



# Request for Proposals

## for Voter Opinion Survey and Public Messaging Services for Transportation Sales Tax Reauthorization

Date Issued	Proposals Due	Expected Duration	Budget	DBE/LBE/SBE Goal	Contact
April 22, 2021	May 24, 2021 at 2:00 p.m. (electronically)	15 months	\$100,000	12%	Ron Leong Management Analyst 415.522.4811 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 proposers to provide voter opinion survey and public messaging services for reauthorization of San Francisco’s Transportation Sales Tax.

**Questions.** Although a pre-proposal conference will not be held, 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 20/21-15 - Voter Opinion Survey and Public Messaging Services” 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 22, 2021	Release of RFP
April 29, 5:00 p.m.	Proposers to submit written questions to Transportation Authority
May 4*	Transportation Authority issues written responses to questions
<b>May 24, 2:00 p.m.</b>	Responses to RFP due electronically. Late submissions will not be accepted.
June 1*	Invitation(s) to interview issued to short list of proposers* (if necessary)
Week of June 7*	Interviews* (scheduled if necessary)
June 23*	Recommendation to Citizens Advisory Committee for award
July 13*	Recommendation to Transportation Authority Board for award



July 27\*

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 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.

### **Project Background and Purpose**

Building, maintaining, operating, improving, and expanding a transportation system relies on a mix of revenues from a variety of sources, and in San Francisco as in the rest of the Bay Area, local revenue sources are a substantial piece of the overall funding and are often matched with other federal, state, or regional dollars to fully fund projects. The existing half-cent local transportation sales tax (Prop K, 2003), and its predecessor (Prop B, 1989) have been a crucial component of that funding mix. The local transportation sales tax has helped continue project development when other funding sources have (temporarily) been unavailable and is strategically used for early planning and project development work needed to ready projects to compete for discretionary funding sources.

In November 2003, 75% of San Francisco voters approved Prop K, extending the existing half-cent local sales tax for transportation and approving a new 30-year Expenditure Plan identifying projects and programs to be funded by the sales tax. The Prop K Expenditure Plan prioritizes \$2.35 billion (in 2003 dollars) and leverages another \$9 billion in federal, state, and other local funds for transportation improvements over the 30-year life of the plan. The Expenditure Plan was developed as part of the first San Francisco countywide transportation plan in 2003 and provided funding to help implement the long-range transportation vision described therein.

As we approach year 20 of the Prop K program, the Transportation Authority Board has directed staff to develop a new Expenditure Plan targeting a potential June or November 2022 ballot measure. We are considering adoption of a new Expenditure Plan now for multiple reasons: we have already delivered most of the major projects in the 2003 Expenditure Plan, we need to create a new plan to reflect new priorities that aren't currently eligible, and we wish to replenish funds for programmatic categories that are running out of funds. For these reasons and to position San Francisco to capture potential new infrastructure funds, we are preparing a draft expenditure plan



and approval process for potential consideration and placement on the June or November 2022 ballot.

Like its predecessor, the New Expenditure Plan will draw heavily on an update to the countywide plan, called the San Francisco Transportation Plan or SFTP. The SFTP update will be one of the final deliverables to be produced as part of ConnectSF, a multi-agency collaboration to build an effective, equitable, and sustainable transportation system for San Francisco's future. In 2018, ConnectSF defined a 50-year vision of San Francisco's future to guide planning for the city's transportation system. In 2020, the Transportation Authority, working with the San Francisco Municipal Transportation Agency (SFMTA) and San Francisco Planning Department, advanced work on the Transit Corridors Study and the Streets and Freeway Study to evaluate major transportation improvement concepts and policies in relation to the ConnectSF vision and goals. This year, the recommendations from these two studies, along with additional plans and studies from City agencies, the Transportation Authority, regional transit operators, and other stakeholders will be prioritized within the SFTP. The SFTP will provide a financially constrained transportation investment strategy made up of projects, programs, and policies to help achieve the long-range vision. The SFTP also will include a funding advocacy strategy that incorporates reauthorization of the Prop K half-cent sales tax, in addition to potential new revenue measures to help close a substantial funding gap and get us closer to achieving our long-range transportation vision.

We are seeking public messaging and voter opinion survey services to focus specifically on the sales tax reauthorization and New Expenditure Plan development effort. We will closely coordinate with ongoing ConnectSF and SFTP efforts and with the SFMTA on public messaging around potential revenue sources for transportation in San Francisco. The schedule of tasks will be driven by the current plan to place the reauthorization measure on the June 2022 ballot, though that timeline may be revised to November 2022 depending on the Board's direction. Additional background, including a preliminary draft schedule on the half-cent sales tax reauthorization effort, can be found at <https://www.sfcta.org/ExpenditurePlan> and <https://www.sfcta.org/events/transportation-authority-board-20>.

## **SECTION IV – SCOPE OF SERVICES**

The Transportation Authority seeks consultant services to support reauthorization of San Francisco's transportation sales tax. The goal of requested surveying work to be performed by the selected consultant is to help determine the electoral feasibility of adopting a New Transportation Expenditure Plan and extend the existing half-cent transportation sales tax to provide long-term funding for transportation improvements in San Francisco. The selected consultant will develop and administer a telephone and/or email and/or text survey of likely San Francisco voters. Analysis of responses should be provided for likely June 2022 San Francisco voters as well as the subset of voters likely to vote in the November 2022 election. The survey methodology should address the following:

- 1) Testing reauthorization of the existing local transportation sales tax (of 0.5%), and potentially looking at this in combination with other local transportation measures that may be targeting the same ballot, e.g. the SFMTA discussed the possibility of a General Obligation



Bond and/or a Community Facilities District ballot measure(s) as potential candidates for a June 2022 ballot.

- 2) Significant preference differences among likely voters for different types of projects such as improving public transit (both local and regional), repairing local streets, reducing traffic congestion, improving pedestrian and cyclist safety, maintaining and repairing MUNI facilities, and increasing and protecting transit services (MUNI operations and paratransit).
- 3) Significant preference differences among likely voters between different geographic areas within San Francisco and for different ethnic and income groups.
- 4) Significant preference differences among likely voters between those who identify themselves primarily as drivers versus users of transit or other sustainable transportation modes.

The intent is to achieve a margin of error between 3-4% for tabulations aggregated to the citywide level, and for four to five groupings of supervisorial districts for both the likely June 2022 and November 2022 voters. Further, for comparisons of responses from drivers versus transit users, and other subcategories, it is understood that the margin of error will vary and will generally be larger than 3-4%.

Finally, the proposed schedule for this effort will assume we are targeting the June 2022 election, which will require a Board of Supervisors action to place a measure on the ballot no later than early March 2022.

The Transportation Authority has budgeted \$100,000 for this contract for 15 months, excluding the optional tasks. Please note this is a ceiling and not a target. The contract is anticipated to be funded solely with local funds. It is anticipated that a contract will be awarded for a 15-month term, with an option to extend for an additional 6 months, which may be exercised at the discretion of the Transportation Authority.

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 work to be performed under contract based on this RFP includes the following tasks: 1) Project Management, 2) Draft Voter Survey, 3) Conduct Survey and Compile Results, 4) Public Messaging, and 5) Optional Tasks. The tasks are detailed below:

#### **TASK 1 - Project Management**

Provide project management and administration to deliver the approved scope of services within the approved schedule and budget.

*Deliverables:*

1. *Project reporting and invoices by task*
2. *Weekly progress meetings*

#### **TASK 2 - Draft Voter Survey**



Based upon input from Transportation Authority staff, prepare the draft survey instrument for the voter opinion poll and document the sample survey methodologies and process proposed to conduct the survey and to analyze the survey results, i.e., detailed polling work plan including recommendations on polling instrument(s), sample size and margins of error, etc. Present proposal to staff and revise the instrument and polling methodologies based upon comments. If recommended by the selected consultant and subject to Transportation Authority approval, conduct a pretest of the survey instrument to determine any needed revisions to assure the maximum possible response rate and valid responses. Considering the results of the pretest and additional comments from Transportation Authority staff, revise the survey instrument and the sample survey methodology.

*Deliverables:*

1. *Draft survey instruments and methodologies, and discussion with Transportation Authority staff*
2. *Review of pretest results with Transportation Authority staff, if authorized*
3. *Final survey instruments and methodologies*

**TASK 3 - Conduct Survey and Compile Results**

Conduct the survey as described in the final draft survey instrument and methodologies. Analyze survey results and incorporate the following items in the draft survey report: a tabulation of survey results, cross tabulations as appropriate, key findings, detailed findings, conclusions, recommendations, and other relevant information. Prepare stand-alone executive summary. Discuss the draft survey report with Transportation Authority staff and prepare final survey report and the stand-alone executive summary, incorporating Transportation Authority staff comments.

*Deliverables:*

1. *Updates on survey progress and relevant issues*
2. *Preliminary summary of results and discussion of results with staff (draft presentation slide format is acceptable)*
3. *Draft and final survey report, including executive summary*
4. *Draft and final presentation slide deck, and presentation to Transportation Authority Board, meeting date TBD*

**TASK 4 - Public Messaging**

Assist the Transportation Authority in developing messaging to educate and inform residents citywide about a proposed ballot measure.

1. *Deliverable(s): Draft and final messaging*

**OPTIONAL TASK 5 - Conduct Additional Round of Surveys**

Subject to Transportation Authority approval, conduct a second round of surveys to further test the sales tax. The second round of survey work would be expected to build upon the work and survey



results obtained for the first round. New areas of exploration for the second round may include re-testing of local revenue measures against other state, regional or local revenue measures anticipated to be on the same ballot and/or more refined testing meant to inform development and refinement of a draft Expenditure Plan(s) through telephone (and/or email and/or text) surveys and/or focus groups. It is expected that the level of effort for the second round of surveys would be less than the first and that the selected consultant would build upon deliverables produced for the first round.

*Deliverables:*

1. *To be determined if and when optional tasks are authorized by the Transportation Authority.*

## **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 **8 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) certification, and required exhibits. 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,): one (1) electronic copy (PDF) including all information herein requested. The cost proposal must also be included in XLS/XLSX format. Please clearly specify in the subject line of the e-mail transmittal: "Response to RFP 20/21-15 for Voter Opinion Survey and Public Messaging Services".

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:



**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)

Name:

Title:

Address:

City, State, ZIP:

Phone Number:

Email:

**2. Selection Process Lead** (The individual to whom correspondence and other contacts should be directed during the consultant selection process)

Name:

Title:

Address:

City, State, ZIP:

Phone Number:

Email:

**3. Negotiating Officer** (The individual who will negotiate with the Transportation Authority and who can contractually bind the proposer's firm)

Name:

Title:

Address:

City, State, ZIP:

Phone Number:

Email:

**4. Company Headquarter Office**

Address:

City, State, ZIP:

Phone Number:



<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><b>6. <input checked="" type="checkbox"/> This letter is signed by an officer that is authorized to bind the proposer contractually.</b></p>
<p><b>7. <input checked="" type="checkbox"/> 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, including any special considerations given that San Francisco and the region are in unprecedented times as the COVID-19 pandemic continues, (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 other similar ongoing efforts in the city and region, and their potential impacts to the work to be completed.

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. 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.

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.

Exhibit	Prime Consultant	Subconsultant(s)
Exhibit B - Terminated Contracts	X	X
Exhibit C - 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. 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 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. (35 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. (30 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. Cost (10 points)**
  - a. Both the lowest overall cost and the average unit price (cost per person hour) may be considered in this category. Proposals in which the cost component does not reflect a reasonable relationship to the scope of services proposed may be rejected as non-responsive to project requirements.
- 5. 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, virtually, 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. 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 **12%** 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 12% DBE certified by the Transportation Authority or the California Unified Certification Program, 12% LBE certified by City, 12% SBE certified by the California Department of General Services, or a combination of



DBEs, LBEs, and SBEs totaling 12% 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](http://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 B - Terminated Contracts
- Exhibit C - Workforce Data Spreadsheets

## 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.