

**REQUEST FOR PROPOSALS
FOR GLENN TRANSIT SERVICE PARATRANSIT ELIGIBILITY
AND CERTIFICATION PROGRAM**

Proposals Due: September 25, 2009 at 2:00 P.M.

Glenn Transit Service

777 North Colusa Street

Willows, CA 95988

530-934-6540

RFP Contact: Peggy White, Program Manager

Email: pwhite@countyofglenn.net

I. Purpose

Glenn Transit Service (GTS) is seeking proposals from qualified Consultants for services to facilitate its Paratransit Eligibility and Certification Program to include assessment of potential customers capacity to make use of the public bus service, determining eligibility of customers for Glenn Trans and Volunteer Medical Transportation Programs.

II. Background

Glenn Transit Service is formed by a Memorandum of Understanding (MOU) between the Cities of Orland and Willows and Glenn County. GTS is governed by the Regional Transit Committee (RTC) a six member board that includes two representatives each of the County Supervisors and the Cities of Orland and Willows. The MOU gives responsibility to RTC for the administration and operation of the region's consolidated public transit service. RTC is the policy making authority for transit decisions.

GTS provides the intercity deviated fixed route service(Glenn Ride) connecting the County's unincorporated areas with the cities of Orland and Willows and the communities of Artois and Hamilton City. Glenn Ride also provides intra-county service to Butte County and the City of Chico. Glenn Ride will soon provide inter-city fixed route service within the cities of Orland and Willows.

Glenn Transit Service provides ADA and non-ADA demand-responsive transit service within the Cities of Orland and Willows, which is available to seniors(60 years of age and older) and permanent mobility limitation, economically disadvantaged with social service support or economically disadvantaged with no support from social services. In addition, GTS provides ADA and non-ADA transit service through the Volunteer Medical Transport Program as a last resort for medical appointments for Glenn County residents who are unable to use the fixed route system.

The participants in the demand-responsive and Volunteer Medical Transport Program are required to qualify for a "Transit Card". The current qualifications are either 60 years of age or older, permanent mobility limitation, economically disadvantaged with social service support or economically disadvantaged with no support from social services. There are currently 685 participants with 480 being classified as Seniors. There are approximately 5 new applications per month.

III. Related Information

The successful proposer will be invited to enter into an agreement with GTS for the provision of services beginning November 1, 2009 and continuing through fiscal year 2010/2011.

GTS reserves the right to accept/reject any or all items of any proposal at its sole discretion.

IV. Scope of Services

Refer to the attached Exhibit A for scope of services and specifications which the Proposer is required to respond to.

V. Proposal Contents

Proposers interested in providing the scope of services must submit a proposal by the deadline date and time defined in this RFP. At a minimum, the following information must be included in the proposal, as actual selection shall be based on careful consideration of all pertinent data provided.

1. **Cover Letter:** A letter describing the Proposer's interest in providing the Scope of Services as generally described in Exhibit A.
2. **Understanding of the Desired Scope of Services:** The contents of this section are to be determined by the Proposer, but should demonstrate understanding of the unique characteristics of this project and the requirements of the project in the scope of work contained in Exhibit A. Describe the approach the Proposer would take to provide the required services in an efficient manner.
3. **Location and Project Contact:** The name, address and phone number of the contact who will be responsible for managing the performance of the contract.
4. **Project Personnel.** Proposers shall describe the qualifications of all professional personnel assigned to this project, including a summary of similar scope or work each member has performed and a resumé of each professional.
5. **Related Experience and References:** Include descriptions of example projects completed of similar complexity to that proposed in this request. Provide names, addresses and telephone numbers of references. Interested vendors must have a demonstrated record of accomplishing similar type services.
6. **Methodology:** Proposers shall include a summary of their technical approach. The summary should include:
 - a. A description of the overall eligibility process being submitted.
 - b. A thorough explanation of the Consultant's proposed course of action. References should be made to RFP requirements and the Proposer's plans for meeting those requirements. If the Consultant proposes major changes in the RFP approach, those changes should be specified clearly.
7. **Subcontracting:** If subcontractors are used, Proposers must submit a description of each person or firm and the work to be done by each subcontractor. No work may be subcontracted without the prior approval of the RTC Executive Director. Refer to Form 2.
8. **Disadvantaged Business Enterprise (DBE):** RTC has not established a DBE Availability Advisory Percentage for this proposal request. However, Proposers are encouraged to obtain DBE participation for this proposal request and any ensuing agreements. To be eligible as a DBE, a firm must meet current U.S. Department of Transportation (DOT) standards, as well as those in Part 26, Title 49 of the Code of Federal Regulations (49 CFR Part 26).

9. **Cost:** Provide a cost proposal for the Paratransit Eligibility Certification program as described in Exhibit B.

VI. Signature

The proposal shall also provide the following information: name, title, address and telephone number of individual with authority to bind the company and also who may be contacted during the period of proposal evaluation. 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 at least a ninety (90) day period.

VII. Proposal Submittal

The proposal shall not exceed fifty (50) single-sided printed pages, excluding cover sheet, table of contents, index sheets and references. Double-side pages will be allowed and counted as two (2) pages. Please submit three (3) copies of your written proposal (one original and two copies) and one (1) sealed cost proposal addressed to:

Glenn Transit Service Eligibility and Certification Program
Glenn Transit Service
Attention: Peggy White, Program Manager
777 North Colusa Street
Willows, CA 95988

Submittals must be received by September 25, 2009 at 2:00 P.M. This is a firm deadline, and no proposals will be accepted after this time.

All proposals become the property of GTS. The cost of preparing, submitting and presenting a proposal and participating in any interview are at the sole expense of the Proposer. GTS retains the right to reject any or all of the proposals received as a result of this request. Solicitation of proposals in no way obligates GTS to contract with any proposer or individual. The decision to approve and award a contract is at the discretion of RTC.

All submitted Proposals must include the appropriately defined, filled and or signed Attachments in the following order:

- Proposal Checklist
- Attachments 1-9
- Exhibit A
- Exhibit B

VIII. Modification or Withdrawal of Proposal

Any proposal received prior to the date and time specified above for receipt of proposals may be withdrawn or modified by written request of the Proposer. To be considered, the modification

must be received in writing, and the same number of copies as the original proposal, prior to the date and time specified above for receipt of proposals.

IX. Rejection of Proposals

Failure to meet the requirements of items V, VI, VII and VIII of this RFP, shall be cause for rejection of the proposals. GTS may reject any proposal if it is conditional, incomplete, contains irregularities or reflects the possibility of inordinately high costs. GTS may waive immaterial deviation in a proposal. Waiver of an immaterial deviation shall in no way modify the RFP documents or excuse the Proposer from full compliance with the contract requirements if the Proposer is awarded the contract.

X. Proposal Evaluation

The selection process will be a “best value” determination. A selection committee composed of GTS staff, Executive Director and transit operator representative shall accomplish evaluation of the proposals. Following proposal evaluations, a “short list” of qualified Consultants may be developed by the committee with one or more Consultants being invited to interview with the selection committee to explain their relevant experience, approach and methodology. The “short list” will be based on information provided in the proposal and other actions and submissions pursuant to this RFP, information provided by former clients for whom similar work has been performed, and consideration of any exceptions taken to the proposed contract terms and conditions. Following the interview process, the vendor selection committee will rank the interviewed proposers. The selection committee may choose to forgo the interview process and begin negotiations with the top ranked Proposer.

In the event an agreement cannot be successfully negotiated with the top ranked proposer, the second ranked proposer will be invited to enter into negotiations. This process will be continued, if required, until a satisfactory agreement can be negotiated.

The proposals will be evaluated based on the following criteria, with each component being assigned a total point value: **Completeness of Response**, addressed and provided all requested information, signed forms, clearly organized-**15**; **Qualifications**, references and past experience-**15**; **Scope of Services**-**45**; **Price**, cost of proposed services-**25**.

XI. Contract Award

Following successful contract negotiations GTS will award the contract to the chosen Proposer. This contract is not in force until it is awarded by GTS.

XII. Contact person

All questions concerning this Request for Proposal (RFP) should be directed to Peggy White, Program Manager, Glenn County Transportation Commission (530) 934-6540. pwhite@countyofglenn.net

EXHIBIT A

Scope of Work

The selected Consultant or consulting team, from now on referred to as “Consultant”, shall be expected to perform all technical elements necessary to complete the scope of work. The Consultant shall provide a detailed work plan and demonstrate understanding of statutory requirements to complete the work scope.

GTS requests proposals to provide evaluation services with the following scope of work. The Consultant shall perform assessments of applicants as part of GTS ADA and non-ADA paratransit eligibility process. The Consultant shall make determinations about ADA eligibility based on functional ability to access transit centers, and cognitively negotiate the fixed route system in accordance with ADA criteria.

Of particular importance is the ability to make determinations about eligibility based on functional ability to board, disembark, and access transit centers in accordance with ADA criteria. Experience providing evaluations within regulatory parameters for state or federal entities is preferred. Familiarity with a wide range of medical conditions and their impact on functional capabilities is also required. GTS shall provide all the necessary background and consultation on ADA mandates as they pertain to public transit.

The following tasks are to be addressed as part of Consultant’s proposal:

1. Distribute and receive applications for Glenn Transit Card

The Consultant shall be required to distribute Glenn Transit Card applications upon request to prospective applicants. The Consultant shall be required to date stamp each returned application and review for completeness. The Consultant shall be required to:

- ❖ Confirm the accuracy of the application
- ❖ Return any incomplete applications to applicants with a check-off list noting items that need to be completed or clarified.
- ❖ Provide support to applicants with incomplete applications in order to complete applications correctly; however, the Consultant is not responsible nor shall the Consultant complete application for applicants.

2. Determine eligibility of each applicant

The Consultant shall review each application and determine ADA eligibility (status: temporary, conditional, permanent), non-ADA eligibility or ineligibility of an applicant within the 21 day parameter set by ADA law.

Specific services include, but are not limited to, the following:

- Request and procure any additional background information from other sources.
- Review and interpret relevance of application and supplemental information provided.
- Determine if a face to face interview of the applicant is necessary to determine eligibility. If an in-person interview is needed, the Consultant shall arrange transportation to and from the interview with Glenn Transit Staff.
- Maintain documentation in accordance with applicable laws.
- Interpret results of diagnostic tests and make a determination of eligibility based on ADA standards.
- Provide a brief written summary of evaluation results to GTS, including an eligibility determination with rationales backed by Consultant findings.
- Give the applicant an opportunity to discuss results, at least by phone, and provide applicant written notification of applicant status.
- Attend Appeals hearings to provide testimony if required.
- Testify in court, if required.
- Consult with GTS as necessary to ensure that the certification procedures comply with ADA requirements.
- Mail to eligible applicants (regardless of status) a packet containing the applicant's identification card with their GTS Customer Number.
- Notify GTS of a passenger's eligibility one day before notification is mailed to a passenger.

3. Data Base

The Consultant, in consultation with GTS, shall develop a database in Filemaker to track each applicant determined to be eligible for GTS paratransit service. This information shall be provided to GTS and the contract operator. The database shall include, at minimum, the following information:

- The full name and address of the eligible applicant;
- The nature of the applicant's disability;
- The type of mobility device, if any, the applicant uses;
- Whether or not the applicant travels with a service animal or Personal Care Attendant (PCA);
- The applicant's eligibility I.D. number;
- Whether the applicant is eligible for ADA service or non-ADA service;
- If eligible for ADA service, which of the three eligibility criteria the applicant meets and why;
- Whether the person's disability is permanent or temporary; and if the disability is temporary, when his/her eligibility expires; and
- If the applicant qualifies for conditional eligibility, under what circumstances they are eligible and why.

CONSULTANT'S RESPONSIBILITIES

With the assistance and guidance of GTS Staff, the Consultant shall be responsible for:

1. Providing all necessary equipment to execute the contract including, but not limited to, fax machine, office equipment and supplies.
2. Training a qualified certification staff capable of assessing the functional capabilities of individuals (including orientation and mobility skills) with a wide range of disabilities such as, but not limited to: physical, cognitive, visual, mental and development.
3. Performing individual applicant assessments conducted by qualified staff.
4. Determining ADA paratransit eligibility in accordance with the standards set forth in the ADA regulations.
5. Reporting in writing the eligibility determination and the basis for such to the applicant and GTS, including but not limited to:
 - a. The full name of the person doing the assessment;
 - b. The date of the assessment;
 - c. The type of assessment used;
 - d. Which of the three eligibility criteria the applicant meets (if he/she is determined ADA eligible) and why;
 - e. Whether the person's disability is permanent or temporary; and if the disability is temporary, when his/her eligibility expires; and
 - f. Whether the applicant could be eligible for some trips under certain circumstance, what those circumstances are and why.

The written report must make clear the basis for the determinations; be understandable by the applicant, GTS staff and the Eligibility Appeals committee; and facilitate future trip-by-trip determination by paratransit staff members.

6. Report in writing monthly, quarterly and annual statistics on the assessment process including, but not limited to, number of applications received, number of applicants assessed, number of applicants to be assessed, type of eligibility assessment, e.g. new or recertification, average processing time and statistics on number of in person interviews.
7. Mailing to eligible applicants (regardless of status) a packet containing the applicant's identification with GTS. Notify non-eligible applicants of the determination with specific reason for their non-eligibility. Consultant will provide a copy of GTS's appeals process with the denial letter.
8. Responding to inquiries from the applicant, his/her representative such as applicant's physical, caseworker, family member, etc. or GTS; and if necessary, providing testimony, information or other assistance to the Eligibility Appeals Committee.
9. Periodically evaluating the assessment processes to identify improvements, determine effectiveness and to make suggestions to GTS.

ADDITIONAL REQUIREMENTS

Additionally, GTS requires the following:

1. The Consultant must conduct an applicant's assessment, make the eligibility determination and properly report that decision within the time frames identified by the ADA. The Consultant must document and track assessment of applicants. The Consultant must provide a summary of the eligibility screen no later than seven (7) days after the assessment has been conducted for preliminary review.
2. The Consultant must make its staff involved with this process available to GTS for follow-up clarification of applicant eligibility determination. The Consultant's staff may also be required to meet with organizations that represent people with disabilities to discuss the eligibility process.
3. The Consultant must be available to conduct eligibility determinations, including pre-scheduled in-person interviews, Monday through Friday and as demand dictates. The Consultant must have staff available during vacation periods so as not to increase applicant processing time above ADA guidelines.
4. The Consultant must keep all information regarding the eligibility process, including the assessment tool and all related materials, confidential with the exception of GTS, the Eligibility Appeals committee and the applicants.
5. GTS has the right to audit any records of any applicants found to be eligible or ineligible for paratransit service. The Consultant shall maintain all original documents for record keeping. Audit of records may be performed by GTS, representatives of the Federal Transit Administration or other contracted auditors.

QUALIFICATIONS

Proposers must possess the following qualifications:

- ❖ Knowledge and experience working with aspects of the ADA and public accommodations;
- ❖ The ability to make determinations about ADA eligibility based on ADA criteria;
- ❖ The ability to work well with individuals who have a wide range of mobility needs;
- ❖ The ability to identify the functional impact of physical impairments of individuals;
- ❖ The ability to understand the impact of a wide range of medical conditions on the functional ability of individuals to utilize public transportation.

EXHIBIT B

Cost Proposal

The Proposer is required to provide a cost proposal.

The participants in the demand-responsive and Volunteer Medical Transport Program are required to qualify for a "Transit Card". The current qualifications are either 60 years of age or older, permanent mobility limitation, economically disadvantaged with social service support or economically disadvantaged with no support from social services. There are currently 685 participants with 480 being classified as Seniors. There are approximately 5 new applications per month. There are 205 current participants that have not received ADA evaluation.

Hours and Rates: Provide an estimate of the total person-hours allocated to each task associated with eligibility determinations and a breakdown of the employees and professionals to be assigned to the tasks and the average hourly rates of each. The hourly rates may be presented as either "based" or "loaded" rates. Whichever rate is displayed, an explanation of what the rate includes must be clearly identified in the cost proposal.

Estimates must include a total cost for fiscal year (FY) 2010/2011 plus a separate estimate for startup costs.

Payment Terms

Payment will be made in arrears on a monthly basis upon Consultant submission of a detailed invoice. Payment will be made within thirty (30) days of receipt of complete invoice.

ATTACHMENT CHECK LIST

A complete Proposal package will consist of the items identified below. Complete this checklist to confirm the items in your Proposal. Place a check mark or "X" next to each item that you are submitting to Glenn Transit Service. All attachments identified below are applicable to this RFP and must be returned, as instructed, for your Proposal to be responsive. **Return this checklist with your Proposal package.**

Proposal and Attachments

NOTE: This Checklist with the following must be included with the Proposal Package:

- Proposal as stated in this RFP (This shall be Incorporated in to the contract as **Exhibit A Scope of Work Exhibit B - Cost**)

- Attachment Check List

- Attachment 1 - Lobbying Certification (Fill in, Signature and Date)

- Attachment 2 - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction (Date, Signature Company and Title)

- Attachment 3 - Equal Employment Opportunity Certification (Fill in and Signature at the Bottom)

- Attachment 4 - List of Proposed Subcontractors (Fill out or DNA)

- Attachment 5 – Public Contract Code Section 10162 Questionnaire (Yes or No)

- Attachment 6 - GTS – Non-Collusion Affidavit (Signature at Bottom)

- Attachment 7 - Public Contract Code Section 10285.1 Statement (Signature at Bottom)

- Attachment 8 - Proposer Certification Clauses and Proposal Signature Page. (Must be filled out, dated and signed)

- Attachment 9 – Local Agency Proposer/Bidder DBE - Consultant Contracts Information. (Must be filled out as indicated)

Attachments not required with submittal (Information Only):

Attachment 10 Insurance Requirements

Attachment 1

LOBBYING CERTIFICATION

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

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, *et seq* .)]

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all SUBCONSULTANTS shall certify and disclose accordingly.

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 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). 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.

[Note: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.]

The CONSULTANT, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the CONSULTANT understands and agrees that the provisions of 31 U.S.C. A 3801, *et seq.*, apply to this certification and disclosure, if any.

Signature of CONSULTANT'S Authorized Official

Name and Title of CONSULTANT'S Authorized Official

Date _____

Attachment 2

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

Instructions for Certification

1. By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, Glenn Transit Service may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to GTS if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "persons," "lower tier covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549 [49 CFR Part 29]. You may contact GTS for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized in writing by GTS.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary

Exclusion - Lower Tier Covered Transaction", without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List issued by U.S. General Service Administration.

8. Nothing contained in the foregoing shall be construed to require establishment of system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to all remedies available to the Federal Government, GTS may pursue available remedies including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility
and Voluntary Exclusion - Lower Tier Covered Transaction**

(1) The prospective lower tier participant certifies, by submission of this bid or proposal, that neither it nor its "principals" [as defined at 49 C.F.R. § 29.105(p)] is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) When the prospective lower tier participant is unable to certify to the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Date _____

Signature _____

Company Name _____

Title _____

Attachment 3

EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The proposer _____, proposed subconsultant _____, hereby certifies that he has _____, has not _____ participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114, or 11246, and that, he has filed with the Joint Reporting committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by proposers and proposed subconsultants only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5 (Generally, only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposers and proposed subconsultants who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.07(b)(1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

The above certification is part of the Proposal. Sign below to acknowledge understanding.

Proposer Signature: _____

Attachment 4

The Proposer shall list the name and address of each proposed subcontractor, to whom the Proposer expects to subcontract portions of the work. **(If no Subcontracts are proposed please indicate by entering "DNA" (Does Not Apply))**

LIST OF PROPOSED SUBCONSULTANTS

<u>Name and Address</u>	<u>Description of portion of work subcontracted</u>
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Attachment 5

PUBLIC CONTRACT CODE SECTION 10162 QUESTIONNAIRE

(Must Check Yes or No)

In accordance with Public Contract Code Section 10162, the Proposer shall complete, under penalty of perjury, the following questionnaire:

QUESTIONNAIRE

Has the Proposer, any officer of the Proposer, or any employee of the Proposer who has a proprietary interest in the Proposer, ever been disqualified, removed, or otherwise prevented from proposing on, or completing a federal, state, or local government project because of a violation of the law or a safety regulation?

Yes _____

No _____

If the answer is Yes, explain the circumstances in the following space.

Attachment 6

GLENN TRANSIT SERVICE

NON-COLLUSION AFFIDAVIT

(Title 23, United States Code Section 112 and Public Contract Code 7106)

In conformance with **Title 23, United States Code, Section 112 and Public Contract Code 7106**, the proposer declares that the proposal is not made in the interest of or on behalf of, an undisclosed person, partnership, company, association, organization or corporation; that the proposal is genuine and not collusive or sham; that the proposer has not directly or indirectly induced or solicited any other proposer to put in a false or sham proposal, and has not directly or indirectly colluded or conspired, connived, or agreed with any proposer or anyone else to put in a sham proposal, or that anyone shall refrain from proposing; that the proposer has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the proposal price of the proposer or any other proposer, or to fix any overhead, profit, or cost element of the proposal price, or of that of any other proposer, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the proposal are true; and, further that the proposer has not, directly or indirectly, submitted his or her proposal price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, proposal, depository, or to any member or agent thereof to effectuate a collusive or sham proposal.

PUBLIC CONTRACT SECTION 10232 STATEMENT

In accordance with **Public Contract code Section 10232**, the proposer, hereby states under penalty of perjury, that no more than one final appealable finding of contempt of court by a federal court has been issued against the proposer within the immediately preceding two-year period because of the proposer's failure to comply with an order of a federal court which orders the Consultant to comply with an order of the National Labor Relations Board.

Note: The Equal Employment Opportunity Certification (Form 1), the above statement, the Questionnaire (Form 3) and this, this statement and Non-Collusion Affidavit are part of the proposal.

Proposers are cautioned that making a false certification may subject the certifier to criminal prosecution. The above certification is part of the Proposal. Sign below to acknowledge understanding.

Proposer Signature: _____

Attachment 7

PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT

In accordance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the proposer hereby declares under penalty of perjury under the laws of the State of California that the proposer has___ , has not ___ been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the proposing upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "proposer" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

Note: The proposer must place a check mark after "has" or "has not" in one of the blank spaces provided.

The above Statement is part of the Proposal. Proposers are cautioned that making a false certification may subject the certifier to criminal prosecution. Sign below to acknowledge understanding.

Proposer Signature: _____

Attachment 8

Proposer Certification Clauses and Proposal Signature

PROPOSER CERTIFICATION CLAUSES

1. STATEMENT OF COMPLIANCE: Consultant has, unless exempted, complied with the nondiscrimination program requirements. (GC 12990 (a-f) and CCR, Title 2, Section 8103) (Not applicable to public entities.)
2. DRUG-FREE WORKPLACE REQUIREMENTS: Consultant will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:
 - a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
 - b. Establish a Drug-Free Awareness Program to inform employees about:
 - 1) the dangers of drug abuse in the workplace;
 - 2) the person's or organization's policy of maintaining a drug-free workplace;
 - 3) any available counseling, rehabilitation and employee assistance programs;
 - 4) penalties that may be imposed upon employees for drug abuse violations.
 - c. Every employee who works on the proposed Agreement will:
 - 1) receive a copy of the company's drug-free workplace policy statement; and,
 - 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Contract or termination of the Contract or both and Consultant may be ineligible for award of any future GTS agreements if GTS determines that any of the following has occurred: (1) the Consultant has made a false certification or has violated the certification by failing to carry out the requirements as noted above (GC 8350 et seq.).

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Consultant certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Consultant within the immediately preceding two-year period because of Consultant's failure to comply with an order of a Federal court, which orders Consultant to comply with an order of the National Labor Relations Board. (PCC 10296) (Not applicable to public entities.)
4. UNION ORGANIZING: Consultant hereby certifies that no request for reimbursement, or payment under this agreement, will seek reimbursement for costs incurred to assist, promote or deter union organizing.

5. CONTRACTS FOR LEGAL SERVICES \$50,000 OR MORE- PRO BONO REQUIREMENT:
Consultant hereby certifies that contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

DOING BUSINESS WITH GTS

The following laws apply to persons or entities doing business in the State of California.

1. LABOR CODE/WORKERS' COMPENSATION: Consultant needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)
2. AMERICANS WITH DISABILITIES ACT: Consultant assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)
3. CONTRACTOR NAME CHANGE: An amendment is required to change the Consultant 's name as listed on this Agreement. Upon receipt of legal documentation of the name change GTS will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.
4. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:
 - a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the Consultant is currently qualified to do business in California in order to ensure that all obligations due to GTS are fulfilled.
 - b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate Consultant performing within the state not be subject to the franchise tax.
 - c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.
5. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.
6. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Consultant shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.
7. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other government entity.

By my signature on this proposal I certify, under penalty of perjury under the laws of the state of California that the included questionnaire and statements of Public Contract Code Sections 10162, 10232 and 10285.1 are true and correct and that the proposer has complied with the requirements of Section 8103 of the Fair Employment and Housing Commission Regulations (Chapter 5, Title 2 of the California administrative Code). By my signature on this proposal I Further certify, under penalty of perjury under the laws of the State of California and the United States of America, that the Noncollusion Affidavit required by Title 23 United States Code, Section 112 and Public Contract Code Section 7106; and the Title 49 code of Federal Regulations, Part 29 Debarment and Suspension certification are true and correct. (Forms 1-8)

The undersigned hereby certify and declare under penalty of perjury that the foregoing is true and correct and that I am duly authorized to legally bind the prospective Proposer to the clauses listed above. This certification is made under the laws of the State of California. The **undersigned is duly authorized to certify that the contents of the technical proposal are true and accurate and the commitment to perform the requested services is certified for a 90 day period.**

<i>Proposer Firm Name (Printed)</i>		<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>		
<i>Printed Name and Title of Person Signing</i>		
<i>Date Executed</i>	<i>Executed in the County of</i>	

NOTE - If Proposer is a corporation, the legal name of the corporation shall be set forth above together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation: if Proposer is a co-partnership, the true name of the firm shall be set forth above together with the signature of the partner or partners authorized to sign contracts in behalf of the co-partnership: and if Proposer is an individual, his signature shall be placed above. If signature is by an agent other than of an officer of a corporation or a member of a partnership, a power of attorney must be on file with GTS prior to opening proposals or submitted with the proposal; otherwise, the proposal will be discarded as irregular and unauthorized.

Attachment 9

**Local Agency Proposer/Bidder-DBE (Consultant Contracts)-
Information**

This information shall be provided by the successful Proposer/Bidder with the award document.

- Preliminary Engr.
 Studies
 Environmental Document
 Prelim Design
 Professional Services
 Final Design Right of Way
 Right of Way Engineering
 Right of Way Utility Relocation
 Construction
 Constructiion Engineering
 Construction Management

AGENCY: *Butte County Association of Governments* LOCATION: *Chico, Butte County*

PROJECT DESCRIPTION: *B-Line Paratransit Eligibility and Certification Program and Travel Training Services*

GTS Work Element Number: *Transit*

FEDERAL-AID PROJECT NUMBER:

TOTAL CONTRACT AMOUNT: \$ *To be determined.*

FEDERAL SHARE (For local agency to complete) : \$ *To be determined*

PROPOSAL/BID DATE:

PROPOSER'S/BIDDER'S NAME: _____

CONTRACT ITEM NO.	ITEM OF WORK AND DESCRIPTION OR SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	DBE Cert. No. AND EXPIRATION DATE	NAME OF DBEs ¹ (Must be certified on the date bids are opened - include DBE address and phone number)	DOLLAR AMOUNT DBE
IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Copies of the DBE quotes are helpful. Names of the First-Tier DBE Subcontractors and their respective item(s) of work listed above shall be consistent with the names and items of work in the "List of Subcontractors" submitted with your bid pursuant to the Subcontractors Listing Law and the Special Provisions.			Total Claimed Participation	\$ _____

<p>1. Enter DBE prime and subcontractors certification number. Prime contractors shall indicate all work to be performed by DBEs including work performed by its own DBE forces.</p> <p>2. If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished by DBE.</p>		_____ %

CT Bidder - DBE Information (Rev 4/28/06)

Attachment 9

INSTRUCTIONS - LOCAL AGENCY PROPOSER/BIDDER-DBE (CONSULTANT CONTRACTS) INFORMATION FORM *(Revised 10/05)*

The form requires specific information regarding the consultant contract: Agency, Location, Project Descriptions, Contract Number (assigned by local agency), Federal Aid Project Number (if available and required and as assigned by Local Agency or FTA), Total Dollar Contract Amount, Proposal/Bid Date, and **Proposer's/Bidder's Name**.

The form has a column for the Contract Item Number (or Item No's) and Item of Work and Description or Services to be Subcontracted or Materials to be provided by DBEs. The DBE should provide a certification number to the Contractor. Notify the Contractor in writing with the date of the decertification if their status should change during the course of the contract. The form has a column for the Names of DBE certified contractors to perform the work (include DBE address and phone number).

There is a column for the total DBE dollar amount. Enter the Total Claimed DBE Participation dollars and percentage amount of items of work submitted with your proposal/bid pursuant to the Contract Provisions. (If 100% of item is not to be performed or furnished by the DBE, describe exact portion of time to be performed or furnished by the DBE.)

Attachment 9 - must be signed and dated by the person proposing/bidding. At a minimum this form must be returned and is a **required element** prior to any contract award. **Also list a phone number in the space provided and print the name of the person to contact.**

Note: **If no DBE participation is to be claimed or is unknown at the time of proposal submittal, indicate this is the box titled "Total Claimed participation" as either "0" for no participation claimed or "UK" for unknown at this time.**

Attachment_10

STANDARD INSURANCE REQUIREMENTS – (Professional Services)

Before the commencement of work, Consultant shall submit Certificates of Insurance and Endorsements evidencing that Consultant has obtained the following forms of coverage and minimal amounts specified:

A. MINIMUM SCOPE OF INSURANCE

- 1.) Commercial General Liability coverage (Insurance Services Office (ISO) “occurrence” form CG 0001 1001).
- 2.) Automobile Liability Insurance – standard coverage offered by insurance carriers licensed to sell auto liability insurance in California. Construction contracts only - Insurance Services Office’s Business Auto Coverage form number CA 0001 1001 covering “any auto”.
- 3.) Workers’ Compensation Insurance as required by the Labor Code and Employers Liability Insurance.
- 4.) Professional Liability Insurance - when the contract involves professional services such as engineering architectural, legal, accounting, instructing, and consulting, professional liability insurance is required. **(If not contracting for professional services, delete this paragraph.)**

B. MINIMUM LIMITS OF INSURANCE

- 1.) **General Liability:** At least \$1,000,000 combined single limit **per occurrence** coverage for bodily injury, personal injury and property damage, plus an annual aggregate of at least \$2,000,000. If a general aggregate limit is used, then either the general aggregate limit shall apply separately to this project/location, or the general aggregate limit shall be **twice** the required per occurrence limit. The Consultant or consultant’s insurance carrier shall notify GTS if incurred losses covered by the policy exceed 50% of the annual aggregate limit.
- 2.) **Automobile Liability:** At least \$100,000 to cover bodily injury for one person and \$300,000 for two or more persons, and \$50,000 to cover property damages. However, policy limits for construction projects shall be at least \$1,000,000 combined single limit

per accident for bodily injury and property damage for autos used by the Consultant to fulfill the requirements of this contract, and coverage shall be provided for "Any Auto", Code 1 as listed on the Accord form Certificate of Insurance.

3.) **Workers' Compensation and Employer's Liability:** Workers' Compensation insurance up to policy limits and Employer Liability insurance each with policy limits of at least \$1,000,000 for bodily injury or disease

4.) **Professional Liability Insurance (If not contracting for professional services, delete this paragraph)** Professional liability insurance covering professional services shall be provided in an amount of at least \$1,000,000 per occurrence or \$1,000,000 or on a claims made basis. However, if coverage is written on a claims made basis, the policy shall be endorsed to provide at least a two-year extended reporting provision.

C. **DEDUCTIBLES**

Any deductibles must be declared on certificates of insurance and approved by GTS.

D. OTHER INSURANCE PROVISIONS

1. General liability insurance policies shall be endorsed to state:

- a.) the GTS, its officers, officials, employees and volunteers are to be covered as insured as respects liability arising out of activities performed by or at the direction of the Consultant, including products and completed operations of the Consultant; premises owned, occupied or used by the Consultant;. The coverage shall contain no special limitations on the scope of protection afforded to GTS, its officers, officials, employees or volunteers. Auto coverage as provided by unendorsed CA 0001 1001.
- b.) Consultant's insurance coverage shall be primary insurance, except for auto, as respects the GTS, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by GTS, its officers, officials, employees or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
- c.) Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

E. ACCEPTABILITY OF INSURANCE CARRIERS.

Insurance is to be placed with insurers who are licensed to sell insurance in the State of California and who possess a Best's rating of no less than A-: VII. If the Consultant's insurance carrier is not licensed to sell insurance in the State of California, then the carrier must possess a Best rating of at least A: VIII. (For Best ratings go to <http://www.ambest.com/>)

F. VERIFICATION OF COVERAGE.

Consultant shall furnish the GTS **certificates of insurance** and original **endorsements** affecting coverage required by this clause. All certificates of insurance and endorsements are to be received and approved by the GTS before work under the contract has begun.

The GTS reserves the right to require complete, certified copies of all insurance policies required by this contract.

Certificates of insurance shall state that the insuring agency agrees to endeavor to mail to GTS written notice 30 days before any of the insurance policies described herein are cancelled. Consultant agrees to notify GTS within two working days of any notice from an insuring agency that cancels, suspends, reduces in coverage or policy limits the insurance coverages described herein.

G. SUBCONSULTANTS.

Consultant shall include all subconsultants as insured under its policies or require all subcontractors to be insured under their own policies. If subconsultants are insured under their own policies, they shall be subject to all the requirements stated herein, including providing the GTS certificates of insurance and endorsements before beginning work under this contract.

Attachment I0A

Request To Change Contract Insurance Requirements

1. Department _____ Contact Person _____
Telephone _____ FAX _____ Email _____
2. Contractor _____ Contact Person _____
Telephone _____ FAX _____ Email _____
3. What change is being requested?

4. Reason:
a) Consultant cannot obtain required limits. If so, limits Consultant currently has:

b) Consultant cannot afford premium. If so, current premium: _____
c) Consultant cannot obtain insurance at all. Which type of insurance? _____
d) Insurance carrier will not agree to additional insured endorsement. Name and phone number of Consultant's insurance agent: _____
e) Other: _____
5. Brief description of services to be performed. If the contract is for construction or road work, please include the location of the project.

6. Length of Contract: _____ Cost: _____
7. Special certificates, licenses, degrees, education, etc., required of Contractor: _____
8. Is Consultant a corporation or individual? _____
9. Will Consultant need to use his/her auto to perform services? _____

10. Will Consultant be transporting people? If so, maximum number at one time: _____

11. Will services be performed at GTS worksite or Consultant's office? _____

12. Tools or special equipment Consultant will utilize: _____

13. Will Consultant be using GTS property? _____ If yes, describe (car, van, office space, etc.): _____

14. Does Consultant have employees? _____

Will Consultant use sub-contractors? _____

15 **Risk Manager Comments:** _____
