



Request for Proposals

for Annual Audit Services

Date Issued	Proposals Due	Expected Duration	Budget	DBE/LBE/SBE Goal	Contact
March 4, 2021	April 2, 2021 at 2:00 p.m. (electronically)	Three years plus two one-year options	\$310,000	15%	Ron Leong Management Analyst ronald.leong@sfcta.org

SECTION I – NOTICE

Notice is hereby given that the San Francisco County Transportation Authority (Transportation Authority) is requesting proposals from qualified respondents (proposers/respondents) to provide annual audit services. It is the intent of the Transportation Authority to contract with the selected firm for a three-year term, with an option to extend, which may be exercised at the option of the Transportation Authority, for two additional one-year periods (up to a total of five years). The total value of the first three-year term is approximately \$310,000 with the value of subsequent one-year extensions to be determined by future Transportation Authority budgets.

You are invited to submit a proposal that responds to the performance of these services. The proposal must respond to the specific scope of services described in Section IV of this RFP. The proposal must be in strict accordance with the requirements and guidance contained herein.

Questions. Questions may be submitted in writing by the stated deadline in Section II by e-mail to info@sfcta.org; please include "RFP 20/21-07 - Annual Audit Services" in the subject line. The Transportation Authority's responses will be available 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
March 4, 2021	Release of RFP
March 11, 5:00 p.m.	Proposers to submit written questions to Transportation Authority
March 16*	Transportation Authority issues written responses to questions
April 2, 2:00 p.m.	Responses to RFP and sealed/separate cost proposals due electronically. Late submissions will not be accepted.
April 8*	Invitation(s) to interview issued to short list of proposers* (if necessary)



April 14-19*	Interviews* (scheduled if necessary)
April 28*	The selection committee’s recommendation to Citizens Advisory Committee for award
May 11*	Recommendation to Transportation Authority Board for award
May 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. 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 a \$4 per year vehicle registration fee and allocates the funds to transportation projects that improve air quality.

In November 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.

In April 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 (TITIP) in support of the Treasure Island/Yerba Buena Island Development Project. The TITIP 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.

In November 2019, San Francisco voters approved Proposition D - Traffic Congestion Mitigation Tax, establishing a surcharge on commercial ride-hailing trips within the City. Shared rides or rides taken in a zero-emission vehicle are charged 1.50%, and rides with a single occupant are charged 3.25%. After a 2% set aside for administration by the City and County of San Francisco, 50% of revenues are directed to the San Francisco Municipal Transportation Agency (SFMTA) for transit operations and improvements, and 50% transferred to the Transportation Authority for bicycle and pedestrian safety improvements, traffic calming, traffic signals, and maintenance. The tax is in effect until November 2045.

Project Background and Purpose

The Transportation Authority issues a Comprehensive Annual Financial Reporting (CAFR); while TIMMA issues basic financial statements. Both audit reports are prepared according to the financial reporting requirements of the Governmental Accounting Standards Board (GASB). Pursuant to GASB standards, the financial statements of the Transportation Authority are included in the City's basic financial statements. Nonetheless, the Transportation Authority is governed by an administrative code separate from that of the City's, and the agency operates as a special-purpose government agency under state law, separate and distinct from the City. The City's Mayor does not have oversight control over the Transportation Authority. The ordinance that created the Transportation Authority empowers it to independently issue debt in order to finance transportation projects in the San Francisco County Transportation Expenditure Plan. The Transportation Authority's borrowing capacity is separate and distinct from that of the City.

The Transportation Authority Board approved the Transportation Authority's Fiscal Year (FY) 2019/2020 Audit Report for the Year Ended June 30, 2020 is available at <https://www.sfcta.org/events/transportation-authority-board-21>. In FY 2019/20, the Transportation Authority had one major program in the Single Audit.

The Transportation Authority financial statements include TIMMA as a blended special revenue fund component unit. The TIMMA Board approved TIMMA's FY 2018/19 Audit Report for the Year Ended June 30, 2019 is available at <https://www.sfcta.org/events/timma-board-january-28-2020>. TIMMA's FY 2019/20 Audit Report is currently pending TIMMA's Board approval in March 2021. Over the next three years, we anticipate the Auditor may likely perform a separate single audit for TIMMA. For information about TIMMA and its activities, please visit www.timma.org.

The Transportation Authority is currently using the enterprise resource planning system, Microsoft Dynamics AX 2012, to manage all facets of financial management and operational oversight. Relevant Finance and Administration staff will be participating in the audit process. Please refer to our Audit Report for the Year Ended June 30, 2020 for our agency organization chart.



The current auditor, Eide Bailly LLP (formerly Vavrinek, Trine, Day & Co., LLP), has provided auditing services since FY 2014/15. For the prior year audit, there were no adjustments proposed, and no findings or issues. Annual audit fees under the current contract ranged from \$60,000 - \$89,000 per year. Eide Bailly LLP is not precluded from submitting a proposal in response to this RFP.

The Transportation Authority intends to secure the professional services of a certified public accounting firm to provide annual audit services for fiscal period ending June 30, 2021 through June 30, 2023.

SECTION IV – SCOPE OF SERVICES

The Transportation Authority has budgeted \$310,000 for this contract for the first three years of services. Please note this is a ceiling and not a target. It is anticipated that a contract will be awarded for a three-year term, with options to renew for two additional one-year terms, which may be exercised at the discretion of the Transportation Authority.

Audit services will be requested on an hourly reimbursable basis, plus expenses, and may include, but are not limited to, the following categories of action:

- Conduct an annual audit of all the Transportation Authority's funds in accordance with auditing standards generally accepted in the United States of America and the GASB with the objectives of expressing an opinion on the financial statements. The successful proposer (the Auditor) will audit the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements in our CAFR;
- Perform the procedures necessary to ensure that the Transportation Authority may use the Auditor's opinion on the basic financial statements in connection with any official statements for public debt issuance. The Auditor will issue a debt service certificate, in the form of a debt consent agreed upon procedures engagement and/or a consent letter as requested by bond counsel. We do not anticipate any debt issuances during FY 2020/21;
- Perform a single audit on the expenditures of federal grants in accordance with Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) and render the appropriate audit reports on Internal Control Over Financial Reporting based upon the audit of the Transportation Authority's financial statements in accordance with Government Auditing Standards and the appropriate reports on compliance with Requirements Applicable to each Major Program, Internal Control over Compliance and on the Schedule of Expenditures of Federal Awards in Accordance with the Uniform Guidance. The single audit will include appropriate schedule of expenditures of federal awards, footnotes, findings and questioned costs, including reportable conditions and material weaknesses, and follow up on prior audit findings where required. In addition,



the Auditor will complete and file the federal Data Collection Form. If the Transportation Authority or TIMMA does not meet the minimum requirements to necessitate a single audit, the fees shall be adjusted accordingly;

- Assist in preparing the CAFR including financial statements, schedule of expenditures of federal awards, and related notes of the Transportation Authority in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by Transportation Authority.
- Prepare a separate audit report on TIMMA;
- Issue a Management Letter that includes a listing of all non-material items, which were identified during the audit, as well as a listing of the status of resolved and unresolved Management Letter comments from prior audits will be submitted to Transportation Authority staff; and
- Present audit results and Management Letter to the TIMMA Committee, Transportation Authority and TIMMA Boards. We anticipate attendance by the Auditor for up to four meetings each year.

The following auditing standards will be followed:

- Accounting principles and auditing standards generally accepted in the United States;
- GASB;
- Standards for financial audits contained in the Government Auditing Standards, issued by the Comptroller General of the United States;
- Provisions of the Uniform Guidance; and
- Other applicable accounting and auditing standards.

The Transportation Authority assumes the responsibility to prepare the Letter of Transmittal, Management Discussion and Analysis, the basic financial statements, other required supplementary information, schedule of expenditures of federal awards, footnotes, Statistical and Compliance sections. The Auditor will then be asked to produce the final published CAFR, financial statements and/or single audit, if applicable. Any costs for this production should be built into the cost estimate. The following assistance will be available to the Auditor:

- The Transportation Authority's staff will be available to work with the selected firm to ensure a smooth implementation for the year ending June 30, 2021; and
- The Auditor will be provided workspace within the Transportation Authority's offices, except for auditing services for the year ending June 30, 2021, which shall take place virtually or at the Auditor's offices in order to adhere to COVID-19 guidelines. Please note that the Transportation Authority has limited office space. All space requirements and



other miscellaneous requirements and concerns should be made known to the Transportation Authority in the response and during contract negotiations.

Proposed Audit Timeline

The Transportation Authority and TIMMA's goals are to present audit reports to its respective Boards in December, which the Auditor may conduct the financial and single audits anytime in July for preliminary audit and/or September to October for final audit, target submission of the final version of the draft financial statements by October 22, 2021, and issued the audited statements by October 29.

Mandatory Qualifications

The following information must be provided by all respondents. The proposer should disclose the local office that will be providing resources for the audit and respond to these qualifications as they relate specifically to that office.

- Affirmation that the proposer and all assigned key professional staff are properly licensed for public practice as a Certified Public Accountant in the State of California.
- Affirmation the proposer meets the independence requirements of the Generally Accepted Government Auditing Standards, as published by the U.S. General Accounting Office.
- Affirmation the respondent and any employees proposed to be assigned to this audit do not have a record of substandard audit work nor have any outstanding claim of substandard work or unsatisfactory performance pending with the State Board of Accountancy or other professional organizations.
- Affirmation that the office has successfully completed two or more engagements of transportation-related agencies in the past two years. At least two local agencies must have had Single Audits performed.

In addition, respondents shall list all personnel to be assigned to the audit and relevant experience in governmental auditing and the principal office of all assigned personnel. Personnel must include two members with three or more years of relevant municipal experience. Changes in assigned personnel must be approved by the Transportation Authority.

Additional Accounting and Audit-Related Service

From time to time the Transportation Authority may require additional or special auditing and/or audit related services such as compliance audits of recipients of Prop K funds. Where it can be demonstrated that it is to the Transportation Authority's benefit to engage the Auditor for such services, the Transportation Authority may amend the Auditor's contract to include said services without a subsequent formal bid process, provided that the cost of the amendments is less than \$75,000 in a fiscal year. Proposals submitted should address the proposer's ability and willingness



to provide special support services upon request and provide reasonable estimates of hourly rates, by fiscal year, to be anticipated by the Transportation Authority should such services be required. These additional audit services may also be bid separately, at the sole discretion of the Transportation Authority.

Examples of additional or special accounting and/or audit services are:

- Compliance Agreed-Upon Procedures;
- Compliance Audit Procedures;
- Debt Consent Agreed-Upon Procedures;
- Management Audit; and
- Reviews or audits as required by any grantors.

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), Local Business Enterprise (LBE), and/or Small Business Enterprise (SBE) certifications. 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 delivered:

- **Proposal** (written proposal): one (1) electronic copy (PDF) including all information herein requested. Please clearly specify in the subject line of the email transmittal: "Response to RFP 20/21-07 for Annual Audit Services".
- **Cost proposal** (in a separate electronic file): one (1) electronic copy (XLS/XLSX format) including all information herein requested. Please name the file: "Cost Proposal for RFP 20/21-07", and submit along with the proposal.

The proposals must be transmitted electronically to the Transportation Authority at the following address: 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>1. Project Manager (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>2. Selection Process Lead (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>3. Negotiating Officer (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>4. Company Headquarter Office</p> <p>Address: City, State, ZIP: Phone Number:</p>



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

The proposers should also designate who will be the principal, who will be the Audit Manager in charge of the Audit, and who will serve as the Transportation Authority’s contract throughout the contract duration. In addition. The proposal should briefly address how the efforts of each of the team members will be coordinated. 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. Proposers must include a work plan for the annual audit with a staffing plan indicating the level of effort (e.g., person hours per staff). Do not include budget/rate information in the written proposal; instead, this information should be included in the cost proposal.

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 Audit 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 Audit 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;
- List of clients and audits completed within the last three years;
- The firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three years with state regulatory bodies or professional organizations;
- 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.

Exhibit	Prime Consultant	Subconsultant(s)
Exhibit A - Terminated Contracts	X	X
Exhibit B - Workforce Data Spreadsheets	X	X

- 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 titled "Cost Proposal - RFP 20/21-07 Annual Audit Services". 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. 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 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. 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. The cost proposal may include a percentage of any expected salary increases or cost of living adjustments, not to exceed 3% annually.



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. (40 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.

4. DBE/LBE/SBE Goals (10 points)

- a. All points will be awarded for teams meeting the DBE/LBE/SBE goal outlined in Section VII.

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 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 sealed/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, LBE AND SBE REQUIREMENTS

DBE/LBE/SBE Policy. It is the policy of the Transportation Authority to make good faith efforts to solicit and obtain quotes, bids or proposals from DBEs, LBEs and SBEs, and to give small businesses the maximum feasible opportunity to participate in the performance of contracts funded in whole or in part with Transportation Authority resources. The Transportation Authority strongly encourages joint ventures among professional firms as a way to meet the Transportation Authority's DBE/LBE/SBE participation goals. Assistance in the formation of such joint ventures and/or associations may be obtained through the Human Rights Commission.

The Transportation Authority has established a DBE/LBE/SBE goal of **15%** for this contract. Firms are requested to provide all applicable certificates or proof of certification along with their submission, which will not count against the page limit. Firms that propose as 15% DBE certified by the Transportation Authority or the California Unified Certification Program, 15% LBE certified by City, 15% SBE certified by the California Department of General Services, or a combination of DBEs, LBEs, and SBEs totaling 15% will satisfy the DBE/LBE/SBE goal. Disabled Veteran Business Enterprise (DVBE) firms certified by the California Department of General Services will be considered as SBEs and will be counted toward the contract goal. Lesbian, Gay, Bisexual and/or Transgender Business Enterprises (LGBTBE), certified by the California Public Utilities Commission Supplier Clearinghouse, will also be counted toward the goal. Firms do not need to be certified by all agencies to meet the DBE/LBE/SBE requirements. Businesses must be certified by the proposal due date.



Transportation Authority DBE Certification. Under Transportation Authority policy, a business qualifies for DBE certification if its annual gross receipts do not exceed \$2.5 million, when calculated as the average of the three (3) years immediately preceding the certification request. In order to obtain DBE certification, a business must submit a request to the Transportation Authority, including evidence of income for the past three years. Acceptable evidence of business income include: copies of tax returns, independently audited financial statements and, in the case of sole proprietorships, personal income tax returns. The Transportation Authority and its employees will 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 Transportation Authority contracts. Applications for Transportation Authority certification may take up to 14 days to be processed.

Certifications. The Transportation Authority accepts certifications issued by the Transportation Authority, the City, the California Unified Certification Program, the California Department of General Services or the California Public Utilities Commission Supplier Clearinghouse. Businesses seeking DBE certification with the Transportation Authority may combine their requests to the Transportation Authority in a single application. Applications for the Transportation Authority's DBE Program are available on the Transportation Authority's website (www.sfcta.org/dbe).

Good Faith Effort Documentation. If proposers have not met the DBE/SBE/LBE goal, proposers must document adequate good faith efforts to involve DBE/SBE/LBE participation. DBE/LBE/SBE certificates or documentation for the good faith efforts will not count toward the page limitation. Good faith effort documentation must be submitted to the Transportation Authority by the proposal due date.

The Transportation Authority will determine the sufficiency of a proposer's good faith efforts. Proposers must provide evidence of the actions taken to solicit DBEs, LBEs, or SBEs. Examples of good faith efforts include, but are not limited to the following:

- Soliciting the interest of certified firms who have the capacity to perform the work of the contract through all reasonable and available means.
- Where appropriate, breaking out contract work items into economically feasible units to facilitate DBE/LBE/SBE participation.
- Negotiating in good faith with interested firms, including factors such as price and capabilities. Provide evidence as to why agreements could not be reached for DBE/LBE/SBE firms to perform the work.
- Not rejecting DBE/LBE/SBE firms as being unqualified without sound reasons based on a thorough investigation of their capabilities.



The documentation to be submitted to the Transportation Authority should clearly demonstrate all efforts made by the proposer to meet the DBE/LBE/SBE goal. To assist in providing clear documentation, proposers should consider the following:

- Attachments may include copies of advertisements, solicitations and logs of telephone follow-ups, e-mail or fax receipts.
- Identify any contacts with agencies, organizations or groups used or contacted to provide assistance in contacting, recruiting, and using DBE/LBE/SBE firms, and any responses or assistance received from them.
- Describe any additional information that would demonstrate that adequate good faith efforts were made to meet the goal.

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.



SECTION X – PROHIBITING CONTRACTING IN STATES THAT ALLOW DISCRIMINATION AGAINST LGBT INDIVIDUALS AND IN STATES WITH RESTRICTIVE ABORTION LAWS

On September 22, 2020, through Resolution No. 21-13, the Transportation Authority Board approved revisions to the Procurement Policy, which place a ban on Transportation Authority contracts involving states with anti-LGBT laws and/or restrictive abortion laws. Subject to certain exceptions, Proposers are hereby advised that this IRFP is subject to the requirements of the Procurement Policy ban, which prohibits the Transportation Authority from entering into a contract with a contractor that has its headquarters in a state that has enacted a law or laws that perpetuate discrimination against LGBT people and/or has enacted a law that prohibits abortion prior to the viability of the fetus, or a contractor that will perform any or all of the work on the contract in such a state.

A list of banned states is known as the Covered State List and is maintained by the City Administrator of the City and County of San Francisco. The Covered State List is posted on the website of the Office of the City Administrator at <https://sfgsa.org/chapter-12x-state-ban-list>. This list is reviewed on at least a semiannual basis. The procurement ban only applies to contracts that were first advertised, solicited, or initiated on or after September 22, 2020. Work performed by a subcontractor or subconsultant are excluded from a procurement ban.

APPENDICES AND EXHIBITS

The following documents are attached:

- Exhibit A - Terminated Contracts
- Exhibit B - Workforce Data Spreadsheets

Exhibit A – 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 B – 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																
TOTAL																

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 B – 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																
TOTAL																

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.