contracts financed in whole or in part with federal funds (See 49 CFR 26, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs”). The Consultant must ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The proposer must not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.
- B. Proposers are encouraged to use services offered by financial institutions owned and controlled by DBEs.

**3. SUBMISSION OF DBE INFORMATION**

If there is a DBE goal on the contract, Exhibit 10-O1 *Consultant Proposal DBE Commitment* must be included in the Request for Proposal. In order for a proposer to be considered responsible and responsive, the proposer must make good faith efforts to meet the goal established for the contract. If the goal is not met, the proposer must document adequate good faith efforts. All DBE participation will be counted towards the contract goal; therefore, all DBE participation shall be collected and reported.

Exhibit 10-O2 *Consultant Contract DBE Information* must be included with the Request for Proposal. Even if no DBE participation will be reported, the successful proposer must execute and return the form.

**4. DBE PARTICIPATION GENERAL INFORMATION**

It is the proposer’s responsibility to be fully informed regarding the requirements of 49 CFR, Part 26, and the Department’s DBE program developed pursuant to the regulations. Particular attention is directed to the following:

- A. A DBE must be a small business firm defined pursuant to 13 CFR 121 and be certified through the California Unified Certification Program (CUCP).

- B. A certified DBE may participate as a prime consultant, subconsultant, joint venture partner, as a vendor of material or supplies, or as a trucking company.
- C. A DBE proposer not proposing as a joint venture with a non-DBE, will be required to document one or a combination of the following:
  - 1. The proposer is a DBE and will meet the goal by performing work with its own forces.
  - 2. The proposer will meet the goal through work performed by DBE subconsultants, suppliers or trucking companies.
  - 3. The proposer, prior to proposing, made adequate good faith efforts to meet the goal.
- D. A DBE joint venture partner must be responsible for specific contract items of work or clearly defined portions thereof. Responsibility means actually performing, managing, and supervising the work with its own forces. The DBE joint venture partner must share in the capital contribution, control, management, risks and profits of the joint venture commensurate with its ownership interest.
- E. A DBE must perform a commercially useful function pursuant to 49 CFR 26.55, that is, a DBE firm must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing and supervising the work.
- F. The proposer shall list only one subconsultant for each portion of work as defined in their proposal and all DBE subconsultants should be listed in the bid/cost proposal list of subconsultants.
- G. A prime consultant who is a certified DBE is eligible to claim all of the work in the Contract toward the DBE participation except that portion of the work to be performed by non-DBE subconsultants.

## 5. RESOURCES

- A. The CUCP database includes the certified DBEs from all certifying agencies participating in the CUCP. If you believe a firm is certified that cannot be located on the database, please contact the Caltrans Office of Certification toll free number 1-866-810-6346 for assistance.
- B. Access the CUCP database from the Department of Transportation, Office of Business and Economic Opportunity Web site at: <http://www.dot.ca.gov/hq/bep/>.
  - 1. Click on the link titled *Disadvantaged Business Enterprise*;
  - 2. Click on Search for a DBE Firm link;
  - 3. Click on *Access to the DBE Query Form* located on the first line in the center of the page.

Searches can be performed by one or more criteria. Follow instructions on the screen.

## 6. MATERIALS OR SUPPLIES PURCHASED FROM DBES COUNT TOWARDS THE DBE GOAL UNDER THE FOLLOWING CONDITIONS:

- A. If the materials or supplies are obtained from a DBE manufacturer, count 100 percent of the cost of the materials or supplies. A DBE manufacturer is a firm that operates or maintains a factory, or establishment that produces on the premises the materials, supplies, articles, or equipment required under the Contract and of the general character described by the specifications.
- B. If the materials or supplies purchased from a DBE regular dealer, count 60 percent of the cost of the materials or supplies. A DBE regular dealer is a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the Contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a DBE regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the

purchase and sale or lease of the products in question. A person may be a DBE regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone or asphalt without owning, operating or maintaining a place of business provided in this section.

- C. If the person both owns and operates distribution equipment for the products, any supplementing of regular dealers' own distribution equipment shall be, by a long-term lease agreement and not an ad hoc or Agreement-by-Agreement basis. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not DBE regular dealers within the meaning of this section.
- D. Materials or supplies purchased from a DBE, which is neither a manufacturer nor a regular dealer, will be limited to the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on the job site, provided the fees are reasonable and not excessive as compared with fees charged for similar services.

EXHIBIT 10-01 CONSULTANT PROPOSAL DBE COMMITMENT

1. Local Agency: \_\_\_\_\_ 2. Contract DBE Goal: **14%**

3. Project Description: \_\_\_\_\_

4. Project Location: \_\_\_\_\_

5. Consultant's Name: \_\_\_\_\_ 6. Prime Certified DBE:

7. Description of Work, Service, or Materials Supplied	8. DBE Certification Number	9. DBE Contact Information	10. DBE %
<b>Local Agency to Complete this Section</b>			<b>11. TOTAL CLAIMED DBE PARTICIPATION</b> %
17. Local Agency Contract Number: _____ 18. Federal-Aid Project Number: _____ 19. Proposed Contract Execution Date: _____ 20. Consultant's Ranking after Evaluation: _____	<b>IMPORTANT:</b> Identify all DBE firms being claimed for credit, regardless of tier. Written confirmation of each listed DBE is required.  _____ 12. Preparer's Signature <span style="float: right;">13. Date</span>  _____ 14. Preparer's Name <span style="float: right;">15. Phone</span>  _____ 16. Preparer's Title		
Local Agency certifies that all DBE certifications are valid and information on this form is complete and accurate.  _____ _____ _____			

DISTRIBUTION: Original – Included with consultant's proposal to local agency.

**ADA Notice:** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**INSTRUCTIONS – CONSULTANT PROPOSAL DBE COMMITMENT****CONSULTANT SECTION**

- 1. Local Agency** - Enter the name of the local or regional agency that is funding the contract.
- 2. Contract DBE Goal** - Enter the contract DBE goal percentage as it appears on the project advertisement.
- 3. Project Location** - Enter the project location as it appears on the project advertisement.
- 4. Project Description** - Enter the project description as it appears on the project advertisement (Bridge Rehab, Seismic Rehab, Overlay, Widening, etc.).
- 5. Consultant's Name** - Enter the consultant's firm name.
- 6. Prime Certified DBE** - Check box if prime contractor is a certified DBE.
- 7. Description of Work, Services, or Materials Supplied** - Enter description of work, services, or materials to be provided. Indicate all work to be performed by DBEs including work performed by the prime consultant's own forces, if the prime is a DBE. If 100% of the item is not to be performed or furnished by the DBE, describe the exact portion to be performed or furnished by the DBE. See LAPM Chapter 9 to determine how to count the participation of DBE firms.
- 8. DBE Certification Number** - Enter the DBE's Certification Identification Number. All DBEs must be certified on the date bids are opened.
- 9. DBE Contact Information** - Enter the name, address, and phone number of all DBE subcontracted consultants. Also, enter the prime consultant's name and phone number, if the prime is a DBE.
- 10. DBE %** - Percent participation of work to be performed or service provided by a DBE. Include the prime consultant if the prime is a DBE. See LAPM Chapter 9 for how to count full/partial participation.
- 11. Total Claimed DBE Participation %** - Enter the total DBE participation claimed. If the total % claimed is less than item "Contract DBE Goal," an adequately documented Good Faith Effort (GFE) is required (see Exhibit 15-H DBE Information - Good Faith Efforts of the LAPM).
- 12. Preparer's Signature** - The person completing the DBE commitment form on behalf of the consultant's firm must sign their name.
- 13. Date** - Enter the date the DBE commitment form is signed by the consultant's preparer.
- 14. Preparer's Name** - Enter the name of the person preparing and signing the consultant's DBE commitment form.
- 15. Phone** - Enter the area code and phone number of the person signing the consultant's DBE commitment form.
- 16. Preparer's Title** - Enter the position/title of the person signing the consultant's DBE commitment form.

**LOCAL AGENCY SECTION**

- 17. Local Agency Contract Number** - Enter the Local Agency contract number or identifier.
- 18. Federal-Aid Project Number** - Enter the Federal-Aid Project Number.
- 19. Proposed Contract Execution Date** - Enter the proposed contract execution date.
- 20. Consultant's Ranking after Evaluation** - Enter consultant's ranking after all submittals/consultants are evaluated. Use this as a quick comparison for evaluating most qualified consultant.
- 21. Local Agency Representative's Signature** - The person completing this section of the form for the Local Agency must sign their name to certify that the information in this and the Consultant Section of this form is complete and accurate.
- 22. Date** - Enter the date the DBE commitment form is signed by the Local Agency Representative.
- 23. Local Agency Representative's Name** - Enter the name of the Local Agency Representative certifying the consultant's DBE commitment form.
- 24. Phone** - Enter the area code and phone number of the person signing the consultant's DBE commitment form.
- 25. Local Agency Representative Title** - Enter the position/title of the Local Agency Representative certifying the consultant's DBE commitment form.



**EXHIBIT 10-O2 CONSULTANT CONTRACT DBE COMMITMENT**

1. Local Agency: \_\_\_\_\_ 2. Contract DBE Goal: **14%**  
 3. Project Description: \_\_\_\_\_  
 4. Project Location: \_\_\_\_\_  
 5. Consultant's Name: \_\_\_\_\_ 6. Prime Certified DBE:  7. Total Contract Award Amount: \_\_\_\_\_  
 8. Total Dollar Amount for **ALL** Subconsultants: \_\_\_\_\_ 9. Total Number of **ALL** Subconsultants: \_\_\_\_\_

10. Description of Work, Service, or Materials Supplied	11. DBE Certification Number	12. DBE Contact Information	13. DBE Dollar Amount
<b>Local Agency to Complete this Section</b>			\$
20. Local Agency Contract Number: _____ 21. Federal-Aid Project Number: _____ 22. Contract Execution Date: _____	<b>14. TOTAL CLAIMED DBE PARTICIPATION</b>		%
Local Agency certifies that all DBE certifications are valid and information on this form is complete and accurate.			IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Written confirmation of each listed DBE is required.
_____ 23. Local Agency Representative's Signature	_____ 24. Date	_____ 15. Preparer's Signature	_____ 16. Date
_____ 25. Local Agency Representative's Name	_____ 26. Phone	_____ 17. Preparer's Name	_____ 18. Phone
_____ 27. Local Agency Representative's Title		_____ 19. Preparer's Title	

**DISTRIBUTION:** 1. Original – Local Agency  
 2. Copy – Caltrans District Local Assistance Engineer (DLAE). Failure to submit to DLAE within 30 days of contract execution may result in de-obligation of federal funds on contract.

**ADA Notice:** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**INSTRUCTIONS – CONSULTANT CONTRACT DBE COMMITMENT**CONSULTANT SECTION

- 1. Local Agency** - Enter the name of the local or regional agency that is funding the contract.
- 2. Contract DBE Goal** - Enter the contract DBE goal percentage as it appears on the project advertisement.
- 3. Project Description** - Enter the project description as it appears on the project advertisement (Bridge Rehab, Seismic Rehab, Overlay, Widening, etc).
- 4. Project Location** - Enter the project location as it appears on the project advertisement.
- 5. Consultant's Name** - Enter the consultant's firm name.
- 6. Prime Certified DBE** - Check box if prime contractor is a certified DBE.
- 7. Total Contract Award Amount** - Enter the total contract award dollar amount for the prime consultant.
- 8. Total Dollar Amount for ALL Subconsultants** – Enter the total dollar amount for all subcontracted consultants. SUM = (DBEs + all Non-DBEs). Do not include the prime consultant information in this count.
- 9. Total number of ALL subconsultants** – Enter the total number of all subcontracted consultants. SUM = (DBEs + all Non-DBEs). Do not include the prime consultant information in this count.
- 10. Description of Work, Services, or Materials Supplied** - Enter description of work, services, or materials to be provided. Indicate all work to be performed by DBEs including work performed by the prime consultant's own forces, if the prime is a DBE. If 100% of the item is not to be performed or furnished by the DBE, describe the exact portion to be performed or furnished by the DBE. See LAPM Chapter 9 to determine how to count the participation of DBE firms.
- 11. DBE Certification Number** - Enter the DBE's Certification Identification Number. All DBEs must be certified on the date bids are opened.
- 12. DBE Contact Information** - Enter the name, address, and phone number of all DBE subcontracted consultants. Also, enter the prime consultant's name and phone number, if the prime is a DBE.
- 13. DBE Dollar Amount** - Enter the subcontracted dollar amount of the work to be performed or service to be provided. Include the prime consultant if the prime is a DBE. See LAPM Chapter 9 for how to count full/partial participation.
- 14. Total Claimed DBE Participation - \$:** Enter the total dollar amounts entered in the "DBE Dollar Amount" column. **%:** Enter the total DBE participation claimed ("Total Participation Dollars Claimed" divided by item "Total Contract Award Amount"). If the total % claimed is less than item "Contract DBE Goal," an adequately documented Good Faith Effort (GFE) is required (see Exhibit 15-H DBE Information - Good Faith Efforts of the LAPM).
- 15. Preparer's Signature** - The person completing the DBE commitment form on behalf of the consultant's firm must sign their name.
- 16. Date** - Enter the date the DBE commitment form is signed by the consultant's preparer.
- 17. Preparer's Name** - Enter the name of the person preparing and signing the consultant's DBE commitment form.
- 18. Phone** - Enter the area code and phone number of the person signing the consultant's DBE commitment form.
- 19. Preparer's Title** - Enter the position/title of the person signing the consultant's DBE commitment form.

LOCAL AGENCY SECTION

- 20. Local Agency Contract Number** - Enter the Local Agency contract number or identifier.
- 21. Federal-Aid Project Number** - Enter the Federal-Aid Project Number.
- 22. Contract Execution Date** - Enter the date the contract was executed.
- 23. Local Agency Representative's Signature** - The person completing this section of the form for the Local Agency must sign their name to certify that the information in this and the Consultant Section of this form is complete and accurate.
- 24. Date** - Enter the date the DBE commitment form is signed by the Local Agency Representative.
- 25. Local Agency Representative's Name** - Enter the name of the Local Agency Representative certifying the consultant's DBE commitment form.
- 26. Phone** - Enter the area code and phone number of the person signing the consultant's DBE commitment form.
- 27. Local Agency Representative Title** - Enter the position/title of the Local Agency Representative certifying the consultant's DBE commitment form.

**EXHIBIT 10-Q DISCLOSURE OF LOBBYING ACTIVITIES**

COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT TO 31 U.S.C. 1352

<p><b>1. Type of Federal Action:</b></p> <p><input type="checkbox"/> a. contract  <input type="checkbox"/> b. grant  <input type="checkbox"/> c. cooperative agreement  <input type="checkbox"/> d. loan  <input type="checkbox"/> e. loan guarantee  <input type="checkbox"/> f. loan insurance</p>	<p><b>2. Status of Federal Action:</b></p> <p><input type="checkbox"/> a. bid/offer/application  <input type="checkbox"/> b. initial award  <input type="checkbox"/> c. post-award</p>	<p><b>3. Report Type:</b></p> <p><input type="checkbox"/> a. initial  <input type="checkbox"/> b. material change</p> <p><b>For Material Change Only:</b>  year ____ quarter _____  date of last report _____</p>
<p><b>4. Name and Address of Reporting Entity</b></p> <p><input type="checkbox"/> Prime                      <input type="checkbox"/> Subawardee  Tier _____, if known</p> <p>Congressional District, if known _____</p>	<p><b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b></p> <p>Congressional District, if known _____</p>	
<p><b>6. Federal Department/Agency:</b></p>	<p><b>7. Federal Program Name/Description:</b></p> <p>CFDA Number, if applicable _____</p>	
<p><b>8. Federal Action Number, if known:</b></p>	<p><b>9. Award Amount, if known:</b></p>	
<p><b>10. Name and Address of Lobby Entity</b>  (If individual, last name, first name, MI)</p> <p style="text-align: center;">(attach Continuation Sheet(s) if necessary)</p>	<p><b>11. Individuals Performing Services</b>  (including address if different from No. 10)  (last name, first name, MI)</p>	
<p><b>12. Amount of Payment (check all that apply)</b></p> <p>\$ _____ <input type="checkbox"/> actual    <input type="checkbox"/> planned</p>	<p><b>14. Type of Payment (check all that apply)</b></p> <p><input type="checkbox"/> a. retainer  <input type="checkbox"/> b. one-time fee  <input type="checkbox"/> c. commission  <input type="checkbox"/> d. contingent fee  <input type="checkbox"/> e. deferred  <input type="checkbox"/> f. other, specify _____</p>	
<p><b>13. Form of Payment (check all that apply):</b></p> <p><input type="checkbox"/> a. cash  <input type="checkbox"/> b. in-kind; specify: nature _____  Value _____</p>		
<p><b>15. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member(s) contacted, for Payment Indicated in Item 12:</b></p> <p style="text-align: center;">(attach Continuation Sheet(s) if necessary)</p>		
<p><b>16. Continuation Sheet(s) attached:</b>      Yes <input type="checkbox"/>      No <input type="checkbox"/></p>		
<p><b>17. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying reliance was placed by the tier above when his transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b></p>		
<p>Signature: _____  Print Name: _____  Title: _____  Telephone No.: _____ Date: _____</p>		
<p>Authorized for Local Reproduction  Standard Form - LLL</p>		
<p><b>Federal Use Only:</b></p>		

Standard Form LLL Rev. 04-28-06

Distribution: Orig- Local Agency Project Files

**INSTRUCTIONS FOR COMPLETING EXHIBIT 10-Q DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime federal recipient at the initiation or receipt of covered federal action or a material change to previous filing pursuant to title 31 U.S.C. Section 1352. The filing of a form is required for such payment or agreement to make payment to lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress an officer or employee of Congress or an employee of a Member of Congress in connection with a covered federal action. Attach a continuation sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered federal action for which lobbying activity is or has been secured to influence, the outcome of a covered federal action.
2. Identify the status of the covered federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered federal action.
4. Enter the full name, address, city, state, and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is or expects to be a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the first tier. Subawards include but are not limited to: subcontracts, subgrants, and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee" then enter the full name, address, city, state, and zip code of the prime federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organization level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the federal program name or description for the covered federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate federal identifying number available for the federal action identification in item 1 (e.g., Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract grant. or loan award number, the application/proposal control number assigned by the federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered federal action where there has been an award or loan commitment by the Federal agency, enter the federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. Enter the full name, address, city, state, and zip code of the lobbying entity engaged by the reporting entity identified in Item 4 to influence the covered federal action.
11. Enter the full names of the individual(s) performing services and include full address if different from 10 (a). Enter Last Name, First Name and Middle Initial (MI).
12. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (Item 4) to the lobbying entity (Item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
13. Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
14. Check all boxes that apply. If other, specify nature.
15. Provide a specific and detailed description of the services that the lobbyist has performed or will be expected to perform and the date(s) of any services rendered. Include all preparatory and related activity not just time spent in actual contact with federal officials. Identify the federal officer(s) or employee(s) contacted or the officer(s) employee(s) or Member(s) of Congress that were contacted.
16. Check whether or not a continuation sheet(s) is attached.
17. The certifying official shall sign and date the form, and print his/her name title and telephone number.

Public reporting burden for this collection of information is estimated to average 30-minutes per response, including time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503. SF-LLL-Instructions Rev. 06-04

**EXHIBIT 15-H: PROPOSER/CONTRACTOR GOOD FAITH EFFORTS**

Federal-aid Project No(s). \_\_\_\_\_ Bid Opening Date \_\_\_\_\_

The \_\_\_\_\_ established a Disadvantaged Business Enterprise (DBE) goal of \_\_\_\_\_ for this contract. The information provided herein shows the required good faith efforts to meet or exceed the DBE contract goal.

Proposers or bidders submit the following information to document their good faith efforts within five (5) business days from bid opening. Proposers and bidders are recommended to submit the following information even if the Exhibit 10-O1: Consultant Proposal DBE Commitments or Exhibit 15-G: Construction Contract DBE Commitment indicate that the proposer or bidder has met the DBE goal. This form protects the proposer’s or bidder’s eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a DBE firm was not certified at bid opening, or the bidder made a mathematical error.

The following items are listed in the Section entitled “Submission of DBE Commitment” of the Special Provisions, **please attach additional sheets as needed:**

- A. The names and dates of each publication in which a request for DBE participation for this project was placed by the bidder (please attach copies of advertisements or proofs of publication):

Publications	Dates of Advertisement

- B. The names and dates of written notices sent to certified DBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the DBEs were interested (please attach copies of solicitations, telephone records, fax confirmations, etc.):

Names of DBEs Solicited	Date of Initial Solicitation	Follow Up Methods and Dates

C. The items of work made available to DBE firms including those unbundled contract work items into economically feasible units to facilitate DBE participation. It is the bidder's responsibility to demonstrate that sufficient work to facilitate DBE participation in order to met or exceed the DBE contract goal.

Items of Work	Bidder Normally Performs Item (Y/N)	Breakdown of Items	Amount (\$)	Percentage Of Contract

D. The names, addresses and phone numbers of rejected DBE firms, the reasons for the bidder's rejection of the DBEs, the firms selected for that work (please attach copies of quotes from the firms involved), and the price difference for each DBE if the selected firm is not a DBE:

Names, addresses and phone numbers of rejected DBEs and the reasons for the bidder's rejection of the DBEs:

---

---

---

---

Names, addresses and phone numbers of firms selected for the work above:

---

---

---

---

E. Efforts (e.g. in advertisements and solicitations) made to assist interested DBEs in obtaining information related to the plans, specifications and requirements for the work which was provided to DBEs:

F. Efforts (e.g. in advertisements and solicitations) made to assist interested DBEs in obtaining bonding, lines of credit or insurance, necessary equipment, supplies, materials, or related assistance or services, excluding supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate:

G. The names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using DBE firms (please attach copies of requests to agencies and any responses received, i.e., lists, Internet page download, etc.):

Name of Agency/Organization	Method/Date of Contact	Results

H. Any additional data to support a demonstration of good faith efforts: