

March 30, 2022

#### **NOTICE TO ALL PROPOSERS**

AFFILIATED AGENCIES

Orange County Transit District

Local Transportation Authority

Service Authority for Freeway Emergencies

Consolidated Transportation Service Authority

> Congestion Management Agency

> > Service Authority for Abandoned Vehicles

SUBJECT: REQUEST FOR PROPOSALS (RFP) 2-2207

"OC Streetcar Safety Awareness and Public Education

Program"

Gentlemen/Ladies:

This letter shall serve as Addendum No. 1 to the above RFP issued by the Orange County Transportation Authority (Authority).

Offerors are advised that the proposal submittal date has been changed to 2:00 p.m., Monday, April 25, 2022.

Offerors are advised the title of the RFP has been changed to "OC Streetcar Safety Awareness and Public Education Program."

A pre-proposal conference will be held via teleconference on March 30, 2022, at 9:00 AM Pacific Standard Time. Prospective Offerors may join or call-in using the following credentials:

Click here to join the meeting

• OR Call-in Number: 1-916-550-9867

Conference ID: 684459924#

Offerors are advised the pre-proposal registration sheet is presented as Attachment A. Attendees are advised to complete the registration sheet and email it to the undersigned at <a href="mailto:ycrowder@octa.net">ycrowder@octa.net</a> at or before 4:30 p.m., March 31, 2022. The PowerPoint presentation is presented as Attachment B to this Addendum No. 1.

Offerors are reminded to acknowledge receipt of this Addendum No. 1 in their transmittal letter. All changes addressed in this Addendum No. 1 shall be incorporated into the final Agreement.

Questions regarding this Addendum No. 1 should be directed to the undersigned at <a href="mailto:ycrowder@oca.net">ycrowder@oca.net</a>.

Yvette Crowder

Senior Contract Administrator

Contracts Administration and Materials Management

#### PRE-PROPOSAL/PRE-BID CONFERENCE REGISTRATION

OCTA RFP #: 2-2207

#### **ATTACHMENT A TO ADDENDUM NO. 1**

Date: March 30, 2022

Title: OC Streetcar Safety Awareness and Public Education Program

Com	pany Name:			
Atter	ndee:			
Addr	ess:			
City,	State Zip:			
Phon	ne Number: <u>(</u> )	Registered on CAMM NET?	☐ Yes	☐ No
Prim	e 🗌 Sub 🔲 DBE 🗌			
E-Ma	il Address:			

# Pre-Proposal Conference for RFP 2-2207: OC Streetcar Safety Awareness and Public Education Program





### Agenda

- Introductions / Opening Statement
- Purpose of Pre-Proposal Conference
- Review of RFP Documents
- Review of the Disadvantaged Business Enterprise (DBE) Goal
- Review of the Scope of Work
- Questions and Answers
- Closing



### **CAMM NET Registration**

#### Why register on CAMM NET?

https://cammnet.octa.net/

- To receive e-mail notifications of Solicitations, Addenda, and Awards
- View and update your vendor profile
- Required for Award

### Online Business & Networking Tools

- CAMM NET Connect
  - https://www.facebook.com/CammnetConnect
- Working with OCTA
  - https://cammnet.octa.net/about-us/working/
- Planholder's List
  - https://cammnet.octa.net/procurements/planholders-list-selection/

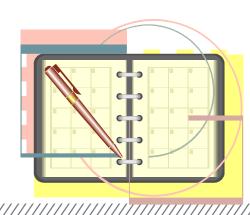
### Key Procurement Dates

• Written Questions Due: March 31, 2022

• OCTA Responds: April 4, 2022

Proposals Due: April 25, 2022, 2:00 p.m.

• Interview: May 17, 2022



### Key Procurement Information

- Next Addendum will contain a copy of the Pre-Proposal sign-in sheet.
- Award based on prime-sub relationship, not joint ventures.

### Key Procurement Information

- All questions/contact with Authority staff should be directed to the assigned Senior Contract Administrator, Yvette Crowder
- Next Addendum will contain a copy of the Pre-Proposal sign-in sheets
- Award based on prime-sub relationship, not joint ventures
- Contract term is for two-year initial term; with one, one-year option term
- Funded with Federal Transit Administration (FTA) funds
- DBE participation goal is 15%

### Guidelines for Written Questions

- Questions must be submitted directly to Yvette Crowder, Senior Contract Administrator, in writing, by March 31, 2022, 4:30 p.m..
- E-mail: <a href="mailto:ycrowder@octa.net">ycrowder@octa.net</a>
- Any changes Authority makes to procurement documents will be by written Addenda only.
- Addenda will be issued via CAMM NET.
- Verbal discussions today are non-binding.

## Next... Proposal Instructions

Followed by...
Review of DBE 15% Goal

Then...
Review of Scope of Work

### Proposal Submittal Instructions

(Refer to RFP Section I, pp. 4-5)

- Proposals are due by 2:00 p.m. on the date specified in the RFP.
- Proposals are to be submitted as specified in the RFP.
- Submit one (1) original copy of proposal sealed and clearly identified on exterior of package as specified in the RFP.
- Submit one (1) electronic copy of the entire proposal in "PDF" format on CD, DVD, or flash drive.
- Package clearly marked with the RFP number and title.

### Proposal Submittal Instructions (continued)

(Refer to RFP Section I, p. 5)

- Authority has the right to:
  - accept or reject any and all proposals;
  - withdraw or cancel the RFP;
  - postpone proposal opening for its own convenience.
- Proposals received are considered public information.
- Proposals are not to be copyrighted.

### Proposal Submittal Instructions (continued)

(Refer to RFP Section I, pp. 6-7)

- Contract type is time-and-expense price
- Conflict of interest
- Code of conduct

### Proposal Content

- Letter of Transmittal
- Technical Proposal
  - a) Qualifications, related experience, and references of Offeror
  - b) Proposed staffing and project organization
  - c) Work plan
  - d) Exceptions / Deviations (Technical vs. Contractual)

### Proposal Content (continued)

- Cost and Price Proposal Exhibit B
  - -Offeror shall submit proposed pricing to provide services described in Exhibit A, Scope of Work.
  - Offeror shall submit Exhibit B, Price Summary Sheet, as a separate, sealed package from the proposal.
  - -NO information regarding individual hourly rates shall be mentioned anywhere in the proposal content.
  - Do NOT alter the Job Functions identified on the form.

### Proposal Content (continued)

(refer to RFP Section II, pp. 13-15)

#### Forms

- Campaign Contributions Disclosure Form Exhibit D
- Status of Past and Present Contracts Form Exhibit E
- Disadvantaged Business Enterprise (DBE) Forms Exhibit F
  - DBE Participation Commitment Form
  - Bidder's List
  - Good Faith Efforts
- Restrictions on Lobbying Exhibit G
- Level 1 Safety Specifications (not submitted with proposal)
- Proposal Exceptions and/or Deviations Form Exhibit I

Note: Forms excluded from 50-page proposal limit.

### **Evaluation and Award**

(Refer to RFP Section III, p. 19)

• All proposals, timely received, will be evaluated using the following BOD-approved *evaluation criteria*:

Qualifications of the firm	25%
Staffing and project organization	25%
Work plan	30%
Cost and price	20%

### Evaluation and Award (continued)

• "Short-Listed" firms will be invited to interview.

• Interviews are scheduled for May 17, 2022. Offerors are requested to keep this date available.

### Award

- Award Process
  - Evaluation Committee recommends highest ranking Offeror to the Legislative & Communications Committee tentatively scheduled for July 21, 2022.
  - Legislative & Communications Committee makes recommendation to BOD, tentatively scheduled for July 25, 2022.
  - BOD may accept / reject staff's recommendation.
  - All firms submitting a proposal will be notified of Award via CAMM NET.

### Proposed Agreement

- Proposed Agreement
  - -Please review the Proposed Agreement so you are aware of the contractual requirements of this project
- Exceptions/Deviations
  - -Any exceptions and/or deviations must be identified in Exhibit I, Proposal Exceptions and/or Deviations form



### Proposed Agreement (continued)

- Offerors are encouraged to review:
  - Article 3 Scope of Work
  - Article 4 Term of Agreement
  - Article 5 Payment (Time and Expense)
  - Article 7- Maximum Obligation
  - Article 10 Insurance
  - Article 24 DBE Contract Provisions
  - Article 19 Code of Conduct
  - Article 18 Conflict of Interest/Prohibitions

## DBE Requirements and Forms overview

Laura Foster DBE Specialist

### Conditions of Responsiveness

The Authority is utilizing Federal funds toward this project and is required to implement the DOT Disadvantaged Business Enterprise (DBE) Program Plan, based on U.S. DOT, 49 CFR, Part 26 requirements.



### Demonstration of Responsiveness

### In order to demonstrate responsiveness, Proposers must:

Meet the 15% DBE contract-specific goal by proposing sufficient DBE participation (with <u>certified</u> **DBE** firms)

#### OR

Demonstrate good faith efforts were undertaken to achieve the DBE goal.



### Conditions of Responsiveness

## The following conditions must be met for responsiveness:

- Timely submission of "Exhibit F-1" Consultant Proposal DBE Participation Commitment" form. This form should identify <u>all</u> DBE firms proposed to participate in the project regardless of tier.
- Timely submission of "DBE Letter of Acknowledgement and Commitment" from each proposed DBE, completed in its entirety and signed.
- Timely submission of "Bidders List"
- Timely Submission of "DBE Information Good Faith Efforts" form (if the proposer did not meet or obtain enough DBE participation the meet the 9% goal)



### DBE Required Forms Checklist

REQUIRED	FORM NAME	DUE DATE	CONFIRM BEFORE SUBMITTING
YES	Exhibit F-1 Consultant Proposal DBE Participation Commitment Form	Required to be submitted with proposal, on proposal due date	<ul> <li>Are all firms DBE certified through CUCP?</li> <li>Are NAICS/WCC codes applicable to proposed scopes?</li> <li>Are my totals and listed percentages correctly calculated?</li> </ul>
YES	DBE Letter of Acknowledgement and Commitment	Required no later than 4:00 p.m. on the 2nd business day after the proposal due date	<ul> <li>Have I submitted a DBE Letter of Acknowledgement for each proposed DBE on the "Exhibit F-1 Consultant Proposal DBE Commitment" form?</li> <li>Is it signed?</li> <li>Does it match the "Exhibit F-1 Consultant Proposal DBE Commitment" form?</li> </ul>
If DBE goal not met.	Exhibit F-2 DBE Information – Good Faith Efforts	Required no later than 4:00 p.m. on the 2 <sup>nd</sup> business day after the proposal due date	<ul> <li>Have I reviewed all examples provided in this power point?</li> <li>Have I reviewed the GFE Toolkit on OCTA's website?</li> <li>Have all statements and efforts been documented?</li> </ul>
YES	Exhibit F-3 Bidders List	Required no later than 4:00 p.m. on the 2 <sup>nd</sup> business day after the proposal due date	<ul> <li>Does it include all firms who submitted a bid/quote/proposal, DBE and not DBE?</li> <li>Are any DBE firms listed who I have not proposed to utilize or did not list in item C of my good faith efforts?</li> </ul>

If an "Exhibit F-1 Consultant Proposal DBE Commitment" form is not submitted with the proposal, you will be found non-responsive.



#### "Exhibit F-1 Consultant Proposal DBE Participation Commitment" Form



Exhibit F-1

RFP 1-3853

#### DBE PARTICIPATION COMMITMENT FORM

THIS FORM MUST BE COMPLETED AND SUBMITTED WITH THE PROPOSAL AS A CONDITION OF DBE RESPONSIVENESS

NOTE: Refer to instructions on the reverse side of this form.

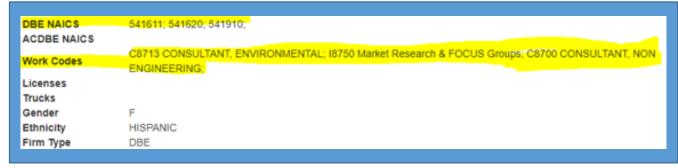
		Proposer to Complete this Section			
1. RFP No.: <u>1-2345</u>					
2. Project Name/Description	n: Example Proje	ect			
3. Prime Proposer Name:_	ABC Sample Mar	nagement Services			
4. Contract DBE Goal %: _	16%				
5. Proposer's Total Price: _ (If applicable)	\$2,600,000.00				
(ii applicable)		Required DBE Commitment Informa	tion		
6. DBE Firm 7. DBE (Name and Address) Certificati Number		8. Description of Scope of Services/Work	Dollar Value (\$) or Percent (%) of Participation	10. Dollar Value (\$) of Percent (%) of Eligibl DBE Participation/ Committment	
Sample Outreach Services 1234 1st Street Santa Ana, CA 92705	CUCP #12345	Community Outreach, Stakeholder Engagement	\$52,0000.00 or 2%	\$52,0000.00 or 2%	
ABC Sample Traslation Services 555 N. West St. Santa Ana, CA, 92705	CUCP # 54321	Provide Spanish Translations for Community Outreach, Flyers, and Websit	\$26,0000.00 Or 1%	\$26,0000.00 Or 1%	
Sample Office Designers 541 3rd St. Santa Ana, CA 92705	CUCP #4567	Supply Desks and Chairs for Facility Call Center	\$260,000.00 Or 10%	\$156,000 Or 6%	
Independent Sample Design and Engineering 6543 4th St. Santa Ana, CA 92705	CUCP #4311	Traffic Engineering and Design	\$182,000.00 Or 7%	\$182,000.00 Or 7%	
Note: As a condition of a the Proposal a written of Column 6 acknowledgin	onfirmation sign on that the DBE	11. Total Dollar Value (\$) or Percent (%) Eligible DBE Participation: \$ 416,000.00 Or 16%			
specified dollar value (\$) or percent (%) and scope of work.			12. Eligible DBE Participation Represent as a Percentage (%) of Proposer's Total Price:		
			16%	·	
		that information on this form is complete and a le DBE participation towards meeting the contr		erified the listed DBE(s	
Sample Name 13. Preparer's Name (Print	)	14. Preparer's Signature	Preside 15. Preparer's Title		
1/1/2021 16. Date		(555) 555-5555 17. Telephone No.	someemail@e		

- All areas must be properly completed.
- Ensure total proposal value is listed on line 5 (if applicable)including any allowances and/or options.
- Ensure the DBE certification number in Box 7 is the DBE firms CUCP certification number.
- Ensure **total** contract value or percentage of DBE participation is entered in Box 9.
- Only count a DBE firm's eligible participation in Box 10 (e.g. 60% credit as a supplier, only count mark up fees for brokers or facilitation of supply).
- Box 11 should equal the sum of the values listed in in Box 10.
- Ensure the percentage of eligible participation in Box 12 is calculated against the total cost proposal including any allowances and options.



### Conditions of Responsiveness (Cont)

- At time of proposal submission, DBEs must possess a valid DBE Certification from the California Unified Certification Program (CUCP) (<a href="https://dot.ca.gov/programs/civil-rights/dbe-search">https://dot.ca.gov/programs/civil-rights/dbe-search</a>).
- A firm's participation is only eligible to count towards DBE credit in the work code category (WCC) or the North American Industry Classification System (NAICS) codes contained within their CUCP DBE Profile:



 Services subcontracted by DBE firms to non-DBE firms may not be credited towards DBE participation.



### "DBE Letter of Acknowledgement and Commitment"



#### RFP 1-3853 Exhibit F-2

DBE LETTER OF ACKNOWLEDGMENT AND COMMITMENT
1. RFP NO.:
2. Project Name/Description:
3. Offeror:
4. DBE Commitment Information
(A) Description of work to be performed by DBE firm (include bid item number on the DBE Participation Commitment Form as applicable):
(B) Percentage of work to be performed (For Architectural & Engineering Services Proposals)  OR
Dollar value of work to be performed \$ (For Professional Services Proposals)
5. DBE ACKNOWLEDGMENT*
I acknowledge that my firm has been listed by the Offeror named above, and is committed, to perform the scope and portion of work (A and B) stated above.
DBE Firm's Name:
Name:
Signature:
Title:
Telephone:
'If the offeror does not receive award of the prime contract, any and all representations in this letter of Acknowledgment and Commitment shall be null and void.
This form may be used to fulfill the DBE Participation Commitment Letter requirement as stated in the REP

instructing that the "the offeror is required to submit with the proposal a DBE Letter of Acknowledgement and Commitment signed and dated from each DBE acknowledging that the DBE is participating in the  This Form must be submitted for each DBE firm proposed and listed on the "Exhibit F-1

Consultant Proposal DBE Commitment" form

- Form must be signed by each DBE firm
- Value listed must match the "Total" value of proposed participation listed on the "Exhibit F-1 Consultant Proposal DBE Commitment" form
- Form must be submitted no later than 4:00 p.m. on the 2nd business day after the proposal due date

### Good Faith Efforts (GFE) Requirements

- Proposer must demonstrate REAL and SUBSTANTIVE Efforts
- Proposer must have undertaken all necessary and reasonable steps to achieve the DBE goal that by their scope, intensity, and appropriateness to the objective of meeting the goal could reasonably be expected to obtain sufficient DBE Participation.
- Authority will consider the quality, quantity, and intensity of the different kinds of efforts undertaken by Proposer.
- Authority will examine GFE made by other Proposers, for the same solicitation, for comparison.
- A GFE Toolkit is available on CAMMNET for additional guidance. <a href="https://cammnet.octa.net/dbe/files/GFE%20Toolkit.pdf">https://cammnet.octa.net/dbe/files/GFE%20Toolkit.pdf</a>



(refer to the DBE Information-Good Faith Efforts form in the RFP)

#### A. <u>Items of Work the Proposer Made Available to DBE Firms</u>;

The percentage of work made available should exceed the DBE contract goal

- The scopes of work made available should match what was listed on the proposer's Request for Proposal, Ad and solicitation e-mails
- Proposer should unbundle larger scope items to facilitate DBE participation.



#### B. Solicitation Effort Documentation;

- A reasonable amount of DBEs must be solicited from the available firms per scope area (NAICS/WCC) made available. If OCTA's DBE Listing includes 300 DBE firms in a NAICS or WCC category, contacting 50 firms would not demonstrate an adequate good faith effort in this GFE area.
- If Proposer prepares a summary sheet of written solicitations that occurred, evidence of the individual solicitations should be submitted with the summary sheet. A summary sheet and a template of the solicitation language does not demonstrate adequate GFE unless the individual solicitations are also submitted.
- Call logs must include type <u>date</u>, time and <u>who</u> was spoken to and results of the communication (e.g., interested, proposing, not proposing).



#### B. Solicitation Effort Documentation (continued);

- Proposers should solicit firms at a minimum no later than 14 calendar days prior to the Authority's proposal due date and follow up to the solicitations should allow DBE firms reasonable time to respond.
- If a firm was contacted and identified to be interested or if no response was yet received, call-log or e-mail documentation must be included to show a timely followup was made.
- Proposer must include within their GFE documentation efforts to identify correct numbers or e-mails if numbers were out of service or e-mails were returned.
- DBE firms solicited must be advised if the original proposal due date has been extended.



#### C. Rejected DBE Proposal Documentation;

- Proposer MUST include quote(s) from rejected DBE firm(s), the quote from the firm selected for the work AND an explanation of why the selected firm was chosen over the rejected DBE.
- If the reason for rejection was "price" the quotes must be "like" in comparison? If the DBE was offered proposal items 1-5 and Non-DBE firm was offered proposal items 1-20, they may have an ability to offer a lower rate for items 1-5 as they can absorb the cost in other areas. These are not "like" quotes.
- If the reason for rejection was "price", the cost differential should be greater than 10%? If not, it would be reasonable to conclude the proposer should have given cognizance to the goal and opted to go with the DBE.
- Proposer to provide efforts made (and documented) to communicate, clarify and/or bring rejected DBE firms on the team.



#### D. <u>Publication Efforts Made to Advertise the Projects to Solicit DBE Participation</u>;

- To demonstrate responsiveness in this area, proposer must not place publications on a media that requires a fee to view.
- Publications must be posted a minimum of 14 calendar days before the proposal due date.
- Publications must include information about the contract (location of project, contract number, proposal due date, scope of work made available and contact information.)
- If the proposal due date is extended, publication should be re-run to notify potential proposers are also notified.



### E. Agencies, Organizations, or Groups Contacted to Provide Assistance in Contracting, Recruiting, and Using DBEs;

- Proposer must reach out to local Agencies, Chambers or Minority Associations and submit documentation of these efforts.
- If assistance was provided by an agency, organization and/or group, the proposer must show they have utilized or followed-up with the assistance provided.

#### Examples:

District 12, District Local Assistance Engineer: Tifini Tran at (949) 756-7805 or at Tifini.Tran@dot.ca.gov

District Small Business Liaisons (DSBL): Brian G. Walsh, DSBL #12 (949) 724-2332, Brian.G.Walsh@dot.ca.gov.

California Construction Contracting Program (CCCP): Peg Bergmann, Project Director, at (916) 445-3512 or at peg\_bergmann@dot.ca.gov.

SCORE Orange County

List of California Chambers by County: http://advocacy.calchamber.com/resources/local-chambers/

Construction Management Association of America (So Cal Chapter): www.cmaasc.org



#### F. Efforts to Provide Information About the Plans, Specifications, and Contract Requirements;

- Assistance should be documented in the publication and Proposer's Requests For Proposal.
- Proposer to provide e-mails or faxes to document assistance was provided.
- Efforts should exclude supplies and equipment the DBE subconsultant purchases or leases from the prime consultant or its affiliate(s).

#### G. Assistance with Lines of Credit, Insurance, and/or other Services;

- Assistance should be documented in the publication and Proposer's Requests For Proposal.
- Proposer to provide e-mails or faxes to document assistance was provided.
- Proposer to submit documentation of innovative measures to assist DBEs with bonding, lines
  of credit or insurance.
- Proposer should provide a link to the plans and specifications in their solicitation or document how plans and specifications were made available to prospective proposers by some other means.



#### H. Additional Data to Support a Demonstration of Good Faith Efforts;

- Any additional good faith efforts demonstrated that do not fall into categories A through G.
- The DBE participation commitment of the other proposers is the primary consideration for this
  category. The Authority will determine what the average commitment of the proposers is and if this
  proposer met that average. If the proposer did not meet the average, it can be reasonably assumed
  that their good faith efforts were not sufficient in this area.

#### Example:

• 1st proposer: 3% commitment

• 2nd proposer : 6% commitment

• 3rd proposer : 10% commitment

In the above scenario the average of the proposers is 6.3%, as the 1<sup>st</sup> proposer came in below the average, they did not sufficiently demonstrate good faith efforts in relation to the other proposer.



### **Bidders List**

#### (refer to the Bidders List in the RFP)

- Proposer is required to complete and submit the DBE Form F-3 form (titled Bidders List) to Authority no later than 4:00 p.m. on the 2<sup>nd</sup> business day after the proposal due date via email to <a href="mailto:ycrowder@octa.net">ycrowder@octa.net</a>.
- Bidders List is to include all firms (DBE and non-DBE) that submitted quotes or proposals to act as subconsultants, suppliers or brokers, whether or not you elected to use them in your proposal.



### **Bidders List**

RFP 1-3853 Exhibit F-3



#### **Bidders List**

The Department of Transportation requires the Authority to create and maintain a "Bidders List" containing information about all firms (DBE and Non-DBE) that bid, propose or quote on the Authority's DOT-assisted contracts, in accordance with 49 CFR Part 26.11. The "Bidders List" is intended to be a count of all firms that are participating, or attempting to participate, on DOT-assisted contracts, whether successful or unsuccessful in their attempt to obtain a contract.

The proposer is to complete all requested information for every firm who submitted a bid, proposal or quote, including the primary proposer, and submit this information to the Authority no later than 4:00 p.m. on the 2nd business day after the Authority's proposal due date, or as otherwise specified in the solicitation. The Authority will utilize this information to assist in the Authority's DBE goal-setting process.

Prime Name and Location		Agreement Amount	Percentage of Bid Item Sub-consulted	Consultant License No.	DBE (Y/N)	Phone:	Annual Gross Receipts	
	NAICS/WCC			DIR Reg Number	DBE Certification ID	E-mail:	984 99	
Prime Proposer:							Less than \$1 million	
Si							Less than \$5 million	
Contact Name:							Less than \$10 million	
							Less than \$15	
Address:							More than \$15	
							Age of Firm:yrs.	
Subconsultant Name and Location	Type of Work/Services/Materials Provided:	Agreement Amount	Percentage of Bid Item Sub-consulted	Consultant License No.	DBE (Y/N)	Phone:	Annual Gross Receipts	
	NAICS/WCC			DIR Reg Number	DBE Certification ID	E-mail:		
Firm Name:				8			Less than \$1 million	
Contact Name:							Less than \$10	
				2	9		Less than \$15	
Address:							More than \$15 million	
		,					Age of Firm:yrs.	



### Scope of Work

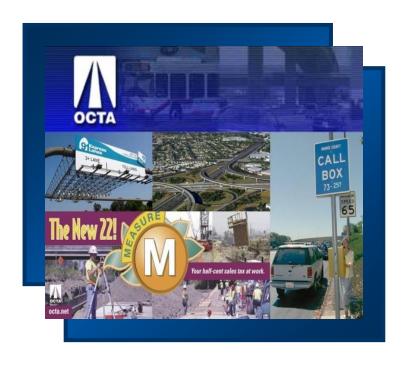
(Refer to RFP Exhibit A)

Stella Lin

**Project Manager** 

Project Overview and Scope of Work

Questions?



• Reminder.... Proposals are due @ 2:00 p.m. on April 25, 2022.

Please register on CAMM NET.

Thank you for your interest in OCTA!