

REQUEST FOR PROPOSAL

**FOR FRESNO-MADERA STATE ROUTE 41 & AVENUE 9
SUSTAINABLE CORRIDORS STUDY**

DUE BY MONDAY, MAY 18, 2020 AT 12:00 P.M. (PDT)

**Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
(559)-233-4148**

Additional information on this proposal can be found on the Fresno COG website under “Agendas/Info” > “Doing Business w/ Fresno COG”

www.fresnocog.org

April 2020

REQUEST FOR PROPOSALS

FRESNO-MADERA STATE ROUTE 41 & AVENUE 9 SUSTAINABLE CORRIDORS STUDY

The Fresno Council of Governments (Fresno COG), in partnership with the Madera County Transportation Commission (MCTC), is requesting proposals from qualified consultants to develop a Fresno-Madera State Route 41 and Avenue 9 Sustainable Corridors Study for the Fresno-Madera Region.

Background

The primary purpose of the Fresno-Madera State Route 41 (SR 41) & Avenue 9 (Ave 9) Sustainable Corridors Study is to determine the future transportation needs of the SR 41 corridor in Fresno County and the southern segment of SR 41 in Madera County. In addition, the study will analyze the future transportation needs of the Avenue 9 corridor in Madera County between SR 41 and SR 99. Please see Figure 1 for a map of the study area. SR 41 serves as the primary north-south transportation corridor in Fresno and Madera Counties, and for purposes of this study is defined as the 19 mile stretch of SR 41 starting at the junction of SR 41 and SR 99 south of downtown Fresno and rising north to the Madera Canal at Avenue 15 in Madera County. Ave 9 in Madera County is a limited expressway corridor that serves as an important east-west connector for motorists accessing southern Madera County and the Fresno-Clovis Metropolitan Area. The Ave 9 component of the study will specifically look at the roughly 11 mile stretch that connects SR 41 at Children's Blvd and extends west to the SR 99 interchange. SR 41 serves as the main transportation artery through central Fresno, providing residents, commuters, tourists, and trucking access to nearly all major parts of the city of Fresno. Additionally, SR 41 continues north into Madera County, serving Children's Hospital at Ave 9 as well as a number of new master-planned residential developments, new educational facilities, as well as business, and medical developments planned for growth to the east and west of SR 41. SR 41 also serves as an access point to Yosemite National Park, which accounts for a significant portion of tourism to both counties. Ave 9, while rural in nature, has seen increased traffic as the Fresno-Clovis metropolitan area continues to grow northward, Ave 9 provides Fresno and Clovis residents a faster and easier transportation connection to SR 99 by using Ave 9 to connect from SR 41. Conversely, commuters in Madera County use it as a faster and easier travel corridor to job centers in North Fresno and Clovis. The SR 41/Ave 9 corridors will begin to take on increasingly important roles in the movement of both people and goods as population continues to grow in both counties.

Fresno COG and MCTC have previously partnered together to develop a Fresno/Madera Origin-Destination Study to gain an understanding of transportation movements between Fresno and Madera counties along SR 99 and SR 41 and the various impacts associated with such movements. Key findings of this study as pertaining to this RFP include:

- Northbound and Southbound flows are roughly equal throughout the day.
- Fresno residents utilize services along SR 41 in Madera County but not as a bypass.
- Roughly 85% of observed vehicles were registered in Fresno or Madera County.
- On SR 41, more inter-county trips originated in Madera County.
- Roughly 10% of inter-county trips use Avenue 12.
- Fresno to Madera trips mainly use SR 99, Madera to Fresno work trips mainly use SR 41.

Results of the Origin-Destination study can be used as guidance for the Fresno-Madera State Route 41 and Avenue 9 Sustainable Corridors Study. The study can be accessed [here](#).

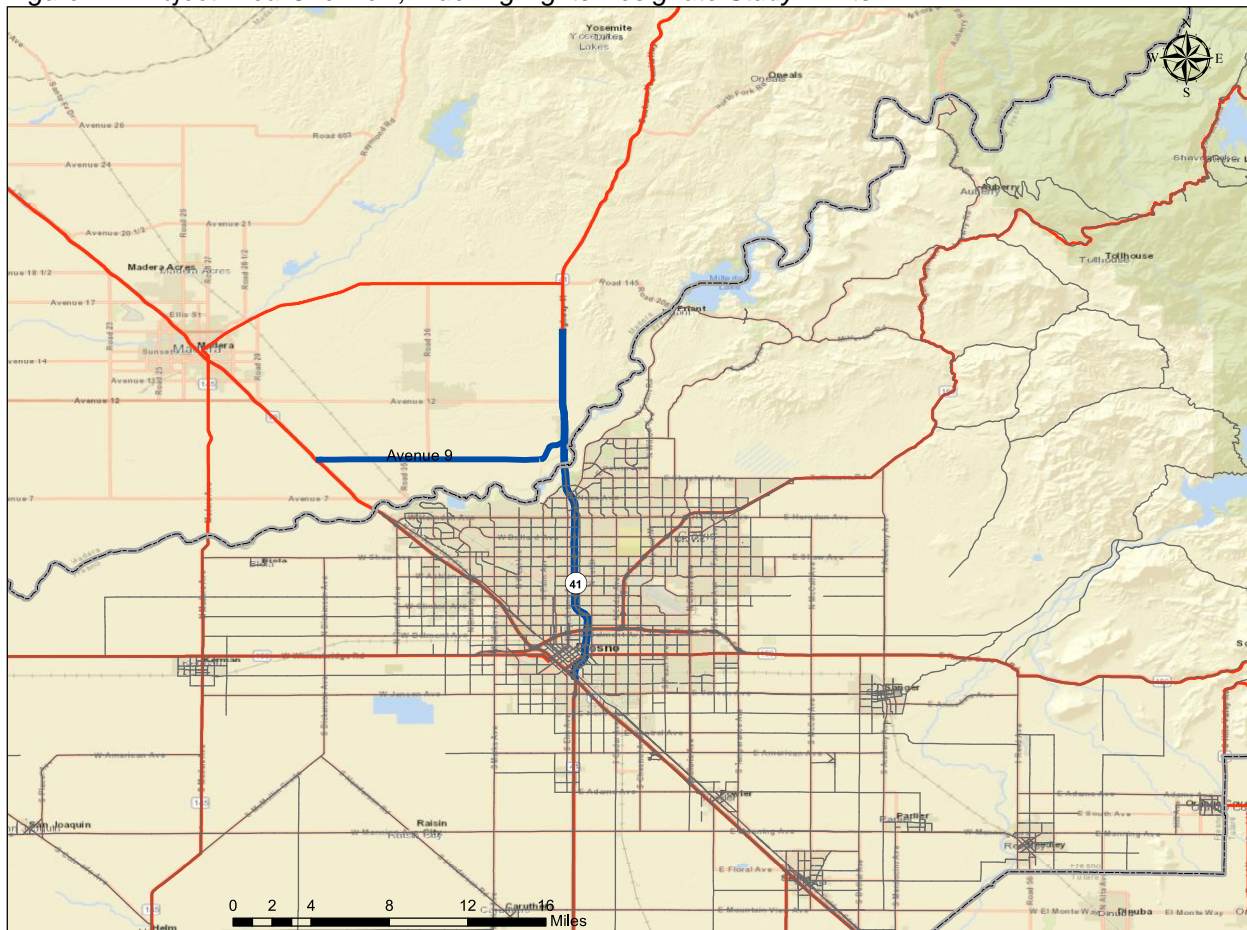
Overview

The City of Fresno is the fifth largest city in California with a diverse population of 515,609 spread over 114 square miles and is located in the central San Joaquin Valley. Over the next 25 years Fresno's population is expected to grow to more than 970,000. Its neighbor to the immediate north is the County of Madera, representing the geographic center of California. Madera County's population is 155,349, split roughly in half between the incorporated cities (mainly the cities of Madera and Chowchilla) and the county. Over the next 25 years Madera County's population is expected to grow to more than 375,000.

The combination of population growth in the cities and the unincorporated communities, along with increasing multi-sector development along the corridors, specifically residential communities, will result in increased traffic and significant safety concerns and has generated a need for the Fresno Council of Governments and Madera County Transportation Commission, acting as the Regional Transportation Planning Agencies, to conduct a joint focused long range multi-modal sustainable transportation study of the identified study area. The purpose of the study is to identify existing and future issues along the two corridors related to safety, mobility, congestion, etc., and recommend sustainable improvements that will address the transportation needs of the residents in both counties through multi-modal approaches. Issues to be addressed by the study include mobility, access, safety, and connectivity for all modes of travel including automobiles, transit, walking, and bicycling.

The Fresno-Madera State Route 41 and Avenue 9 Sustainable Corridors Study will be developed using methods from the Corridor Planning Guidebook published by Caltrans. The transportation improvements identified in the study might be considered as candidate projects for inclusion in the future local sales tax measures in Fresno and Madera counties.

Figure 1 – Project Area Overview, Blue Highlights Designate Study Limits



Scope of Work

The following tasks and deliverables will be required of the consultant:

Tasks:

1. Project Initiation and Steering Committee Formation

Working with Fresno COG and MCTC, the consultant will identify a Steering Committee that will provide guidance throughout the study process. The Steering Committee will include transportation stakeholders that include, but are not limited to, Caltrans, business/property owners, local residents, local governments, community groups, public health organizations, active transportation advocates, transit agencies and users, and any other transportation stakeholders identified by the Steering Committee. Bi-monthly meetings will be held with the Steering Committee.

Deliverables: Overall project timeline, progress schedule, meeting agendas, and meeting minutes.

2. Assess Existing Conditions

The consultant will assess the existing conditions in the two corridors and prepare an existing condition report to the Steering Committee. The assessment will include safety conditions throughout the corridors, traffic movement in the corridors from various communities in the study area, active transportation conditions and needs, public transportation service in the area, and other related transportation characteristics in the corridor. The existing condition report will identify issues and concerns in conjunction with feedback collected from the public workshops identified in Task 7 of this Request for Proposal.

Consultant must be flexible and creative in data collection due to ongoing conditions regarding the COVID-19 pandemic that may affect this task.

Deliverables: Existing Conditions Assessment report.

3. Review Existing Plans

In order to understand the growth potential and impacts for communities identified along the corridors, the consultant will review all existing land use and transportation plans and studies, and summarize the visions, goals and planned improvement identified in those plans. The plan review should include but not be limited to: local general plans, specific plans, community plans, economic development plans, Fresno COG and MCTC's 2018 RTP/SCS, City of Fresno Active Transportation Plan, Madera County Active Transportation Plan, High Speed Rail planning documents, Caltrans's planning documents and improvements, the 2016 Fresno-Madera Origin and Destination study, and any other relevant plans/studies identified by the Steering Committee.

Deliverables: Summary report identifying relevant transportation and land use policies that will guide the improvement recommendations.

4. Assess Planned Improvements

The consultant will create an inventory of planned improvements along the corridors in Fresno and Madera counties and prepare a report for the Steering Committee. The planned improvement report will document (but not be limited to) planned roadway, active transportation, public transport improvements as well as funding sources and implementation timeline.

Deliverables: Planned Improvements report.

5. Develop Goals and Objectives

Based on the goals and objectives identified in the existing plans, the existing conditions and the feedback collected in Task 7, the consultant will develop a set of goals and objectives for the two corridors. The goals and objectives for the corridors will be supplemental to those identified in higher-level plans and will be conducive to the implementation of the goals of the higher-level plans.

Deliverables: List of Goals and Objectives for both the SR 41 and Ave 9 Corridors.

6. Develop a Public Outreach Plan

The consultant will develop a public outreach plan for the study and collect feedback from the stakeholders. All of the outreach materials in paper or on social media will be required to be in both English and Spanish. The public outreach plan will be reviewed by the Steering Committee before the official kick-off of the outreach campaign.

Deliverables: Public Outreach Plan.

7. Conduct Public Outreach

The outreach efforts will be conducted in two phases. The first phase will be to gather feedback on the existing conditions, issues and concerns, vision/goals for the corridors, and suggestions for future improvements. The second phase will be to present the draft plan and recommended improvements to the public for comments. The consultant will propose the outreach format, location, and number of events.

Deliverables: Conduct public meetings as identified in Public Outreach Plan and summary report detailing the results of the public meetings.

8. Develop A Bi-County Modeling Approach

The consultant will develop a bi-county model that will allow for forecasting of inter-regional traffic movement along the corridors. Fresno COG has a DaySim based Activity-Based Model (ABM) and MCTC maintains a four-step model. The bi-county model will be built on Fresno COG's ABM and will include major roadways in Madera County. Fresno COG, Madera CTC, and Caltrans staff will be available to work with and assist in validating the model.

The documentation of the two models are accessible at the following hyperlink for [Fresno](#), while Madera documentation is available as an attachment to this RFP on the Fresno COG website.

The forecasts will be used to guide the recommended sustainable transportation improvements in Task 10 and the key findings will be presented to the Steering Committee in a report.

Deliverables: Bi-County Model documentation and Key Findings report.

9. Develop Sustainable Corridor Management Strategies

Following the Caltrans Corridor Planning Guidebook and based on the feedback received from the stakeholders, the consultant will develop a list of sustainable corridor management strategies that will optimize the functionality of the facilities, and address the issues and concerns identified during the process.

Deliverables: List of Sustainable Corridor Management Strategies

10. Recommend Future Sustainable Transportation Improvements

Based on the feedback collected through the outreach process, the existing conditions analyzed in Task 2 and future traffic forecasts, the consultant will develop a list of recommended sustainable improvements to address current issues and mitigate foreseeable future adverse conditions. Areas to be considered include safety, mobility, active transportation, public transit, etc. The recommended improvements should be in alignment with the existing plans. The consultant will provide planning level cost estimates for the recommended improvements.

Deliverables: List of Sustainable Transportation Improvement Recommendations

11. Public Review for the Draft Fresno-Madera State Route 41 & Avenue 9 Sustainable Corridors Plan

A 30-day public review of the draft study will be conducted. Working with Fresno COG and MCTC staff, the consultant will respond to comments and incorporate comments into the draft final plan.

Deliverables: Update the draft Fresno-Madera State Route 41 & Avenue 9 Sustainable Corridors Plan that reflects and incorporates the comments received during the public comment period.

12. Presentations

The consultant will present the draft final Fresno-Madera State Route 41 & Avenue 9 Sustainable Corridors Plan to the Fresno COG Transportation Technical Committee, the Fresno COG Policy Advisory Committee, the Fresno COG Policy Board, and the MCTC Policy Board for final acceptance.

Deliverables: Public Presentations as identified above.

13. Project Management

The consultant will work closely with the Fresno COG project manager and will provide monthly progress reports to the project manager.

As the project progresses, bi-weekly project coordination meetings may be held between the project manager, consultant, and key stakeholders by teleconference as arranged by the consultant.

Deliverables: Monthly progress reports.

COORDINATION

The consultant will take primary direction from the Fresno COG Project Manager. It is intended that all work will be completed within **twelve** months of negotiating a contract in accordance with the schedule component and that the consultant's work will begin immediately upon receiving a notice to proceed.

The selected consultant will best demonstrate the ability to deliver quality work on schedule and in a cost-effective manner, consistent with the tasks and deliverables in this RFP.

File copies of all correspondence, technical memoranda, and reports should be delivered to the Fresno COG Project Manager on a flash drive in the latest Microsoft Office format. Twelve hard copies of the final report should be made available upon completion of the project.

All data, maps and all other materials prepared or collected under this contract will become the property of Fresno COG. Consultant will provide monthly progress reports to the Fresno COG project manager. These monthly status reports will include descriptions of work tasks completed that month and will identify any issues that may affect project schedule or project deliverables. Bi-weekly project coordination meetings may be held between the project manager, consultant, and key stakeholders by teleconference as arranged by the consultant.

Proposed Time Schedule

Activity	Date
Request for Proposals released	Monday, April 20, 2020
Deadline for submitting questions	Friday, May 1, 2020 (answers posted by May 6)
Deadline for proposal submittal	Monday, May 18, 2020 at 12:00 P.M.
Oral interviews/selection process	Week of May 25, 2020 (<i>Tentatively</i>)
TTC/PAC/ Policy Board contact approval	June 2020 Meetings
Notice to Proceed	July 2020 – Subject to COG Board approval and contract signing
Project completion	June 2021

III. PROPOSAL FORMAT/REQUIREMENTS

Clarity and succinctness are essential and will be considered in assessing the consultant's capabilities. Proposals that show creativity and new ideas will be highly considered. All consultant proposals submitted in response to this request will be screened by a review committee. The committee will determine, through the screening process, which consultants will be invited to make formal presentations and be interviewed by the selection committee. The selection committee reserves the right to make a final selection without an interview.

One reproducible (unbound) and six copies of the proposal plus an electronic copy on a flash drive must be received at the Fresno Council of Governments by **Monday, May 18th, 2020 at 12:00 P.M. local time.** Proposals not received by that date and time *will not be considered.*

In order to simplify the review process and maximize the degree of comparative analysis, the proposal should be organized in the following manner:

A. Transmittal letter

The transmittal letter should be signed by an official authorized to bind the consultant contractually and will contain a statement to the effect that the proposal is a firm offer for 90 days. The letter accompanying the proposal will also provide the following: name, title, address, and telephone number of individuals with the authority to negotiate and contractually bind the company. The transmittal shall contain a statement of understanding of the RFP.

B. Table of Contents

Include identification of the material by section and page number.

C. Overview

This section should clearly convey the consultant’s understanding of the nature of the work and the general approach to be taken to its performance. This section should include, but not be limited to, a discussion of the purpose of the project, the organization of the project effort, and a summary of the proposed approach.

D. Detailed Work Plan

The prospective contractor shall provide a schedule for completing the project within the schedule set forth in this RFP. The schedule shall identify the major tasks to be undertaken and the time frame for each task. Appendix A should be followed in identifying the tasks and the time frame for each task. This section should include the following components:

1. Task Description

Include a full description of each step to be followed in carrying out the project as detailed in Appendix A. The work description should be presented in sufficient detail (tasks, subtasks, etc.) to show a clear understanding of the work and the proposed approach.

2. Deliverables

A description of the format, content, and level of detail that can be expected for each deliverable.

3. Schedule

A schedule showing the expected sequence of tasks, subtasks, etc. should accompany the work description. Important milestones should be identified on the schedule.

E. Management Approach

This section should describe the firm’s management approach. If the proposal is a team effort, the distribution of work among the team members should be indicated. Describe the organization of the management, the structure of the work assignments, and any specific features of the management approach that require special explanation. Designate by name the project manager to be employed who will oversee the project. **No substitutions of the identified project manager will be allowed without prior approval of Fresno COG.**

Include the name and qualifications of all professional personnel to be employed, a resume for each professional (included in an appendix), a statement indicating how many hours each professional will be assigned to the contract and what tasks each professional will perform. Staffing assignments should be specific enough to demonstrate understanding of skills required and commitment of proper resources. **The selected consultant will not substitute members of the project team without prior approval of Fresno COG.**

F. Budget and Billing Format

A cost analysis of the proposed budget will be done by Fresno COG staff. Under various circumstances the budget could be subject to Preaudit and/or the final cost subject to Post audit by Fresno COG or Caltrans division of Audits and Investigations. The allowability of individual items of cost will be determined by 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et. Seq. The Contractor will also be required to comply with Title 2, CFR part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and 2

CFR, Part 1201, Uniform Administrative Requirements Costs Principles, and Audit Requirements for Federal Awards. The contractor should have an accounting system capable of segregating direct cost from indirect costs per the above cited regulations. The Contractor and Subcontractors will comply with all applicable laws and maintain books, documents, papers, and accounting records for a period of three years from the date of the final payment.

1. Method of Payment

The cost proposal must be prepared consistent with the method of services provided under this agreement and will be reimbursed, by one of, or a combination of the methods below. The proposer must clearly state the method used to prepare the cost proposal.

- Lump Sum payment
- Actual Cost, plus Fixed Fee
- Specific Rates of Compensation

Lump Sum proposals will be paid per milestone of completed work or at the end of the contract upon acceptance of the final product. Actual Cost plus Fixed Fee agreements shall be billed at actual payroll costs and include a fixed fee for profit. In agreements reimbursed by Specific Rates of Compensation, billing rates containing a component for profit will be negotiated that will not change during the term of the contract.

2. Project Budget

A maximum of \$400,000 has been budgeted for consultant services for this project.

3: Task Budget

A schedule of estimated costs to complete each task should add down to the total cost of the project (see Table 1 & 2 "Hypothetical"). The task budget should include a subsidiary breakdown by task of hours and billing rate charges. To ensure a full understanding of the resources committed to the project the schedule should clearly indicate the number of hours key personnel will be used in each task.

4. Budget and Cost Breakdown

The prospective consultant will prepare a detailed cost breakdown for the work to be performed during the project regardless of the method of reimbursement chosen. This will include all tasks required to complete the project including final reports and presentation.

a. Direct Labor Costs – A schedule of billing rates and hours worked by employee or category of employee is required of the prime contractor and all subcontractors. Billing rates shall be based on actual pay rates and should cover all costs associated with the employee (salary, benefits, and anticipated cost of living and/or merit increases during the term of the contract). Depending on the individual cost structure, overhead may be applied as a component of the billing rate or applied separately. The proposer should be prepared to validate billing rates with payroll registers, wage agreements, or other payroll documentation.

b. Overhead Rates – The overhead rate should include all indirect cost not readily assignable to cost objectives specifically benefited. Typically, an overhead rate is calculated on a company or division wide basis by segregating expenses into direct cost and indirect cost categories and then dividing the indirect costs by a direct cost base such as direct labor to arrive at an overhead rate. The overhead rate is then applied on a contract by contract basis to recapture the indirect costs that are not chargeable directly to a final objective such as general and administrative, facilities,

equipment, supplies, accounting, maintenance, materials, etc. Some cost structures may be broken into various overhead rates that are applied to different bases. The proposer should be prepared to provide supporting documentation such as prior agreements with government agencies or audits of prior year activities to validate overhead rates structures.

c. Direct Cost – Direct costs are those incremental costs that can be identified specifically with a particular final cost objective. Although in some instances direct cost and indirect cost may include similar categories, incremental direct cost attributable to final objectives must be separated and not included in the overhead calculation. All direct cost specifically attributed to the project and not included in the billing rates must be itemized by budget category to be eligible for reimbursement. Once contractually authorized, direct cost budgets may not be substituted without prior written consent of FCOG. Travel expenses and per diem rates are not to exceed the rate specified by the State of California Department of Personnel Administration as specified by the California Department of Transportation's Travel Policy unless written verification is supplied that hotel rates were not then commercially available at the time and location required.

d. Sub consultant Fees – Sub consultants must provide the same cost data detail as the prime contractor (see Table I and Table 2).

e. Fixed Fee – A fixed fee is calculated as a basis of total direct and indirect costs. The State of California allows a 10% maximum fee.

The hypothetical cost format example given below is to illustrate required components of the cost proposal only and may have to be tailored to fit individual cost structures.

HYPOTHETICAL
COST ESTIMATE

Table 1.- Direct cost by Task

Cost Items	Task 1	Task 2	Task 3	Total
1. Direct Labor	3,700	17,053	5,502	26,255
2. Overhead (___% of Line 1)	1,480	6,821	2,201	10,502
Total Salary Burden	5,180	23,874	7,703	36,757
3. Direct Expenses				
Telephone/FAX	35	28	15	78
Postage/Shipping	12	8	35	55
Graphics/Printing	11	11	75	97
Travel	350		500	850
Misc.	45	45	45	135
Total Direct Expenses	453	92	670	1,215
4. Subconsultant Fees *	4,244	22,276	2,726	29,246
5. Fixed Fee (___% of Lines 1,2,3)	764	1,524	1,132	3,420
Total	10,640	47,766	12,231	70,638 70,638

Table 2 - Project Task Costs by Key Personnel

Task No. and Description	Key Staff #1	Key Staff #2	Staff Support	Total Hours
Task 1. Establish Parameters	25	75		100
Task 3. Data Collection and Analysis		400	250	650
Task 4. Final Report and Presentation	15	50	175	240
Total Hours	40	525	425	990
Billing Rate	\$75.00	\$44.06	\$25.00	
Memo Total	3,000	23,132	10,625	36,757

* Subconsultants must provide required cost components found in Tables 1 & 2

G. Insurance requirements

Without limiting Fresno COG's right to obtain indemnification from the consultant or any third parties, the consultant, at its sole expense, shall maintain in full force and affect the following insurance policies throughout the term of the contract:

1. Comprehensive general liability insurance with coverage of not less than \$2,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage. Comprehensive general liability insurance policies shall name Fresno COG, its officers, agents, and employees, individually and collectively, as additional insured, but only insofar as the operations under the terms of the contract are concerned. Such coverage for additional insured shall apply as primary insurance or self-insurance and any other insurance, maintained by Fresno COG, its officers, agents, and employees, shall be given excess only and not contributing with insurance provided under the consultant's policies herein.
2. Comprehensive automobile liability insurance with limits for bodily injury of not less than \$25,000 per person, \$250,000 per accident, and for property damages of not less than \$50,000, or such coverage with a combined single limit of \$250,000.
3. Professional liability insurance of at least \$1,000,000.
4. Worker's compensation insurance as required by law.

This insurance shall not be canceled or changed without a minimum of thirty (30) days advance written notice given to Fresno COG. The consultant shall provide certification of said insurance to Fresno COG within twenty-one (21) days of the date of the execution of the contract. Such certification shall show, to Fresno COG's satisfaction, that such insurance coverages have been obtained and are in full force; that Fresno COG, its officers, agents, and employees will not be responsible for any premiums on the policies; that as and if required such insurance names Fresno COG, its officers agents, and employees individually and collectively as additional insured (comprehensive and general liability only), but only insofar as the operations under the contract are concerned; that such coverage for additional insured shall apply as primary insurance and any other insurance, or self-insurance, maintained by Fresno COG, its officers, agents, and employees, shall be excess only and not contributing with insurance provided under the consultant's policies herein; and that this insurance shall not be canceled or changed without a minimum of thirty (days) advance, written notice given to Fresno COG.

In the event the consultant fails to keep in effect at all times insurance coverage as herein provided, Fresno COG may, in addition to other remedies it may have, suspend or terminate the contract upon the occurrence of such event.

H. Disadvantaged Business Enterprise (DBE) Certification

DBE Bidders Listing (Attachment B) must be completed for all contractors and subcontractors regardless of DBE affiliation.

The Fresno COG fully anticipates that it will consistently meet and exceed its adopted DBE overall goal under 49 CFR Part 26 using Race-neutral measures exclusively.

Only DBE firms currently certified per 49 CFR Part 26 will participate as DBEs in our program. Such certification must be issued by Caltrans, FHWA, FTA, DOT, MPO, City, County, or State in accordance with 49 CFR Part 26. All contractors or subcontractors claiming to be a certified DBE must provide a valid DBE certification.

Fresno COG will not deny award to contractors on the basis of DBE participation, who demonstrate that they have used good faith efforts to achieve DBE participation. Contractors must provide the following information with the initial proposal or before entering into a contractual agreement with Fresno COG:

1. The name, addresses, & phone number of all bidding firms.
2. NAICS code by firm.
3. The dollar amount of participation by each firm.
4. Proof of DBE certification if claimed.
5. Written confirmation named DBE's will participate.
6. If DBE participation is not achieved, evidence of good faith efforts may be required.

Prime contractors are required to maintain records and document payments to all subcontractors for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative on Fresno COG, Caltrans, FHWA, FTA or DOT. This reporting requirement also extends to any certified DBE subcontractor. The contractor shall maintain records showing the name and address of each subcontractor, the date of payment, and total dollar figure paid to each subcontractor.

Fresno COG will safeguard from disclosure to third party's information that may reasonably be regarded as confidential business information, consistent with federal, state, or local laws.

I. Conflicts of Interest

The prospective contractor shall disclose any financial, business, or other relationship with Fresno COG that may have an outcome on the selection.

J. Summary of Qualifications

Proposals shall include a summary of the firm's qualifications, including resumes of assigned staff.

K. Signing of Proposal/Authorization to Negotiate

The proposal shall be signed by an official authorized to bind the proposer and shall contain a statement to the effect that the proposal is a firm offer for a 90-day period. The proposal shall also provide the following: name, title, address, and telephone number of individuals with authority to negotiate and contractually bind the company.

L. Attachments

Attachments to be included at the end of the proposal are as follows (as attached herein):

- Attachment A: Title VI Assurance
- Attachment B: DBE Participation
- Attachment C: Budget and Cost Breakdown

IV. PROPOSAL SUBMITTAL

A. Preparation of Proposal

The proposal shall be formatted in accordance with the requirements specified in *Section III: Proposal Requirements* of this RFP. Proposal forms shall be executed by an authorized signatory as described in *Section III-K: Signing of Proposal/Authorization to Negotiate*. All proposals shall be prepared by and at the expense of the proposer.

B. Examination of RFP Document

The proposer shall be solely responsible for examining, with appropriate care, the RFP, including any addenda issued during the proposal period. The proposer shall also be responsible for informing itself with respect to any and all conditions which may in any way affect the amount or nature of the proposal, or the performance of the work in the event the proposer is selected. Failure of the proposer to examine and inform itself in this manner shall be at the proposer's own risk and no relief for error or omission shall be given.

C. Submission of Proposal/Period of Acceptance

One reproducible master, an electronic file on a flash drive, and five copies of all proposals must be delivered to Fresno COG no later than **12:00 P.M. local time on May 18, 2020**. Proposals will not be accepted after 12:00 P.M. PDT. Postmarks will not be accepted. Proposals should be delivered to:

Braden Duran, Project Manager
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

All proposals will remain firm for a period of ninety (90) days following the final date for submission. All proposals will become the sole property of Fresno COG and a part of its official records without obligation on the part of Fresno COG.

This RFP is not to be construed as a contract of commitment on the part of Fresno COG. Fresno COG reserves the right to reject all proposals, to seek additional information from each proposer, or to issue another RFP, if deemed appropriate.

D. Modification or Withdrawal of Proposals

Any proposal received before the date and time specified above for receipt of proposals may be withdrawn or modified by written request of the proposer. To be considered, however, the modified proposal must be received by the proposal due date and time specified previously.

All verbal modifications to these conditions or provisions are ineffective for proposal evaluation purposes. Only written changes issued by proposers to Fresno COG are authorized and binding.

E. Rejection of Proposals

Failure to meet the requirements for the request for proposals will be cause for rejection of the proposal. Fresno COG may reject any proposal if it is conditional, incomplete, or contains irregularities or inordinately high cost rates. Fresno COG may waive an immaterial deviation in a proposal. Waiver of an immaterial deviation shall in no way modify the Request for Proposals document or excuse the proposer from full compliance with the contract requirements if the proposer is awarded the contract.

V. CONSULTANT SELECTION

All consultant proposals submitted in response to this request will be screened by a selection committee. The committee will determine, through the screening process, which consultants will be invited to make formal presentations and be interviewed by the committee. **The selection committee reserves the right to make a final selection without an interview.**

The actual award of the contract will be by the Fresno COG Policy Board. Proposal opening does not constitute the awarding of a contract. The contract is not in force until it is awarded by Fresno COG and executed by the Fresno COG designees.

VI. PROPOSER OBJECTIONS

A proposer may object to any of the terms or provisions set forth in the RFP's Scope of Work or to the selection of a particular proposer on the grounds that Fresno COG's procedures, the provisions of this RFP, or applicable provisions of federal, state, or local law have been violated or inaccurately or inappropriately applied by submitting Fresno COG a written explanation of the basis for the objection. Deadlines for submittal of objections are:

- No later than two weeks prior to the date proposals are due, for objections to RFP provisions; or
- Within three working days after the date on which contract award is authorized or the date the proposer is notified that it was not selected, whichever is later, for objections to proposer selection.

If the proposer does not state any objections, Fresno COG will assume that the RFP scope of services are acceptable to the proposer and have been fully factored into its response. If the proposer intends to negotiate with Fresno COG concerning any part of the scope of services that the proposer finds objectionable, the proposer must provide specific language in its response that will address or cure its objections.

VII. FRESNO COG RIGHTS

Fresno COG may investigate the qualifications of any proposer under consideration, require confirmation of information furnished by a proposer, and require additional evidence of qualifications to perform the work described in this RFP.

Fresno COG reserves the right to:

1. Reject any or all of the proposals if it deems such action is in the public interest;
2. Issue subsequent Requests for Proposals;
3. Cancel the entire Request for Proposal;
4. Remedy technical errors in the Request for Proposals process;
5. Appoint an evaluation committee to review the proposals;
6. Seek the assistance of outside technical experts in proposal evaluation;
7. Approve or disapprove the use of particular subcontractors;
8. Establish a short list of proposers eligible for interviews after review of written proposals;
9. Negotiate with some, all, or none of the respondents to the RFP;
10. Solicit best and final offers from all or some of the proposers;
11. Award a contract to one or more proposers;
12. Accept an offer other than the lowest price offer; and

13. Waive informalities and irregularities in proposals and the bid process.

This RFP does not commit Fresno COG to enter into a contract, nor does it obligate Fresno COG to pay for any costs incurred in preparation and submission of proposals or in anticipation of a contract. All proposals will be subject to public disclosure as required by the California Public Records Act.

Fresno COG reserves the right to investigate the qualifications of all firms under consideration to confirm any part of the information furnished by a proposer, or to require other evidence of managerial, financial, or other capabilities which are considered necessary for the successful performance of the contract.

VIII. RFP QUESTIONS

All questions on the RFP should be submitted in writing by 4:00 PM, Friday, May 1, 2020 to:

Braden Duran, Project Manager
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
bduran@fresnocog.org
559-233-4148 Ext. 217

All questions and answers will be posted on the Fresno COG website at:
<https://www.fresnocog.org/business-fresno-cog/> by May 6, 2020.

Attachment A

TITLE VI ASSURANCE

The Council of Fresno County Governments, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-4 and Title 49, Code of Federal Regulations, department of Transportation, Subtitle A, Office of the Secretary, Part 21 Nondiscrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority businesses enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or nation origin in consideration of an award.

Attachment B

DBE/WBE BIDDERS LISTING

Name of Firm	NAICS Code	Address	Phone Number	Project Budget \$\$	DBE Status Yes/No	Age of Firm	Annual Gross Receipts

1. All contractors/subcontractors bidding on the project must provide the requested information.
2. Bidders claiming DBE status must attach a copy of a current Certification issued pursuant to 49 CFR Part 26.
3. Bidders claiming DBE status must attach written affirmation that they will participate in the project.
4. Each bidder must designate if Gross Annual Receipts are greater than or equal to \$750,000.

Attachment C

BUDGET AND COST SCHEDULE TEMPLATE

TASKS	(Name)		(Name)		(Name)		Total Task Hours	Total Task Cost
	(Role)		(Role)		(Role)			
	(Hourly Billing Rate)		(Hourly Billing Rate)		(Hourly Billing Rate)			
Task	Hours	Cost	Hours	Cost	Hours	Cost		
Tasks Subtotal								

DIRECT COSTS

Direct Cost		Amount
Direct Costs Subtotal		

SUBCONSULTANTS

Subconsultants		Total Cost
Subconsultants Subtotal		

PROPOSAL GRAND TOTAL		
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