



NOTICE OF REQUEST FOR QUALIFICATIONS (RFQ) 21-4

For On-Call Strategic Communications, Community Relations, and Marketing Professional Services

In October 2021 the Contra Costa Transportation Authority (CCTA) Board adopted a Strategic Communications Roadmap to guide the agency's communication and outreach efforts for the next three years (2022-2025). CCTA is searching for qualified firms to provide on-call strategic communications, community relations, and marketing professional services to support the implementation of the Strategic Communications Roadmap. The contract period will run for 36 months.

Some activities may be funded by local, state and/or federal funding sources. The proposer will be required to comply with all applicable federal, state and local laws and regulations. See accompanying RFQ specifications for a detailed description of the scope of services and other important information for submitting proposals for this project. The on-call contracts on their own, do not authorize or obligate a consultant to initiate any project task/work.

Anticipated Schedule

RFP Issue Date:	December 23, 2021
Written Questions Due by Date	January 7, 2022 by 3pm Pacific Standard Time
Submittal Due Date	January 31, 2022 by 3pm Pacific Standard Time
Tentative Interview Date	Week of January February 7-10, 2022 (scheduled if necessary)
Notice of Intent to Award Date	February 11, 2022
Anticipated Contract Award Date	February 17, 2022

CCTA has implemented an e-Procurement system and utilizes "PlanetBids." This system streamlines procurement processes and offers expanded services to our vendors by allowing them to participate in CCTA procurements through the internet. Registration with PlanetBids is required to participate in this RFP. Your registered account is also the only means of access to CCTA notifications, addenda, and other important elements of this procurement process. There are no fees to register or submit qualifications. Firms can access the system at www.ccta.net, click on "Get Involved" then select "Bid Opportunities."

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CONTRA COSTA TRANSPORTATION AUTHORITY

REQUEST FOR QUALIFICATIONS (RFQ) 21-4

For On-Call Strategic Communications, Community Relations, and Marketing Professional Services

I. INTRODUCTION AND BACKGROUND

The Contra Costa Transportation Authority (CCTA) is a public agency formed by Contra Costa voters in 1988 to manage the county's transportation sales tax program and oversee countywide transportation planning efforts. CCTA is responsible for planning, funding and delivering critical transportation infrastructure projects and programs that connect our communities, foster a strong economy, increase sustainability, and safely and efficiently get people where they need to go. CCTA also serves as the county's designated Congestion Management Agency, responsible for putting programs in place to keep traffic levels manageable.

How We Communicate Now:

CCTA utilizes several methods to communicate with the public, the media, and our partners including:

- Marketing collateral – CCTA creates a wide range of public-facing marketing collateral for each of its departments including fact sheets, presentations, brochures, materials for community events, press releases, agency newsletters, photography, infographics, and other collateral that supports the agency's branding and communication needs.
- Relationship Building – conducts opinion, market, or behavior research; hosts in-person and virtual community meetings; leads webinars and telephone town halls; utilizes technology-based public input tools; participates in community events and workshops; and engage with community/non-profit/neighborhood/advocacy groups to circulate materials, solicit feedback, and connect with the public.
- Social Media – CCTA maintains presences on various social media communications platforms including Facebook (insert), LinkedIn (insert), Twitter (insert), and YouTube (insert).
- Website – CCTA maintains an agency website (www.ccta.net) that includes a wide variety of information about CCTA's role, purpose, efforts, and meeting agendas and materials for all meetings convened by CCTA. CCTA also supports individual websites for special efforts, projects, or programs.
- Video – staff have produced short videos on occasion to draw attention to a project, program or effort and to solicit feedback from the public.
- Events – CCTA participates in a wide variety of events. CCTA hosts a 'Redefining Mobility' summit to highlight new trends and technology in transportation, and also hosts a Girls Lead The Way STEM education summit for middle-school girls.

See below for a detailed description of the scope of services and other important information for submitting proposals. These efforts may be funded with State and Federal funding sources. Proposer will be required to comply with all applicable federal, state and local laws and regulations. The on-call contracts on their own, do not authorize or obligate a consultant to initiate any project task/work.

SCOPE OF SERVICES

In October 2021, the CCTA Board adopted a Strategic Communications Roadmap to guide the agency's communication and outreach efforts for the next three years (2022-2025). The Strategic Communications Roadmap and 2022 Implementation Plan is provided as Attachment A. It is the intent of CCTA to contract with consultant firms and/or teams of firms that will collectively provide the best overall service packages for implementation of the Strategic Communications Roadmap.

Teams are comprised of a prime consultant and all subconsultants under one contract, and firms can be on more than one team. The establishment of contracts with one or more firms/teams will enable CCTA to enlist the services of a broad range of communications specialists on an on-call, as-needed basis. CCTA will separately contract with the selected firm(s)/team(s) for a thirty-six month term. The CCTA Board has approved \$500,000 for the first year of the Strategic Communications Roadmap implementation (2022), with the budget of the remaining two years anticipated to also be \$500,000 per year, pending budget availability and approval by the CCTA Board.

CCTA anticipates that task orders will be developed to support the communication activities outlined below during the contract(s) period. The descriptions below are representative of needs in the coming three years – additional undetermined task types may be needed, and not all task types listed below will necessarily be produced under this contract during the term of this Agreement:

Community Engagement

Communicating and engaging with the public is foundational to the goals outlined in CCTA's Strategic Communication Roadmap. Over the course of the next three years, the agency will undertake several major planning, project, and program initiatives such as development of the Countywide Transportation Plan, formulating a countywide Integrated Transit Plan, constructing the Mokelumne Pedestrian Overcrossing, delivering elements of the INNOVATE 680 program, and implementation of the Accessible Transportation Strategic Plan.

Throughout these and other agency efforts, CCTA envisions utilizing a multitude of methods and tools to create an ongoing, inclusive, and productive dialogue with residents of Contra Costa County, including:

- *Expand Equitable Outreach* – Reach deeper into the communities we serve by building upon work that has been done through past plans and studies such as the Community Based Transportation Plans and the Accessible Transportation Strategic Plan to identify non-profit, neighborhood, community or nongovernmental organizations, advocates, and influencers to partner with on community engagement to better involve populations that may not have been

reached, or heard, through more traditional communication and engagement methods in the past.

- *Relationship Building and Management* – Strengthen relationships with all CCTA’s audiences, including the general public, the media, transit operators & other public agencies, public officials, and interest groups. A specific focus during the term of this Agreement will be to gain a better understanding of the public’s needs and preferences for transportation in Contra Costa through activities such as: opinion, market, or behavior research; in-person community meetings; webinars and telephone town halls; utilizing technology-based public input tools; participating in community events and workshops; and utilizing a relationship management tool to centralize and organize constituent communications across all departments.
- *Plan and Execute Events* – Directly connecting with residents is an impactful way to educate and inform the public about the work CCTA does on their behalf and why it matters. The agency plans to continue to host its signature event, the Redefining Mobility Summit, and look to its ‘Girls Lead the Way STEM Summit’ event as a springboard for broader engagement with educational institutions at all levels to support development of future workforce equipped to support technological advancements in the transportation sector.
- *Awareness Campaigns* – Even though our work touches almost every individual who lives, works in, or visits Contra Costa County, CCTA is relatively unknown to the general public. Creating communication, marketing and outreach campaigns that invite the public to learn more about CCTA, understand the work being done on behalf of the public, and encourage participation, dialogue and engagement with the agency on a variety of topics will boost both awareness and credibility.
- *Marketing Collateral* – CCTA creates a wide range of public-facing marketing collateral for each of its departments including fact sheets, presentations, brochures, materials for community events, agency newsletters, photography, infographics, and other collateral that supports the agency’s branding and communication needs. Marketing collateral is created on an as-needed basis to support community engagement efforts.

Media Relations

Since its inception, CCTA has taken an innovative approach to tackling the country’s most pressing transportation issues. Our agency has unique and interesting stories to tell about being trailblazers in the transportation space. Over the past year, significant work has been done to update a comprehensive media list, and CCTA should continue to use that document to establish relationships with reporters and bloggers, personalize press pitches, and proactively push relevant news and announcements. As newsroom resources become scarcer, CCTA will seek assistance to ensure that any press releases include visual graphics or videography that can be used by outlets wishing to publish a story.

Video and Audio Production

As a complement to traditional media relations, CCTA is seeking assistance to begin to steadily invest resources into video and audio production to better inform the public, share successes, and highlight the outcome of the work done every day by staff. Videos in particular are a great way to educate and inspire audiences and are critical to boosting engagement. Increasing CCTA's video and audio output not only provides additional materials for traditional media relations activities, but also expands CCTA's ability to reach audiences beyond traditional media through social media channels and podcasts.

Creating our own content gives CCTA more control over how news and information about the agency is communicated to the public. Through the creation of short videos and video blogs, podcasts, and animations, CCTA can provide the public a fun, entertaining, behind-the-scenes look at CCTA to help them get to know our agency and how our work is relevant to their daily lives.

Social Media

CCTA has an established following on social media (Facebook, LinkedIn, YouTube, and Twitter) which has helped to increase agency and brand awareness and grow an online community. However, limited time and resources allocated towards creating and curating content for these channels mean this communication medium has not achieved its full potential for the agency. By renewing efforts to create thoughtful content – supported by an increase in video and audio production – and a consistent posting schedule, should yield substantially more engagement and awareness for CCTA amongst all audiences.

Website Maintenance and Improvements

CCTA's website (www.ccta.net) often serves as its first impression to the public, media, partners, and stakeholders. In the past, the agency has often tried to speak to all our audiences. For the next three years, CCTA is seeking assistance to focus on making the website a usable resource for members of the general public. This means working to communicate complex topics clearly and concisely, and inspire return visits to the site by establishing it as a source for timely, engaging, and relevant information. Continually monitoring and updating content will be a crucial component towards ensuring that the website doesn't inadvertently become a 'catch-all' for CCTA's information and documents, while remaining a communication vehicle that shares the agency's story with the public. Enhancing site accessibility and improving security and performance should also be priorities during the period of this Roadmap.

To successfully complete these activities, CCTA will need expertise in the following:

- Strategic Communications
- Marketing
- Modern Community Engagement Practices
- Public Opinion Research
- Media Relations
- Graphic Design

- Event planning
- Video and Audio Production
- Photography
- Social Media
- Advertising
- Website Design, Maintenance, and Support (Wordpress, Elementor)
- Translation (both verbal and written). Translation services must also include interpretation to culturally relevant terms.

CCTA will favorably consider firms/teams that have capabilities in all areas of expertise, but specialized firms/teams may also submit responses for one or more areas of expertise that match the firms/team's capabilities. Firms/teams must declare which of these areas of expertise they are qualified to support. CCTA will also favorably consider firms/teams that have a local presence for in-person coordination meetings and are familiar with transportation in Contra Costa and the greater Bay Area.

II. PROPOSAL INSTRUCTIONS

A. GENERAL INSTRUCTIONS

Where two or more firms, persons or entities wish to submit one proposal in response to this RFQ, they should do so on a prime and subconsultant basis rather than as a joint venture. CCTA will contract with a single firm, person or entity only, and not with a joint venture. A firm that is the prime consultant on a contract awarded under this process may also be a subconsultant firm on another contract. Subconsultants can be on more than one team.

B. CONTACT INFORMATION

Proposers are cautioned not to discuss this RFQ with any official, Board Member or employee of CCTA. Neither proposers, nor anyone representing the proposer, are to discuss this RFQ with any consultant or contractor engaged by CCTA for assistance in preparing a response to the RFQ. Violation of this prohibition may result in disqualification of the proposer.

C. PRE-PROPOSAL CONFERENCE

A Pre-Proposal Conference is not anticipated for this RFQ.

D. WRITTEN QUESTIONS/CLARIFICATIONS

All questions and or clarifications to this RFP must be submitted electronically through your registered account with PlanetBids, CCTA's online bidding system, on or before the due date specified in the above Notice of RFQ. A late request or requests not submitted through PlanetBids will not be considered. CCTA will respond to all questions through PlanetBids by issuing a written addendum.

E. ADDENDA

CCTA reserves the right to revise the RFQ documents. Revisions, and notifications thereof, will be made by written addendum and made available to registered vendors with PlanetBids. CCTA will not be bound to any modifications to or deviations from the requirements set forth in this RFQ as a result of any oral discussions and/or instructions. Proposers must acknowledge receipt of any addenda in their proposal.

F. CONTRACT TYPE

The contract resulting from this RFQ, if awarded, will be for on-call services.

G. CONFLICT OF INTEREST

Any person or firm that has assisted CCTA in preparing any aspect of this RFQ or any support cost estimate associated with the Scope of Services related to this RFQ is prohibited from submitting a proposal in response to this RFQ. Firms that received assistance from any such person or entity, or who will use the services of such person or entity in performing the Work will be disqualified. A firm who is prohibited from submitting a proposal in response to this RFQ will not be prevented from participating in future projects to the extent that no direct conflict of interest exists at the time. Firms responsible for a project's design may not participate in construction management or construction inspection contracts for the project. The determination of a conflict of interest, direct or incidental, shall be made by CCTA based upon substantial evidence.

A conflict of interest could include, but is not limited to:

1. No contracting agency employee who participates in the procurement, management, or administration of federal or state funded contracts or subcontracts shall have, directly or indirectly, any financial or other personal interest in connection with such contract or subcontract;
2. No person or entity performing services for a contracting agency in connection with a federal or state funded project shall have, directly or indirectly, any financial or other personal interest, other than employment or retention by the contracting agency, in any contract or subcontract in connection with such project; and
3. No person or entity performing services for a contracting agency in connection with a federal-aid highway funded project shall have, directly or indirectly, any financial or other personal interest in any real property acquired for the project.

H. PRE-CONTRACTUAL EXPENSES/CANCELLATION OF RFQ

CCTA shall not be liable for any pre-contractual expenses incurred by the firm in preparation or submittal of their proposal. The proposer shall not include any such expenses as part of their price proposal. Prohibited pre-contractual expenses include any and all expenses incurred by the proposer prior to issuance of the Notice to Proceed by CCTA. CCTA additionally reserves the

right to cancel this RFQ at any time prior to contract award without obligation in any manner for proposal preparation, interview, fee negotiation or other marketing costs accrued by proposers associated with this RFQ.

I. MATERIALS FURNISHED BY CCTA

All software, data, reports, surveys, drawings, and other documents furnished to the consultant by CCTA for the consultant's use in the performance of work shall be made available only for use in performing the assignment and shall remain the sole property of CCTA. All such materials shall be returned to CCTA upon completion of work, termination of the contract, or other such time as CCTA may determine.

J. AMENDMENTS TO PROPOSALS

No amendment, addendum or modification to proposals will be accepted after the Submittal Due Date and Time as specified in the Notice of this RFQ.

K. PROTESTS

Any proposer may protest a contract award if the proposer believes that the award was inconsistent with CCTA's policies or this RFQ is not in compliance with law. A protest must be filed in writing with CCTA (email is not acceptable) within five (5) business days after date of notification of contract award. Any protest submitted after 5:00 p.m. of the fifth business day after notification of contract award will be rejected by CCTA as invalid and the proposer's failure to timely file a protest will waive the proposer's right to protest the contract award. The proposer's protest must include supporting documentation, legal authorities in support of the grounds for the protest and the name, address and telephone number of the person representing the proposer for purposes of the protest. Any matters not set forth in the protest shall be deemed waived. CCTA will review and evaluate the basis of the protest provided the protest is filed in strict conformity with the foregoing. CCTA shall provide the proposer submitting the protest with a written statement concurring with or denying the protest. Action by CCTA relative to the protest will be final and not subject to appeal or reconsideration. The procedure and time limits set forth in this Section are mandatory and are the proposer's sole and exclusive remedy in the event of protest. Failure to comply with these procedures will constitute a waiver of any right to further pursue the protest, including filing a Government Code claim or legal proceedings.

L. CONFIDENTIALITY OF PROPOSAL

Pursuant to *Michaelis, Montanari, & Johnson v. Superior Court* (2006) 38 Cal.4th 1065, proposals submitted in response to this RFQ shall be held confidential by CCTA and shall not be subject to disclosure under the California Public Records Act (Cal. Government Code section 6250 et seq.) until after either CCTA and the proposer have completed negotiations and entered into the Agreement or CCTA has rejected all proposals. All correspondence with CCTA including responses to this RFQ will become the exclusive property of CCTA and will become public records under the California Public Records Act. Furthermore, CCTA will have no liability to the

proposer or any other party as a result of any public disclosure of any proposal or the Agreement.

If a proposer desires to exclude a portion of its proposal from disclosure under the California Public Records Act, the proposer must mark it as such and state the specific provision in the California Public Records Act which provides the exemption as well as the factual basis for claiming the exemption. For example, if a proposer submits trade secret information, the proposer must plainly mark the information as "Trade Secret" and refer to the appropriate section of the California Public Records Act which provides the exemption as well as the factual basis for claiming the exemption. Although the California Public Records Act recognizes that certain confidential trade secret information may be protected from disclosure, CCTA is not in a position to establish that the information that a proposer submits is a trade secret. If a request is made for information marked "Confidential", "Trade Secret" or "Proprietary", CCTA will provide proposers who submitted the information with reasonable notice for the proposer to seek protection from disclosure by a court of competent jurisdiction.

III. PROPOSAL SUBMITTAL

Qualification, forms and all materials related to this RFQ are to be submitted electronically through your registered account with PlanetBids, CCTA's online bidding system, on or before the due time and date specified in the above Notice of RFQ.

A. PROPOSAL CONTENT

Interested parties responding to this RFQ are expected to submit one Statement of Qualifications (SOQ). All SOQ's should be clear, concise, and provide enough information to minimize questions and assumptions. SOQs should be limited to no more than 15 (8 1/2" x 11") pages in no less than 11-point font excluding cover letter, table of contents, organizational chart, and the following items, which should be included as attachments: résumés, Disadvantaged Business Enterprise (DBE) certifications, cost proposal and required exhibits. Page sizes greater than the letter size of 8.5" x 11" will be counted as two pages. CCTA accepts no financial responsibility for any costs incurred in the preparation of SOQs. Upon receipt by CCTA, all accepted SOQ's submitted in response to this RFQ will become property of CCTA.

Content that does not contain the required information will be deemed non-responsive and will not be considered.

If at any time during the RFQ process, a firm makes any changes to proposed key personnel or subconsultants, the firm must notify CCTA in writing of those proposed changes as soon as they are known. CCTA reserves the right to accept or reject such proposed changes or to revise the evaluation scoring to reflect the proposed staffing changes. All submittals must be formatted based on the sections below.

1. **Cover Letter.** Specific and required elements of this section includes the following:
 - Provide a brief profile of the firm, including the types of services offered; the year founded; form of the organization (corporation, partnership, sole proprietorship); number, size and location of offices; and number of employees.
 - Identification of all proposed subconsultants including description of the work to be performed by the firm and each subconsultant proposed for the Project and an estimate of the percentage of work to be performed by each subconsultant.
 - Indicate the location of the office from which the work will be performed.
 - A list of all prime contracts (if any) awarded to the firm by CCTA for the last five (5) years. The list shall include a short description of the project, the award date, completion date, name of assigned Project Manager, and contract value.
 - If proposer has ever been terminated from a contract, describe the facts and circumstances in detail.
 - Acknowledgement of all addenda.
 - A statement that the proposal is valid for 180 calendar days from the date of submission.
 - A signed statement by an officer of the prime firm who can bind the firm to the Agreement and attest that all information in response to this RFQ is true and correct.

2. **Team Structure.** Provide an organizational chart that:
 - Indicates the relationship of the prime consultant to the subconsultants areas of specialization, and names of the Project Manager and key team members.
 - Clearly delineates communication and reporting relationships among the key personnel and staff, including subconsultants.
 - Includes identification of all proposed subconsultants including description of the work to be performed by the firm and each subconsultant proposed, and an estimate of the percentage of work to be performed by each subconsultant.
 - A signed letter or statement from the principal of each subconsultant indicating the specific portion of the project the subconsultant will be performing.

3. **Statement of Qualifications (SOQ).** This section of the proposal should establish the ability of the proposing firm to satisfactorily perform the required work by reasons of experience in performing work of the same or similar nature. Proposers should 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 CCTA. Please include brief descriptions or case studies of similar project(s) for which the Proposer has provided services during the last five (5) years that includes client, project description and location, total value of services provided, key personnel involved, and sub-consultants employed (if any). This section should also include at least three references (name, email, and current phone number) from other projects within the last five (5) years similar to the project(s) being proposed upon.

4. **Resumes.** Provide Resumes of key consultant team members that include education, experience and applicable professional credentials of proposed project staff. Proposers are encouraged to limit the descriptions on the resume to relevant information.
5. **Contract Exceptions.** In submitting a proposal in response to this RFQ, the consultant is certifying that it takes no exceptions to this RFQ. Firms will be deemed to have accepted any and all terms and conditions not objected to or identified as an exception or deviation to this RFQ. Exceptions, if any, may be reason for rejection of a proposal. Failure to specify any particular exception in accordance with this Section shall preclude a proposer from taking exception or requesting revisions to any part of this RFQ following the proposal submission deadline.

Cost Proposal. The cost proposal will not count towards the page limit, and must be submitted as a separate file. Task orders under this contract will be on a labor-hour contract, which provides for payment of the successful Proposer's allowable incurred costs, to the extent prescribed in the Task order. The cost proposal must include a budget comprised of a matrix with columns for hourly rates, classification, and name for all personnel and/or subconsultants involved for the work described in Section II above. The cost proposal must be presented in the applicable format for the method of payment (see Exhibit 10-H4) 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 (based on regional CPI).

6. Sub-consultant costs, travel, and all other direct costs will be reimbursed at cost with no mark-up allowed. Cost proposals shall comply with Caltrans' Local Assistance Procedures Manual Section 10.3 and be prepared using Caltrans forms.

Cost proposals must include the following, and any other additional information requested by CCTA:

- i. Cost proposal(s) for the prime consultant and all subconsultants. See Attachment C (Exhibit 10-H4) attached hereto and incorporated herein by this reference. See also <http://www.dot.ca.gov/hq/LocalPrograms/lam/forms/lapmforms.htm> for the fillable form;
- ii. Names, mailing addresses, phone numbers and email addresses for prime consultant and all subconsultants;
- iii. Prime consultant generated Independent Cost Rate Schedule in accordance with applicable Code of Federal Regulations;
- iv. Consultant Certification of Contract Costs and Financial Management System for the prime and all subconsultants. See Attachment C (Exhibit 10-K) attached hereto and incorporated herein by this reference. See also

<http://www.dot.ca.gov/hq/LocalPrograms/lam/forms/lapmforms.htm> for the fillable form; and

- v. One of the following, *if available*:
 1. A copy of the prior fiscal year, and most recently completed fiscal year cognizant approved ICR and approved state DOT Cognizant Letter of Approval;
 2. A copy of the prior fiscal year, and most recently completed fiscal year, ICR Schedules and audited report by an independent CPA. If a CPA audited ICR is available for the appropriate fiscal year (applicable one-year accounting period), then the consultant must use the audited ICR, or a lower ICR (see 23 CFR 172.7(b) for guidelines); or
 3. A copy of the prior, and most recently completed fiscal year, ICR(s) evaluation or audit report on a prior Caltrans or local agency contract, and any other governmental agency report/review/attestation.

Contracts shall not be awarded to a proposer without an adequate financial management and accounting system as required by 48 CFR Part 16.301-3, 2 CFR Part 200, and 48 CFR Part 31.

b. **Required Forms** Review, complete, and sign the following items:

- i. Department of Industrial Relations (DIR) Registration Certification attached hereto as Attachment D and incorporated herein by this reference.
- ii. Iran Contracting Act Certification attached hereto as Attachment E and incorporated herein by this reference.
- iii. Certificate of Proposer and Subconsultant(s) Regarding Debarment, Suspension and Other Responsibility Matters attached hereto as Attachment F and incorporated herein by this reference.
- iv. Nonlobbying Certification attached hereto as Attachment G and incorporated herein by this reference.
- v. Disclosure of Lobbying Activities attached hereto as Attachment H and incorporated herein by this reference.
- vi. The Notice to Proposers Disadvantaged Business Enterprise (DBE) Information, Consultant Proposal DBE Commitment, Good Faith Efforts Form, and Appendix A to Part 26 – Guidance Concerning Good Faith Efforts are attached hereto as Attachment I and incorporated herein by this reference. Appendix A to Part 26 – Guidance Concerning Good Faith Efforts is provided as a reference document to assist proposers in understanding the Good Faith Efforts requirement. Proposers must meet the **DBE goal of 15%** contained in this RFQ or must evidence Good Faith Efforts to meet the goal. The adequacy of proposer’s Good Faith Efforts shall be determined in CCTA’s sole discretion. Proposers are encouraged to submit a completed Good Faith Efforts form even if proposer is submitting a Consultant DBE Commitment form and believes it has met the DBE goal. Submitting evidence of Good Faith Efforts will protect proposer’s eligibility for award of

the contract if CCTA determines that the proposer failed to meet the DBE goal for various reasons, e.g., a DBE firm was not certified at proposal opening, or the proposer made a mathematical error.

IV. ACCEPTANCE OF PROPOSALS

CCTA reserves the right to accept or reject any and all submittals to this RFQ, or any item or part thereof, or to waive any informalities or irregularities in a submittal. CCTA reserves the right to cancel this RFQ at any time without prior notice and CCTA makes no representation that any contract will be awarded to any firm responding to this RFQ. CCTA reserves the right to reject all submittals and to re-issue (or not re-issue) a new RFQ for the same or similar scope of work. CCTA reserves the right to adjust or postpone key dates specified in the above Notice of RFQ for its own convenience.

V. EVALUATION CRITERIA AND METHOD OF AWARD

The SOQ's will be evaluated by a selection committee appointed by, and including the Director, External Affairs and scored (maximum of 100 points) using the following criteria:

1. Proposers Information and Understanding of Objectives (20 points)
 - a. Responsiveness to all items requested in the RFQ, such as completeness of submission, adherence to required page limits, overall organization, and clarity of SOQ; and
 - b. Understanding of the services to be provided.
2. Summary of Qualifications (60 points)
 - a. Capability of project team to perform the tasks proposed upon, specific relevant experience, qualifications and expertise of each firm and sub-consultant firm.
3. References (20 points)
 - a. Client references as to past project performance.

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

Submittals receiving an initial score of less than 70 points will not be considered further in the selection process. Respondents that have received a score of 70 points or higher may, at CCTA's sole discretion, be invited to an interview with the selection committee. CCTA reserves the right to not conduct oral interviews and determine the winning respondent based solely on the written SOQ. If oral interviews are held, individuals who are identified as key personnel in the SOQ 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.

VI. NEGOTIATIONS AND AWARD

CCTA intends to award contracts to qualified firms/teams. Consultants selected for a contract will remain eligible for consideration for task order negotiation on an as-needed basis for the three-year term. While CCTA intends to engage the selected firm/team(s) based on capabilities, experience, availability and conflict of interest, no selected firm/team is guaranteed a task order. This RFQ does not in any way limit CCTA's right to solicit contracts for similar or identical services if, in CCTA's sole and absolute discretion, they determine the on-call teams are inadequate to satisfy their needs.

Following the establishment of contracts with the selected firm/team(s), CCTA, at their sole and absolute discretion, will contact consultant firm/teams to negotiate task orders for specific projects and contracts. Depending on task order amount and funding source(s), consultant firm/teams may be invited to submit proposals and/or participate in oral interviews for specific scopes of work as part of the task order negotiation process. Teams are not required to include all subconsultants on every task order.

Interviews may consist of standard questions asked of each of the respondents, and specific questions regarding individual responses. CCTA reserves the right to interview any, all, or none of the on-call consultant teams to negotiate task orders. CCTA, in their sole discretion, has the right to approve or disapprove any staff person assigned to a task order before and throughout the contract term. CCTA has limited office space available for this contract and, with the exception of progress and coordination meetings, all work shall take place at the consultant offices. Respondents should be prepared to mobilize within 48 hours following contract negotiations and contract award by the CCTA Board.

VII. NOTIFICATION OF AWARD

Firms who submit a response to the RFQ shall be notified in writing when: the firm was not selected to receive further consideration in the RFQ process; the firm was selected for the interview process and after the RFP Evaluation Committee's recommendation to award has been determined.

VIII. PREVAILING WAGES

Certain labor categories under this Project may be subject to prevailing wages as identified in the State of California Labor Code commencing at sections 1720 et seq. and 1770 et seq. If applicable, employees working in these categories at the site must be paid not less than the basic hourly rates of pay and fringe benefits established by the California Department of Industrial Relations. Copies of the State of California wage schedules are available for review at www.dir.ca.gov/dlsr/. In addition, a copy of the prevailing rate of per diem wages will be made available at the CCTA's office upon request. The

successful proposer shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the work under the contract available to interested parties upon request, and shall post copies at the successful proposer's principal place of business and at the Project site.

It shall be mandatory upon the proposer to whom the Contract is awarded, and upon any subcontractors, to comply with all Labor Code provisions, which include but are not limited to the payment of not less than the said specified prevailing wage rates to all workers employed by them in the execution of the contract, employment of apprentices, hours of labor and debarment of contractors and subcontractors. Pursuant to Labor Code sections 1725.5 and 1771.1, the proposer and all subcontractors must be registered with the Department of Industrial Relations ("DIR") at the time of submitting a proposal. No proposal will be accepted nor any contract entered into without proof of the proposer's and subcontractors' current registration with the DIR to perform public work. If awarded a contract, the successful proposer and its subcontractors, of any tier, shall maintain active registration with the DIR for the duration of the Project. The contract awarded pursuant to this proposal may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations.

STRATEGIC COMMUNICATIONS ROADMAP *2022-2025*

OVERVIEW

The Contra Costa Transportation Authority (CCTA) is entering a new era, which prompted an analysis of the agency's communications, tools, and strategies. This updated Strategic Communications Roadmap (Roadmap) will serve to guide CCTA's communication and engagement efforts over the next three years as the agency evolves to meet new challenges for a future of robust engagement with the public, the media, and our partners. This Roadmap outlines overarching goals for CCTA's communications efforts, as well as identifies key audiences and the messages and means with which to reach them.

COMMUNICATIONS GOALS

Since 1988, the Contra Costa Transportation Authority (CCTA) has planned and coordinated countless, critical transportation infrastructure projects in Contra Costa County. It has done so with a small staff and by leveraging regional and federal funds while focusing intently on its

mission to deliver a comprehensive transportation system that meets the diverse needs of the communities it serves. Still, despite the breadth and impact of the agency's work, CCTA is relatively unknown to the general public – even though our work touches almost every individual who lives, works in, or visits Contra Costa County.

Why does the lack of awareness about CCTA, its successes, and its efforts matter? It matters because the agency's legacy – and future existence – relies upon the voting public to, on occasion, continue to choose to tax themselves to fund the transportation improvements carried out by CCTA. It also matters because CCTA's work is intended to address the needs of the public, which means CCTA and the public must be engaged in a collaborative dialogue about priorities, means, and objectives as they relate to transportation in the County.

Given these facts, the communications strategy will continue to focus on three primary goals:

- 1) Help the public develop a sense of ownership over CCTA's successful projects
- 2) Connect the current work of the agency to what is happening in people's lives
- 3) Establish mechanisms for sustained public involvement in planning for the County's Future

Focusing on these goals will help CCTA achieve public support for the projects and programs underway to meaningfully improve the County's transportation network.

AUDIENCES

CCTA's universe includes broad categories of audiences with whom CCTA must interact: the general public, the media, transit operators & other public agencies, public officials, and interest groups. Each of these audiences has a vested interest in CCTA's work, but they also boast diverse backgrounds, interests, and preferences for how they would like to receive

communication. While the agency will continue to engage with all our stakeholders, the strategy for the next three years will increase the focus on building awareness, visibility, and relationships with the general public and the media in alignment with this Roadmap's communications goals.

The general public is arguably the most important audience. Ultimately, this is whom CCTA

serves through its work, as well as the audience that determines whether the agency will continue to be funded in the future. The challenge in reaching this audience is identifying communications mechanisms that are credible and far-reaching enough to make a measurable impact. CCTA can work to address the lack of awareness amongst the general public through communications to the other audiences identified above, in particular the media.

CCTA should continue to build relationships with members of the press, as well as engage in formal communications regarding its work and project milestones. However, as discussed in greater detail later in this Roadmap, CCTA cannot continue to rely on traditional media coverage alone but must also begin a concerted effort to share relevant news, stories, and updates in through channels under our own control.

COMMUNICATION THEMES

CCTA communicates regularly to a wide audience about a number of topics. Though nuanced, targeted messages will need to be developed for the many agency communications that will result from this Roadmap's implementation, we are proposing four overarching themes for public communications regarding CCTA and its work.

A Partnership with the Public focuses on the fact that Contra Costa County voters made the decision to invest in transportation infrastructure with the passage of Measure C in 1988 and Measure J in 2004. Reminding them of the meaningful projects and programs that have resulted from this investment will help generate interest in continuing to fund the agency and its work.

Planning for Our Future is meant to tap into County residents' sense of pride about where they live by focusing on the individual's aspirational vision for their community. The public should see how CCTA's work implementing quality of life improvements through transportation planning will help their vision become a reality.

Redefining Mobility underscores the fact that CCTA is not just about highways, roads, and tunnels, but that we're approaching the future of transportation in a way that's innovative, inclusive, and multimodal. CCTA also has a front row seat to the future of transportation through the research and testing conducted at GoMentum Station, and sharing those findings

can help inspire excitement about future transportation options for residents in the County.

Efficiency and Accountability challenges the usual perception of public agencies as large, inefficient organizations by consistently shining a light on CCTA’s many accomplishments with its small staff.

COMMUNICATION ACTIVITIES

Now that CCTA’s audiences and the overarching messages that we want to communicate have been identified, we will focus on five areas that will enable CCTA to reach key audiences most efficiently, continue meaningful engagement with the public, and grow as an accessible, engaged, and informative community partner.

Community Engagement

Communicating and engaging with the public is foundational to the goals outlined in this Roadmap. Over the course of the next three years, the agency will undertake several major planning, project, and program initiatives such as development of the Countywide Transportation Plan, formulating a countywide Integrated Transit Plan, constructing the Mokelumne Pedestrian Overcrossing, delivering elements of the INNOVATE 680 program, and implementation of the Accessible Transportation Strategic Plan.

Throughout these and other agency efforts, CCTA envisions utilizing a multitude of methods and tools to create an ongoing, inclusive, and productive dialogue with residents of Contra Costa County, including:

- *Expand Equitable Outreach* – Reach deeper into the communities we serve. We will build upon work that has been done through past plans and studies such as the Community Based Transportation Plans and the Accessible Transportation Strategic Plan to identify non-profit, neighborhood, community or nongovernmental organizations, advocates, and influencers to partner with on community engagement. Expanding our outreach through these partnerships will involve populations that may not have been reached—or heard—through more traditional communication and engagement methods in the past.

- *Relationship Building and Management* – Strengthen relationships with all CCTA’s audiences, including the general public, the media, transit operators & other public agencies, public officials, and interest groups. A specific focus for the next three years should be to gain a better understanding of the public’s needs and preferences for transportation in Contra Costa through activities such as: opinion, market, or behavior research; in-person community meetings; webinars and telephone town halls; utilizing technology-based public input tools; participating in community events and workshops; and utilizing a relationship management tool to centralize and organize constituent communications across all departments.

- *Plan and Execute Events* – Directly connecting with residents is an impactful way to educate and inform the public about the work CCTA does on their behalf and why it matters. The agency should continue to host its signature event, the *Redefining Mobility Summit*, and look to its *Girls Lead the Way STEM Summit* event as a springboard for broader engagement with educational institutions at all levels to support development of future workforce equipped to support technological advancements in the transportation sector.

- *Awareness Campaigns* – Even though our work touches almost every individual who lives, works in, or visits Contra Costa County, CCTA is relatively unknown to the general public. Creating communication, marketing and outreach campaigns that invite the public to learn more about CCTA, understand the work being done on behalf of the public, and encourage participation, dialogue, and engagement with the agency on a variety of topics will boost both awareness and credibility.

- *Marketing Collateral* – CCTA creates a wide range of public-facing marketing collateral for each of its departments including fact sheets, presentations, brochures, materials for community events, agency newsletters, photography, infographics, and other collateral that supports the agency’s branding and communication needs. Marketing collateral is created on an as-needed basis to support community engagement efforts.

Media Relations

Since its inception, CCTA has taken an innovative approach to tackling the country’s most pressing transportation issues. Our agency has unique and interesting stories to tell about being

trailblazers in the transportation space. Over the past year, significant work has been done to update a comprehensive media list, and CCTA should continue to use that document to establish relationships with reporters and bloggers, personalize press pitches, and proactively push relevant news and announcements. As newsroom resources become scarcer, CCTA should ensure that any press releases include visual graphics or videography that can be used by outlets wishing to publish a story.

Video and Audio Production

As a complement to traditional media relations, CCTA should begin to steadily invest resources into video and audio production to better inform the public, share successes, and highlight the outcome of the work done every day by staff. Videos are a great way to educate and inspire audiences and are critical to boosting engagement. Increasing CCTA's video and audio output not only provides additional materials for traditional media relations activities, but also expands CCTA's ability to reach audiences beyond traditional media through social media channels and podcasts.

Creating our own content gives CCTA more control over how news and information about the agency is communicated to the public. Through the creation of short videos and video blogs, podcasts, and animations, we can give the public a fun, entertaining, behind-the-scenes look at CCTA to help them get to know our agency and how our work is relevant to their daily lives.

Social Media

CCTA has an established following on social media (Facebook, LinkedIn, YouTube, and Twitter) which has helped to increase agency and brand awareness and grow an online community. However, limited time and resources allocated towards creating and curating content for these channels mean this communication medium has not achieved its full potential for the agency. By renewing efforts to create thoughtful content – supported by an increase in video and audio production – and a consistent posting schedule, should yield substantially more engagement and awareness for CCTA amongst all audiences.

Website Maintenance and Improvements

CCTA's website (www.ccta.net) often serves as its first impression to the public, media, partners, and stakeholders. In the past, the agency has often tried to speak to all our audiences. For the next three years, CCTA should focus on making the website a usable resource for members of the general public. This means working to communicate complex topics clearly and concisely and inspire return visits to the site by establishing it as a source for timely, engaging, and relevant information. Continually monitoring and updating content will be a crucial component towards ensuring that the website doesn't inadvertently become a 'catch-all' for CCTA's information and documents, while remaining a communication vehicle that shares the agency's story with the public. Enhancing site accessibility and improving security and performance should also be priorities during the period of this Roadmap.

IMPLEMENTATION

Successful implementation of the activities proposed in this Roadmap require a wide range of skill sets. CCTA staff envisions contracting with a bench of qualified professionals or firms to perform the work outlined above on a task order basis. This structure will create opportunities for qualified strategic communications, media, and community relations professionals to work with CCTA, and will also provide the depth of expertise necessary to accomplish the ambitious goals articulated in this Roadmap.

BUDGET

The amount CCTA budgets for strategic communication activities has traditionally varied year to year depending on the agency's activities and initiatives. This Roadmap proposes that CCTA makes a sustained investment in raising the profile and awareness of the agency through increased community engagement and communication. To achieve measurable progress, staff recommends investing \$500,000 per year for each of the three calendar years covered by this plan (2022-2025) into the communication activities outlined above.

MEASURING SUCCESS

While it can sometimes be difficult to tangibly quantify the success of relationship building and strategic communication activities, it is important to identify performance metrics to ensure that work performed in the communication activities outlined above are effectively moving CCTA towards achieving this Roadmap's goals. Each year, staff will outline specific activities to be conducted and performance metrics to be achieved within that year's proposed \$500,000 budget and report back on the outcomes.

The proposed 2022 Roadmap budget, activities and performance metrics are included below.

2022 Strategic Communications Roadmap Budget, Activities, and Performance Metrics

Budget Summary

Community Engagement: \$245,000

Media Relations: \$40,000

Video and Audio Production: \$75,000

Social Media: \$55,000

Website Maintenance and Improvements: \$85,000

Total: \$500,000

Activities and Performance Metrics for Community Engagement:

Expand Equitable Outreach

- Increase public participation in Equity Priority Communities (formerly Communities of Concern) by identifying non-profit, community, neighborhood, advocacy, or nongovernmental organizations and community influencers to partner with on public outreach activities and begin development of a paid community bench program.
- Increase language accessibility by providing engagement materials in multiple languages such as Spanish, Chinese, and Tagalog.

Relationship Building and Management

- Augment the travel behavior studies conducted in 2021 with at least one additional research effort to identify needs, concerns, and preferences for transportation within the county that will inform CCTA's ongoing planning, project, and program initiatives as identified in the Community Engagement section of the Roadmap.
- Implement a relationship management tool to centralize and organize constituent communications across all departments.

Plan and Execute Events

- Host the *Redefining Mobility Summit* and *Girls Lead the Way* STEM summit in 2022.
- Identify opportunities and create a blueprint for aligning with educational institutions to support STEM initiatives and the development of a future workforce equipped to support

technological advancements in the transportation industry.

Awareness Campaigns

- Plan and execute one awareness campaign to introduce CCTA's work to the general public.

Marketing Collateral

- Produce a quarterly e-newsletter for CCTA.
- Update collateral as needed for community engagement activities.

Activities and Performance Metrics for Media Relations

- Provide media training to senior staff members.
- Generate a minimum of six press releases, editorials, or articles that garner 250 media mentions and/or \$1 million worth of earned media coverage for CCTA during the calendar year.

Activities and Performance Metrics for Video and Audio Production

- Launch a CCTA video blog or podcast that publishes at least once a month.
- Create at least one informational video a quarter about a project, program, or planning effort currently underway at CCTA.

Activities and Performance Metrics for Social Media

- Consistently post at least three times a week on Facebook, Twitter, and LinkedIn with a goal of organically increasing by 15% the number of followers CCTA has on each platform.
- Increase by 25% the number of subscribers and/or total views on CCTA's YouTube channel.

Activities and Performance Metrics for Website Maintenance and Improvements

- Support content creation or updates as requested by CCTA's departments, including implementation of a visual dashboard or interactive site feature.
- Proactively enhance site performance and quality monitoring through an automated website checker tool.
- Increase unique visitors by 10%.

EXHIBIT 10-H4 COST PROPOSAL FOR CONTRACTS WITH PREVAILING WAGES

Please Note: Consultant completes all items in yellow highlight

ACTUAL COST PLUS FIXED FEE: SPECIFIC RATES OF COMPENSATION AND COST PER UNIT OF WORK CONTRACTS

CONSULTANT _____ PRIME _____ SUB _____ CONTRACT TYPE _____ (LIST ONE OF THE ABOVE LISTED CONTRACT TYPES)
 PROJECT NO. _____ CONTRACT NO. _____ DATE _____ Prime Consultant's Participation Amount \$ _____

Loaded Rate Calculation

Non-Exempt Employee Loaded Billing Rates

A) Straight Time = Actual Hourly Rate * (1 + Field O.H.) * (1 + Fee) + Delta Base * (Applicable Multiplier Delta Base) + Delta Fringe * (Applicable Multiplier Delta Fringe)

B) 1.5X or 2.0X Overtime = Actual Hourly Rate * (1 + Field O.H.) * (1 + Fee) + 1.5X or 2.0X (Actual Hourly Rate) + Delta Base * (Applicable Multiplier Delta Base) + Delta Fringe * (Applicable Multiplier Delta Fringe)

Exempt Employee Loaded Billing Rates

C) Straight Time or 1.5X or 2.0X Overtime = Actual Hourly Rate * (1 + Field O.H.) * (1 + Fee) + Delta Base * (Applicable Multiplier Delta Base) + Delta Fringe * (Applicable Multiplier Delta Fringe)

Home Office Personnel:	Fringe Benefit %	Overhead %	General Administration %	Combined %
NORMAL	60.00%	60.00%	60.00%	180.00%
OVERTIME	60.00%	60.00%	60.00%	180.00%
Field Office Personnel:	Fringe Benefit %	Overhead %	General Administration %	Combined %
NORMAL	50.00%	50.00%	50.00%	150.00%
OVERTIME	50.00%	50.00%	50.00%	150.00%
	Fee			6.00%

The PW differentials Delta Base and Delta Fringe shown in the formulas above for Loaded Billing Rates are applicable only when performing services covered under DIR determinations.

Name/Classification	Home Office Personnel Field Office Personnel	Effective Date of Hourly Rate		Prevailing Wage Rate established by State DIR (only applicable for prevailing wage work)						Employee Actual Rate (fringe benefits vary year over year)						DELTA (TOTAL) = Employee Total Rate - DIR Rate			Applicable DELTA (TOTAL) = Employee Base - DIR Base			Applicable DELTA Base = DIR Rate - Employee Base Rate			Applicable DELTA FRINGE = DELTA TOTAL - DELTA BASE			Loaded Hourly Billing Rates			% Escalation Increase	Hourly Rate and/or Average Hourly Rate	Hourly Range for Class				
		From	To	Base Salary	Fringe Benefits	Total Base Salary + Fringe Benefits	Base Salary	Estimate Fringe	Total = Base + Fringe	Straight	1.5 OT	2.0 OT	Straight	1.5 OT	2.0 OT	Straight	1.5 OT	2.0 OT	Straight	1.5 OT	2.0 OT	Straight	1.5 OT	2.0 OT	Straight	1.5 OT	2.0 OT										
John Doe BSCE, Construction Inspector	FIELD	1/1/2007	12/31/2007	\$34.21	\$51.32	\$68.42	\$15.41	\$49.62	\$66.73	\$83.83	\$42.17	\$63.26	\$84.34	\$11.49	\$53.66	\$74.75	\$95.83	\$4.04	\$8.02	\$12.00	\$0.00	\$11.94	\$15.92	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$111.75	\$132.84	\$153.92	3.00%	\$ 42.17	N/A
		1/1/2008	12/31/2008	\$34.21	\$51.32	\$68.42	\$15.41	\$49.62	\$66.73	\$83.83	\$43.44	\$65.16	\$86.88	\$11.49	\$54.93	\$76.65	\$98.37	\$5.31	\$9.93	\$14.54	\$0.00	\$13.85	\$18.46	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$115.12	\$136.84	\$158.56	3.00%	\$ 43.44	N/A
		1/1/2009	12/31/2009	\$34.21	\$51.32	\$68.42	\$15.41	\$49.62	\$66.73	\$83.83	\$44.74	\$67.11	\$89.48	\$11.49	\$56.23	\$78.60	\$100.97	\$6.61	\$11.88	\$17.14	\$0.00	\$15.80	\$21.06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$118.56	\$140.93	\$163.30	3.00%	\$ 44.74	N/A	
		1/1/2010	12/31/2010	\$34.21	\$51.32	\$68.42	\$15.41	\$49.62	\$66.73	\$83.83	\$46.08	\$69.12	\$92.16	\$11.49	\$57.57	\$80.61	\$103.65	\$7.95	\$13.89	\$19.82	\$0.00	\$17.81	\$23.74	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$122.11	\$145.15	\$168.19	3.00%	\$ 46.08	N/A		
John Doe BSCE, Construction Inspector	FIELD	1/1/2007	12/31/2007														\$0.00	\$0.00	\$0.00												\$111.75	\$132.84	\$153.92		\$ 42.17	N/A	
		1/1/2008	12/31/2008															\$0.00	\$0.00	\$0.00	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$115.12	\$136.84	\$158.56	3.00%	\$ 43.44	N/A	
		1/1/2009	12/31/2009															\$0.00	\$0.00	\$0.00											\$118.56	\$140.93	\$163.30	3.00%	\$ 44.74	N/A	
		1/1/2010	12/31/2010															\$0.00	\$0.00	\$0.00										\$122.11	\$145.15	\$168.19	3.00%	\$ 46.08	N/A		
Jane Smith BSCE, PE Asst RE/Inspector	FIELD	1/1/2007	12/31/2007	\$34.21	\$51.32	\$68.42	\$15.41	\$49.62	\$66.73	\$83.83	\$45.00	\$45.00	\$45.00	\$11.49	\$56.49	\$56.49	\$56.49	\$6.87	(\$10.24)	(\$27.34)	\$0.00	(\$6.32)	(\$23.42)	\$0.00	(\$6.32)	(\$23.42)	\$0.00	(\$3.92)	(\$3.92)	\$119.25	\$125.57	\$142.67	3.00%	\$ 45.00	N/A		
		1/1/2008	12/31/2008	\$34.21	\$51.32	\$68.42	\$15.41	\$49.62	\$66.73	\$83.83	\$46.35	\$46.35	\$46.35	\$11.49	\$57.84	\$57.84	\$57.84	\$8.22	(\$8.88)	(\$25.99)	\$0.00	(\$4.97)	(\$22.07)	\$0.00	(\$4.97)	(\$22.07)	\$0.00	(\$3.92)	(\$3.92)	\$122.83	\$127.79	\$144.90	3.00%	\$ 46.35	N/A		
		1/1/2009	12/31/2009	\$34.21	\$51.32	\$68.42	\$15.41	\$49.62	\$66.73	\$83.83	\$47.74	\$47.74	\$47.74	\$11.49	\$59.23	\$59.23	\$59.23	\$9.61	(\$7.49)	(\$24.60)	\$0.00	(\$3.58)	(\$20.68)	\$0.00	(\$3.58)	(\$20.68)	\$0.00	(\$3.92)	(\$3.92)	\$126.51	\$130.09	\$147.19	3.00%	\$ 47.74	N/A		
		1/1/2010	12/31/2010	\$34.21	\$51.32	\$68.42	\$15.41	\$49.62	\$66.73	\$83.83	\$49.17	\$49.17	\$49.17	\$11.49	\$60.66	\$60.66	\$60.66	\$11.04	(\$6.06)	(\$23.17)	\$0.00	(\$2.15)	(\$19.25)	\$0.00	(\$2.15)	(\$19.25)	\$0.00	(\$3.92)	(\$3.92)	\$130.30	\$132.45	\$149.55	3.00%	\$ 49.17	N/A		

- Prevailing Wages specified are based on current DIR determination. Any future DIR escalation of prevailing wage rates will be reflected in the loaded rates
- "NC" denotes No Charge for work more than 8 hours per day and for weekends and holidays for this contract only.
- The billing rates shown in this cost proposal for field staff entitled for PW rates are calculated with estimated fringe benefits of the staff. The actual billing rates to be used in the invoices will be calculated by using the actual PW fringe benefits of the individual staff in accordance with the certified benefits statement submitted with each invoice.
- The employees' actual hourly rates shown in this cost proposal are the rates that were effective on xxx/xx. Caltrans Contract Manager's pre-approval is required for addition of staff not previously listed on the cost proposal. The billing rates for these employees, including those that fall under general classifications, will be calculated and reimbursed based on their actual hourly rates on xxx/xx. Hourly rates for new employees hired after the date of this cost proposal will not exceed (or shall be in line with) the rates of similar personnel listed on this cost proposal having similar experience.
- Travel Time Charges:
 - For Managers:** On weekdays up to a maximum of 8 hours will be charged for work time, travel time or any combination of travel and work time. Billing Rate = Loaded Rate Formula "C" above.
 - For Exempt staff:** During regular work day, actual travel time not to exceed 8 hours in any one day or one way travel will be billed as follows:
Billing rate for travel time = Loaded Rate Formula "C" above.
All travel time, outside of the regular work day, will be billed without the application of overhead rate as follows: Billing Rate = (Actual Hourly Rate) (1+ Fee) + (Delta Base + Delta Fringe)
 - For Non-Exempt Employees:** During regular work day, actual travel time not to exceed 8 hours in any one day or one way travel will be billed at full normal overhead rate (i.e. without the application of the 1.5X or 2.0X multiplier for overtime as follows:

**EXHIBIT 10-K CONSULTANT ANNUAL CERTIFICATION OF
INDIRECT COSTS AND FINANCIAL MANAGEMENT SYSTEM**

(Note: If a Safe Harbor Indirect Cost Rate is approved, this form is not required.)

I. Consultant's Full Legal Name:

Important: Consultant means the individual or consultant providing engineering and design related services as a party of a contract with a recipient or sub-recipient of Federal assistance. Therefore, the Indirect Cost Rate(s) shall not be combined with its parent company or subsidiaries.

II. Indirect Cost Rate:

Combined Rate _____ % **OR**

Home Office Rate _____ % and Field Office Rate (if applicable) _____
_____ %

Facilities Capital Cost of Money _____ % (if applicable)

Fiscal period * _____

* Fiscal period is annual one year applicable accounting period that the Indirect Cost Rate was developed (not the contract period). The Indirect Cost Rate is based on the consultant's one-year applicable accounting period for which financial statements are regularly prepared by the consultant.

I have reviewed the proposal to establish an Indirect Cost Rate(s) for the **fiscal period** as specified above and have determined to the best of my knowledge and belief that:

- All costs included in the cost proposal to establish the indirect cost rate(s) are allowable in accordance with the cost principles of the Federal Acquisition Regulation (FAR) 48, Code of Federal Regulations (CFR), Chapter 1, Part 31 (48 CFR Part 31);
- The cost proposal does not include any costs which are expressly unallowable under the cost principles of 48 CFR Part 31;
- The accounting treatment and billing of prevailing wage delta costs are consistent with our prevailing wage policy as either direct labor, indirect costs, or other direct costs on all federally-funded A&E Consultant Contracts.
- All known material transactions or events that have occurred subsequent to year-end affecting the consultant's ownership, organization, and indirect cost rates have been disclosed as of the date of this certification.

I am providing the required and applicable documents as instructed on Exhibit 10-A.

III. Financial Management System:

Our labor charging, job costing, and accounting systems meet the standards for financial reporting, accounting records, and internal control adequate to demonstrate that costs claimed have been incurred, appropriately accounted for, are allocable to the contract, and comply with the federal requirements as set forth in [Title 23 United States Code \(U.S.C.\) Section 112\(b\)\(2\)](#); [48 CFR Part 31.201-2\(d\)](#); [23 CFR, Chapter 1, Part 172.11\(a\)\(2\)](#); and all applicable state and federal rules and regulations.

Our financial management system has the following attributes:

- Account numbers identifying allowable direct, indirect, and unallowable cost accounts;
- Ability to accumulate and segregate allowable direct, indirect, and unallowable costs into separate cost accounts;
- Ability to accumulate and segregate allowable direct costs by project, contract and type of cost;
- Internal controls to maintain integrity of financial management system;
- Ability to account and record costs consistently and to ensure costs billed are in compliance with FAR;
- Ability to ensure and demonstrate costs billed reconcile to general ledgers and job costing system; and
- Ability to ensure costs are in compliance with contract terms and federal and state requirement

Cost Reimbursements on Contracts:

I also understand that failure to comply with 48 CFR Part 16.301-3 or knowingly charge unallowable costs to Federal-Aid Highway Program (FAHP) contracts may result in possible penalties and sanctions as provided by the following:

- Sanctions and Penalties - [23 CFR Part 172.11\(c\)\(4\)](#)
- False Claims Act - [Title 31 U.S.C. Sections 3729-3733](#)
- Statements or entries generally - [Title 18 U.S.C. Section 1001](#)
- Major Fraud Act - [Title 18 U.S.C. Section 1031](#)

All A&E Contract Information:

- Total participation amount \$_____ on all State and FAHP contracts for Architectural & Engineering services that the consultant received in the last three fiscal periods.
- The number of states in which the consultant does business is_____.
- Years of consultant's experience with 48 CFR Part 31 is_____.
- Audit history of the consultant's current and prior years (if applicable)
 Cognizant ICR Audit Local Gov't ICR Audit Caltrans ICR Audit
 CPA ICR Audit Federal Gov't ICR Audit

I, the undersigned, certify all of the above to the best of my knowledge and belief and that I have reviewed the Indirect Cost Rate Schedule to determine that any costs which are expressly unallowable under the Federal cost principles have been removed and comply with [Title 23 U.S.C. Section 112\(b\)\(2\)](#), [48 CFR Part 31](#), [23 CFR Part 172](#), and all applicable state and federal rules and regulations. I also certify that I understand that all documentation of compliance must be retained by the consultant. I hereby acknowledge that costs that are noncompliant with the federal and state requirements are not eligible for reimbursement and must be returned to Caltrans.

Name**: _____ Title**: _____

Signature: _____

Date of Certification (mm/dd/yyyy): _____

Email**: _____

Phone Number**: _____

**An individual executive or financial officer of the consultant's or subconsultant's organization at a level no lower than a Vice President, a Chief Financial Officer, or equivalent, who has authority to represent the financial information used to establish the indirect cost rate.

Note: ***Both prime and subconsultants as parties of a contract must complete their own Exhibit 10-Kforms. Caltrans will not process local agency's invoices until a complete Exhibit 10-Kform is accepted and approved by Caltrans Audits and Investigations.***

ATTACHMENT D

DIR REGISTRATION CERTIFICATION

Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to propose on, be listed in a proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. See <http://www.dir.ca.gov/Public-Works/PublicWorks.html> for additional information.

No proposal will be accepted nor any contract entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work. This requirement will apply to all work under this RFP that is subject to the prevailing wage requirements set forth in Labor Code section 1720, et. seq., ("Prevailing Wage Work") and to proposer and any subcontractor proposed to perform such work.

Proposer hereby certifies that it is aware of the registration requirements set forth in Labor Code sections 1725.5 and 1771.1 and is currently registered as a contractor with the Department of Industrial Relations.

Name of Proposer: _____

DIR Registration Number: _____

*Name of Proposed Subcontractor: _____

DIR Registration Number: _____

* Include additional sheets as necessary to list additional proposed subcontractors who will perform Prevailing Wage Work, and DIR registration numbers.

Proposer further acknowledges:

1. Proposer shall maintain a current DIR registration for the duration of the Project.
2. Proposer shall include the requirements of Labor Code sections 1725.5 and 1771.1 in its contract(s) with subcontractors engaged to perform any Prevailing Wage Work, and shall ensure that all such subcontractors are registered at the time of proposal opening and maintain registration status for the duration of the Project.
3. Failure to submit this form or comply with any of the above requirements may result in a finding that the proposal is non-responsive.

Signature: _____

Name and Title: _____

Dated: _____

ATTACHMENT E

IRAN CONTRACTING ACT CERTIFICATION

(Public Contract Code section 2200 *et seq.*)

As required by California Public Contract Code section 2204, the proposer certifies subject to penalty for perjury that the option checked below relating to the proposer's status in regard to the Iran Contracting Act of 2010 (Public Contract Code section 2200 *et seq.*) is true and correct:

- The proposer is not:
 - (i) identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code section 2203; or
 - (ii) a financial institution that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.

- CCTA has exempted the proposer from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, CCTA will be unable to obtain the goods and/or services to be provided pursuant to the contract.

- The amount of the contract payable to the proposer for the work does not exceed \$1,000,000.

Signature: _____

Title: _____

Firm: _____

Date: _____

Note: In accordance with Public Contract Code section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract Price, termination of the Contract and/or ineligibility to bid on contracts for three years.

ATTACHMENT F

**CERTIFICATION OF OFFEROR/SUBCONSULTANT REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS**

CERTIFICATION OF PROPOSER REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

The undersigned certifies to the best of his or her knowledge and belief, that

_____ (name of proposer) and its principles:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this subcontract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in Paragraph 2 of this certification; and
4. Have not within a three-year period preceding this subcontract had one or more public transactions (Federal, State, or local) terminated for cause or default. The Offeror certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Sections 3801 et seq. are applicable thereto.
5. Are not on the Comptroller General's list of ineligible consultants.

By: _____
(Signature)

By: _____
(Signature)

(Print Name)

(Print Name)

(Title)

(Title)

(Date)

(Date)

**CERTIFICATION OF SUBCONSULTANT REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS**

The undersigned certifies to the best of his or her knowledge and belief, that

_____ and its principles:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this subcontract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in Paragraph 2 of this certification; and
4. Have not within a three-year period preceding this subcontract had one or more public transactions (Federal, State, or local) terminated for cause or default. The subconsultant certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Sections 3801 et seq. are applicable thereto.

By: _____
(Signature)

(Print Name)

(Title)

(Date)

By: _____
(Signature)

(Print Name)

(Title)

(Date)

ATTACHMENT G

NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

The proposer certifies that to the best of his or her knowledge and belief that:

A. No state, federal or local agency appropriated funds have been paid, or will be paid by or on behalf of the Consultant to any person for influencing or attempting to influence an officer or employee of any state or federal agency; a Member of the State Legislature or United States Congress; an officer or employee of the Legislature or Congress; or any employee of a Member of the Legislature or Congress, in connection with the awarding of any state or federal contract; the making of any state or federal grant; the making of any state or federal loan; the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any state or federal contract, grant, loan, or cooperative agreement.

B. If any funds other than federal appropriated funds have been paid, or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency; a Member of Congress; an officer or employee of Congress, or an employee of a Member of Congress; in connection with this federal contract, grant, loan, or cooperative agreement; Consultant shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", attached hereto as Exhibit "H" and incorporated herein by this reference, in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Proposer also agrees by signing this document that he or she shall require that the language of this certification be included in all lower-tier subcontracts, which exceed \$100,000 and that all such sub recipients shall certify and disclose accordingly.

By: _____
(Signature)

By: _____
(Signature)

(Print Name)

(Print Name)

(Title)

(Title)

(Date)

(Date)

ATTACHMENT H

DISCLOSURE OF LOBBYING ACTIVITIES

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

1. Type of Federal Action:
 a. contract
 b. grant
 c. cooperative agreement
 d. loan
 e. loan guarantee
 f. loan insurance

2. Status of Federal Action:
 a. bid/offer/application
 b. initial award
 c. post-award

3. Report Type:
 a. initial
 b. material change
For Material Change Only:
year ____ quarter ____
date of last report _____

4. Name and Address of Reporting Entity
 Prime Subawardee
Tier _____, if known
Congressional District, if known

5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:
Congressional District, if known

6. Federal Department/Agency:

7. Federal Program Name/Description:
CFDA Number, if applicable _____

8. Federal Action Number, if known:

9. Award Amount, if known:

10. Name and Address of Lobby Entity
(If individual, last name, first name, MI)

11. Individuals Performing Services (including address if different from No. 10a)
(last name, first name, MI)

(attach Continuation Sheet(s) if necessary)

12. Amount of Payment (check all that apply)
\$ _____ actual planned

13. Form of Payment (check all that apply):
 a. cash
 b. in-kind; specify: nature _____
Value _____

14. Type of Payment (check all that apply)
 a. retainer
 b. one-time fee
 c. commission
 d. contingent fee
 e. deferred
 f. other, specify _____

15. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member(s) contacted, for Payment Indicated in Item 11:
(attach Continuation Sheet(s) if necessary)

16. Continuation Sheet(s) attached: Yes No

17. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying reliance was placed by the tier above when his transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: _____
Print Name: _____
Title: _____
Telephone No.: _____ Date: _____

Authorized for Local Reproduction
Standard Form - LLL

Federal Use Only:

INSTRUCTIONS FOR COMPLETING DISCLOSURE OF LOBBYING ACTIVITIES EXHIBIT

This disclosure form shall be submitted with the Consultant's proposal, and whenever there is a material change to previous filing pursuant to title 31 U.S.C. Section 1352. Attach a continuation sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

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

ATTACHMENT I

CALTRANS DISADVANTAGED BUSINESS ENTERPRISE (DBE) NOTICE TO PROPOSERS

NOTICE TO PROPOSERS DBE INFORMATION

CCTA has established a DBE goal of 15% for the Agreement intended to be entered into pursuant to this RFP process.

1. TERMS AS USED IN THIS DOCUMENT

- The term “Disadvantaged Business Enterprise” or “DBE” means a for-profit small business concern owned and controlled by a socially and economically disadvantaged person(s) as defined in Title 49, Code of Federal Regulations (CFR), Part 26.5.
- The term “Agreement” means the agreement intended to be entered into pursuant to this RFP process, in the form included as part of the RFP documents.
- The term “CCTA” means the “Contra Costa Transportation Authority”
- The term “Consultant” means the successful proposer to whom the Agreement is awarded.
- The term “Small Business” or “SB” is as defined in 49 CFR 26.65.

2. AUTHORITY AND RESPONSIBILITY

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

B. Proposers are encouraged to use services offered by financial institutions owned and controlled by DBEs.

3. SUBMISSION OF DBE INFORMATION

Since there is a DBE goal for the Agreement, the *Consultant Proposal DBE Commitment*, included as part of the RFP forms, must be completed and submitted as part of the proposal. In order for a proposer to be considered responsible and responsive, the proposer must make good faith efforts to meet the goal established for the contract. If the goal is not met, the proposer must document adequate good faith efforts. All DBE participation will be counted towards the contract goal; therefore, all DBE participation shall be collected and reported.

Even if no DBE participation will be reported, the successful proposer must complete and execute the *Consultant Contract DBE Information* form included as part of the Agreement.

4. DBE PARTICIPATION GENERAL INFORMATION

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

- A. A DBE must be a small business firm defined pursuant to 13 CFR 121 and be certified through the California Unified Certification Program (CUCP).
- B. A certified DBE may participate as a prime consultant, subconsultant, joint venture partner, as a vendor of material or supplies, or as a trucking company.
- C. A DBE proposer not proposing as a joint venture with a non-DBE, will be required to document one or a combination of the following:
 - 1. The proposer is a DBE and will meet the goal by performing work with its own forces.
 - 2. The proposer will meet the goal through work performed by DBE subconsultants, suppliers or trucking companies.
 - 3. The proposer, prior to proposing, made adequate good faith efforts to meet the goal.
- D. A DBE joint venture partner must be responsible for specific contract items of work or clearly defined portions thereof. Responsibility means actually performing, managing, and supervising the work with its own forces. The DBE joint venture partner must share in the capital contribution, control, management, risks and profits of the joint venture commensurate with its ownership interest.
- E. A DBE must perform a commercially useful function pursuant to 49 CFR 26.55, that is, a DBE firm must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing and supervising the work.
- F. The proposer shall list only one subconsultant for each portion of work as defined in their proposal and all DBE subconsultants should be listed in the bid/cost proposal list of subconsultants.
- G. A prime consultant who is a certified DBE is eligible to claim all of the work in the Contract toward the DBE participation except that portion of the work to be performed by non-DBE subconsultants.

5. RESOURCES

- A. The CUCP database includes the certified DBEs from all certifying agencies participating in the CUCP. If you believe a firm is certified that cannot be located on the database, please contact the Caltrans Office of Certification toll free number 1-866-810-6346 for assistance.
- B. Access the CUCP database from the Department of Transportation, Office of Business and Economic Opportunity Web site at: <http://www.dot.ca.gov/hq/bep/>.

1. Click on the link in the left menu titled Disadvantaged Business Enterprise;
2. Click on Search for a DBE Firm link;
3. Click on Access to the DBE Query Form located on the first line in the center of the page. Searches can be performed by one or more criteria. Follow instructions on the screen.

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

A. If the materials or supplies are obtained from a DBE manufacturer, count 100 percent of the cost of the materials or supplies. A DBE manufacturer is a firm that operates or maintains a factory, or establishment that produces on the premises the materials, supplies, articles, or equipment required under the Agreement and of the general character described by the specifications.

B. If the materials or supplies purchased from a DBE regular dealer, count 60 percent of the cost of the materials or supplies. A DBE regular dealer is a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the Agreement are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a DBE regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A person may be a DBE regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone or asphalt without owning, operating or maintaining a place of business provided in this section.

C. If the person both owns and operates distribution equipment for the products, any supplementing of regular dealers' own distribution equipment shall be, by a long-term lease agreement and not an ad hoc or Agreement-by-Agreement basis. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not DBE regular dealers within the meaning of this section.

D. Materials or supplies purchased from a DBE, which is neither a manufacturer nor a regular dealer, will be limited to the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on the job site, provided the fees are reasonable and not excessive as compared with fees charged for similar services.

EXHIBIT 10-O1 CONSULTANT PROPOSAL DBE COMMITMENT

1. Local Agency: _____ 2. Contract DBE Goal: _____

3. Project Description: _____

4. Project Location: _____

5. Consultant's Name: _____ 6. Prime Certified DBE:

7. Description of Work, Service, or Materials Supplied	8. DBE Certification Number	9. DBE Contact Information	10. DBE %
Local Agency to Complete this Section		11. TOTAL CLAIMED DBE PARTICIPATION _____ %	
17. Local Agency Contract Number:			
18. Federal-Aid Project Number:			
19. Proposed Contract Execution Date:		IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Written confirmation of each listed DBE is required.	
Local Agency certifies that all DBE certifications are valid and information on this form is complete and accurate.			
0. Local Agency Representative's Signature _____ 21. Date _____		12. Preparer's Signature _____ 13. Date _____	
22. Local Agency Representative's Name _____ 23. Phone _____		14. Preparer's Name _____ 15. Phone _____	
24. Local Agency Representative's Title _____		16. Preparer's Title _____	

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

INSTRUCTIONS – CONSULTANT PROPOSAL DBE COMMITMENT

CONSULTANT SECTION

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

LOCAL AGENCY SECTION

- 7. Local Agency Contract Number** - Enter the Local Agency contract number or identifier.
- 8. Federal-Aid Project Number** - Enter the Federal-Aid Project Number.
- 9. Proposed Contract Execution Date** - Enter the proposed contract execution date.
- 10. Local Agency Representative's Signature** - The person completing this section of the form for the Local Agency must sign their name to certify that the information in this and the Consultant Section of this form is complete and accurate.
- 11. Date** - Enter the date the DBE commitment form is signed by the Local Agency Representative.
- 12. Local Agency Representative's Name** - Enter the name of the Local Agency Representative certifying the consultant's DBE commitment form.
- 13. Phone** - Enter the area code and phone number of the person signing the consultant's DBE commitment form.
- Local Agency Representative Title** - Enter the position/title of the Local Agency Representative certifying the consultant's DBE commitment form.

DBE INFORMATION – GOOD FAITH EFFORTS

EXHIBIT 15-H DBE INFORMATION —GOOD FAITH EFFORTS

For On-Call Strategic Communications, Community Relations, and Marketing Professional Services

CCTA established a Disadvantaged Business Enterprise (DBE) goal of 15% for this project. The information provided herein shows that a good faith effort was made.

Lowest, second lowest and third lowest bidders shall submit the following information to document adequate good faith efforts. Bidders should submit the following information even if the “Local Agency Bidder DBE Commitment” form indicates that the bidder has met the DBE goal. This will protect the bidder’s eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a DBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the “Local Agency Bidder DBE Commitment” form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

The following items are listed in the Section entitled “Submission of DBE Commitment” of the Special Provisions:

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

<u>Publications</u>	<u>Dates of Advertisement</u>

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

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

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

E. Efforts made to assist interested DBEs in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to DBEs:

F. Efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services, excluding supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate:

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

Name of Agency/Organization	Method/Date of Contact	Results

H. Any additional data to support a demonstration of good faith efforts (use additional sheets if necessary):

NOTE: USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.

APPENDIX A TO PART 26 – GUIDANCE CONCERNING GOOD FAITH EFFORTS

1. When, as a recipient, you establish a contract goal on a DOT-assisted contract for procuring construction, equipment, services, or any other purpose, a bidder must, in order to be responsible and/or responsive, make sufficient good faith efforts to meet the goal. The bidder can meet this requirement in either of two ways. First, the bidder can meet the goal, documenting commitments for participation by DBE firms sufficient for this purpose. Second, even if it doesn't meet the goal, the bidder can document adequate good faith efforts. This means that the bidder must show that it took all necessary and reasonable steps to achieve a DBE goal or other requirement of this part which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if they were not fully successful.

2. In any situation in which you have established a contract goal, Part 26 requires you to use the good faith efforts mechanism of this part. As a recipient, you have the responsibility to make a fair and reasonable judgment whether a bidder that did not meet the goal made adequate good faith efforts. It is important for you to consider the quality, quantity, and intensity of the different kinds of efforts that the bidder has made, based on the regulations and the guidance in this Appendix.

The efforts employed by the bidder should be those that one could reasonably expect a bidder to take if the bidder were actively and aggressively trying to obtain DBE participation sufficient to meet the DBE contract goal. Mere pro forma efforts are not good faith efforts to meet the DBE contract requirements. We emphasize, however, that your determination concerning the sufficiency of the firm's good faith efforts is a judgment call. Determinations should not be made using quantitative formulas.

3. The Department also strongly cautions you against requiring that a bidder meet a contract goal (i.e., obtain a specified amount of DBE participation) in order to be awarded a contract, even though the bidder makes an adequate good faith efforts showing. This rule specifically prohibits you from ignoring bona fide good faith efforts.

4. The following is a list of types of actions which you should consider as part of the bidder's good faith efforts to obtain DBE participation. It is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.

A. (1) Conducting market research to identify small business contractors and suppliers and soliciting through all reasonable and available means the interest of all certified DBEs that have the capability to perform the work of the contract. This may include attendance at pre-bid and business matchmaking meetings and events, advertising and/or written notices, posting of Notices of Sources Sought and/or Requests for Proposals, written notices or emails to all DBEs listed in the State's directory of transportation firms that specialize in the areas of work desired (as noted in the DBE directory) and which are located in the area or surrounding areas of the project.

(2) The bidder should solicit this interest as early in the acquisition process as practicable to allow the DBEs to respond to the solicitation and submit a timely offer for the subcontract. The bidder should

determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.

B. Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units (for example, smaller tasks or quantities) to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces. This may include, where possible, establishing flexible timeframes for performance and delivery schedules in a manner that encourages and facilitates DBE participation.

C. Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation with their offer for the subcontract.

D. (1) Negotiating in good faith with interested DBEs. It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional Agreements could not be reached for DBEs to perform the work.

(2) A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a bidder's failure to meet the contract DBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.

E. (1) Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union status) are not legitimate causes for the rejection or non-solicitation of bids in the contractor's efforts to meet the project goal. Another practice considered an insufficient good faith effort is the rejection of the DBE because its quotation for the work was not the lowest received. However, nothing in this paragraph shall be construed to require the bidder or prime contractor to accept unreasonable quotes in order to satisfy contract goals.

(2) A prime contractor's inability to find a replacement DBE at the original price is not alone sufficient to support a finding that good faith efforts have been made to replace the original DBE. The fact that the contractor has the ability and/or desire to perform the contract work with its own forces does not

relieve the contractor of the obligation to make good faith efforts to find a replacement DBE, and it is not a sound basis for rejecting a prospective replacement DBE's reasonable quote.

F. Making efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as required by the recipient or contractor.

G. Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.

5. In determining whether a bidder has made good faith efforts, it is essential to scrutinize its documented efforts. At a minimum, you must review the performance of other bidders in meeting the contract goal. For example, when the apparent successful bidder fails to meet the contract goal, but others meet it, you may reasonably raise the question of whether, with additional efforts, the apparent successful bidder could have met the goal. If the apparent successful bidder fails to meet the goal, but meets or exceeds the average DBE participation obtained by other bidders, you may view this, in conjunction with other factors, as evidence of the apparent successful bidder having made good faith efforts. As provided in §26.53(b)(2)(vi), you must also require the contractor to submit copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract to review whether DBE prices were substantially higher; and contact the DBEs listed on a contractor's solicitation to inquire as to whether they were contacted by the prime. Pro forma mailings to DBEs requesting bids are not alone sufficient to satisfy good faith efforts under the rule.

6. A promise to use DBEs after contract award is not considered to be responsive to the contract solicitation or to constitute good faith efforts.