

## **(ADDENDUM 1)**

# **NEVADA COUNTY TRANSPORTATION COMMISSION REQUEST FOR PROPOSAL TO PREPARE A ZERO EMISSION VEHICLE TRANSITION PLAN FOR THE COUNTY OF NEVADA**

## **I. PURPOSE OF REQUEST FOR PROPOSAL**

The Nevada County Transportation Commission (NCTC) is a Regional Transportation Planning Agency (RTPA) created pursuant to Title 7.88, of the State of California Government Code, Section 67920. The mission of the NCTC is to plan, communicate, and coordinate with the citizens and decision makers of Grass Valley, Nevada City, Nevada County, the Town of Truckee, and with the California Department of Transportation (Caltrans) to identify transportation needs, propose solutions, and assist in implementing projects to create a balanced regional transportation system, while protecting the rural qualities and historic character of Nevada County.

On behalf of the County of Nevada, the Nevada County Transportation Commission will manage a fleet zero emission vehicle transition plan to identify the necessary steps that the County of Nevada can take to comply with upcoming California Air Resource Board (CARB) regulations related to the Innovative Clean Transit and lightweight, medium-duty, and heavy-duty public fleet electrification regulations.

The plan will guide Nevada County in its endeavor to meet the regulations by evaluating and identifying a detailed plan to successfully convert the county vehicle fleet to zero emission vehicles within the timeline specified by CARB. The infrastructure needs for power delivery and charging, hydrogen storage and distribution, maintenance needs, and capital replacement considerations will be incorporated into the overall plan. Where electrification of certain vehicle fleet mix (e.g. heavy duty trucks) may not be possible due to market readiness, other zero-carbon alternatives should be explored and evaluated for fleet replacement and infrastructure improvements needs.

### **Introduction**

While the County of Nevada (County) has deployed and ordered a limited number of alternative fueled vehicles for its county fleet to date, a plan is needed to provide a roadmap for supporting required fleet modifications to meet State and Federal requirements over the next 20 years and provide efficient implementation of necessary alternative fuel solutions at certain county facilities for the fleet, staff, and the public. A plan will also help the County meet sustainability goals, potentially reduce costs, and reduce the County's carbon footprint.

### **Background**

The County currently has approximately 351 vehicles and motorized equipment in the fleet within numerous departments as shown below in the following table:

### Summary of Nevada County Vehicle Operators and Types

Operator	Trucks & Autos			Special Vehicles & Equipment	Bus	
	Petrol/ Diesel	Hybrid Currently	Electric Currently		Diesel	Electric Planned
Nevada County Sheriff's Office (NCSO)	79	4	0	4	NA	NA
Roads	24	0	0	54	NA	NA
Nevada County Sanitation District No. 1 (NCSD)	17	0	0	9	NA	NA
Transit	6	1	0	0	10	2
Fleet Motorpool	15	2	2	0	NA	NA
Miscellaneous	98	9	0	13	NA	NA
CURRENT TOTAL	243	16	2	80	10	
OVERALL TOTAL	351					

The transition to lower emission vehicles is underway with 16 hybrids, a two electric vehicles, and several electric busses on order (with more anticipated). Additional battery electric vehicles are also anticipated, though infrastructure needs are a critical factor in determining the pace of the transition.

Transit requirements include that all transit operators must begin the transition to zero emission buses by 2026 with all purchases required to be zero emission buses starting in 2029. Specialized county fleet vehicles and equipment are especially of concern as California Air Resources Board (CARB) requirements will require replacement or decommissioning in upcoming years with varying dates of compliance to be determined.

The current electric vehicle supply equipment (EVSE) infrastructure at 23 County facilities is listed below as well as Planned Non-Public Chargers and the need to evaluate both non-public and public charging needs are indicated as To Be Determined (TBD). Not all County facilities will require charging infrastructure for fleet vehicles, as fleet vehicles are not housed at these locations and additional county facility information is available online at <https://www.nevadacountyca.gov/1122/County-Locations>.

### Summary of Facilities

Facility	Existing Non-Public Chargers	Planned Non-Public Chargers	Public Chargers Needed
Airport - Nevada County	0	TBD	TBD
Animal Shelter	0	0	TBD
Brighton Greens Resource Center	0	TBD	TBD
Crown Point Facility	0	TBD	TBD
District Attorney - 201 Commercial Street	0	TBD	TBD
Eric W. Rood Administrative Center - Fleet Motorpool	4	TBD	TBD
Eric W. Rood Administrative Center - Miscellaneous	0	TBD	
Eric W. Rood Administrative Center - Sheriff	0	TBD	
Facilities Division Office- 10014 N Bloomfield	0	TBD	0
Joseph Center	0	TBD	TBD
Library/Sheriff Substation - Bear River (new planned location at 11010 Combie Road)	0	TBD	TBD
Library - Grass Valley	0	TBD	TBD
Library - Madelyn Helling	0	TBD	TBD
Library - Penn Valley	0	TBD	TBD
Library - Truckee	0	TBD	TBD
Transfer and Recycling Station - McCourtney Road	0	TBD	TBD
Nevada County Sanitation District - Lake of the Pines Wastewater Treatment Plant	0	TBD	TBD
Nevada County Sanitation District - Lake Wildwood Wastewater Treatment Plant	0	TBD	TBD
Nevada County Operations Center – Fleet (for 6 Fleet Dept. vehicles including 2 service trucks and vehicles in for service)	0	TBD	TBD
Nevada County Operations Center - Roads	0	TBD	
Nevada County Operations Center - Transit	0	2	
Wayne Brown Correction Facility	0	TBD	TBD
Sheriff Office Regional Dispatch & Training Facility	0	TBD	TBD
Sheriff - Property Unit 15076 State Highway 49	0	TBD	0
Sheriff - Truckee 10879 Donner Pass Rd	0	TBD	TBD
Transit Center - Tinloy Street	0	1	TBD
Veterans Hall - Grass Valley	0	TBD	TBD
Veterans Hall - Nevada City	0	TBD	TBD

## **II. SCOPE OF WORK/SERVICES REQUESTED**

NCTC is seeking a qualified consultant, or team, with strong qualifications and experience capable of developing an implementable plan that will support the reduction of greenhouse gasses and vehicle emissions in compliance with State and Federal mandates (CARB, Transit, etc.) and requirements (California Building Code, etc.).

The Nevada County Zero Emission Vehicle Transition Plan will provide a roadmap for supporting required fleet modifications to meet State and Federal requirements over the next 20 years and provide efficient implementation of necessary alternative fuel solutions at certain county facilities for the fleet, staff, and the public. The plan should be easily updatable in the future.

The plan should provide recommendations and cost estimates for a reasonable transition of County fleet vehicles and infrastructure sufficient to maintain fleet readiness and responsiveness, and that will be able to grow as additional alternative fueled vehicles are added to the fleet. The plan will need to include specific details for each County facility listed above and identify future maintenance needs and costs for recommended infrastructure. For fleet zero emission infrastructure, the plan will need to evaluate the zero emission options, such as electric, hydrogen, renewable natural gas, or other, and include details on the number of charging stations needed at each facility over that timeframe or a hydrogen distribution and fueling system to ensure the necessary infrastructure is in place to meet the demands of the fleet. The plan will also identify testing equipment needs for the County Agricultural Commissioner/ Weights and Measures Department who is tasked with testing electric charging and other fueling systems for accuracy.

In addition to the infrastructure needed for County fleet vehicle fueling/charging, there is and will continue to be a need for EV chargers for County staff and/or the public at County facilities. The staff and public charging location, timing, and needs will be different from those of the current County fleet, though there may be opportunities to share charging infrastructure or fueling stations to reduce installation and maintenance costs. EV Charging needs should assume that electric vehicle numbers will increase in line with current and anticipated State mandates.

In general, Nevada County population growth is anticipated to be minimal over the next 20 years and so county vehicle and equipment needs should be assumed to increase at about 1% per year over the next 20 years.

### **Task 1.0: Project Administration and Coordination**

#### **Task 1.1: Establish Project Advisory Committee (PAC):**

Establish a PAC consisting of stakeholders to encourage collaboration, facilitate discussion, determine data needs, and share information. PAC meetings should occur quarterly, or at key milestones, over the duration of the plan development. The key points are anticipated to align with the deliverables and tasks listed below and may be combined as appropriate. As determined by the PAC and consultant, meetings and other communications during the study may utilize teleconferencing and webinar formats.

#### **Task 1.2: Kick-off Meeting:**

NCTC staff will hold an initial “kick-off” meeting with the PAC and the selected consultant to discuss the goals and objectives, deliverables, and timeline; and identify any critical or regional issues that should be accounted for during the course of the plan development. In conjunction with this meeting, the consultant will review and identify any data needs that may be required. The consultant will prepare a draft agenda and develop a power point presentation to provide an overview of the plan development process.

**Task 1.3: Monthly Project Manager Meetings:**

The consultant will coordinate with the NCTC Project Manager and a Nevada County representative monthly, by phone, to ensure good communication on upcoming tasks and to make sure the plan remains on time and within budget.

**Task 1.4: Project Management and Invoicing:**

The consultant shall budget sufficient time to oversee the contracting, invoicing, and reporting.

**Task 1.0 Deliverables:**

1. Meeting summary notes from PAC meetings, including discussion and action items.
2. Project timeline.
3. Meeting summary notes from monthly status meetings, including discussion and action items.
4. Monthly invoices and status reports.

**Task 2.0: Data Collection and Analysis**

**Task 2.1 Review Existing Regulations and Requirements:**

The consultant will identify the existing State & Federal regulations, requirements and compliance dates for the entire County fleet including Transit, heavy duty/special vehicles & equipment, and public charging requirements, and provide a summary of assumed industry-anticipated State and Federal mandates.

**Task 2.2 Review Existing Infrastructure:**

The consultant will identify and review existing infrastructure at each facility as well as recommendations for the infrastructure required to support a fleet of zero emissions vehicles. The review of the existing infrastructure should also identify, to the extent feasible, the capacity of the off-site electrical grid systems to support a potential on-site electric vehicle charging system. The consultant will provide a summary of existing vehicles by operator, existing charging/alternative fuel facilities, off-site electric grid capacity, and a summary of the County's current fleet management system.

The review of existing infrastructure should also include a discussion of the status of hydrogen vehicle deployment and distribution systems in California, or elsewhere, if available. The discussion should identify how long the systems have been in place, the agency(s) using hydrogen, the size of the system, capital costs, and ongoing maintenance cost.

**Task 2.3 Identify Alternative Fuels:**

The consultant will identify feasible alternative fuel options for implementation in Nevada County over the next 20 years including a comprehensive cost comparison (i.e., operation and maintenance, fuel/electric/hydrogen costs, equipment/vehicle/infrastructure costs, etc.). The consultant will identify the benefits and disadvantages of each type of feasible alternative fuel, and include the advantage of using Renewable Natural Gas as it relates to Senate Bill (SB) 1383 regulations which, if used, could assist the County in meeting SB 1383 procurement requirements.

**Task 2.0 Deliverables:**

1. Summary Report of Existing Regulations and Requirements
2. Summary Report of Existing Infrastructure
3. Summary Report of Alternative Fuels

### **Task 3.0: Develop Recommendations:**

#### **Task 3.1 Vehicle and Equipment Replacement Plan:**

The consultant will develop a 20-year in-kind phased vehicle and equipment replacement schedule including an analysis of alternatives to gas and diesel and recommendations to comply with all mandated requirements and cost estimates. The schedule needs to consider the lead time for infrastructure including EVSE build-out and/or other alternative fuel systems and include cost estimates. The schedule will need to consider and compare available and reasonably anticipated (per current industry knowledge) technology, vehicles and equipment and all associated costs (i.e., purchase, operation, maintenance, replacement, infrastructure). Each type of vehicle (i.e., see chart above for types and operators) may require independent analysis as mandates and needs of the operator vary. Assumptions will need to be discussed as conditions may change with time including regulations and availability of equipment and infrastructure.

As part of this task, the analysis and recommendations for the public transit fleet should be prepared independently as an initial task due to the accelerated deadline to complete the “Zero Emission Bus (ZEB) Roll Out Plan” by June 30, 2023 and ensure compliance with the Innovative Clean Transit regulation. If this deadline cannot be met, the prospective applicant should articulate a reasonable schedule to complete the ZEB Roll Out Plan.

The consultant will develop recommendations on fleet management system upgrades needed for managing fleet data, and guidelines for charging/refueling of fleet vehicles including, but not limited to, when vehicles should be charged (remaining battery level), usage of DCFC or Level 2 charger, and timing of charging.

#### **Task 3.2 Infrastructure Needs:**

The consultant will develop a 20-year phased infrastructure schedule including cost estimates and:

- The number, type, and location of alternative fuel infrastructure to support the County fleet vehicle replacement schedule.
- EV charging and/or hydrogen/natural gas refueling station needs for County staff and the public at county facilities.
- Recommendations regarding electrical infrastructure installation timeframes as it is often more cost effective to install future electrical infrastructure equipment during the initial installation than having to add electrical wires each time additional stations are required. The electrical equipment installation does not need to include purchasing all the EVSEs.
- Recommendations on the types of EV chargers (i.e., level I, level II, DCFC; smart vs. “dumb” chargers; pay vs. free chargers, etc.) and strategies for charging needed at each location to support optimal charging needs including a duty cycle analysis and energy modeling to inform the charging strategy. ADA compliance will need to be considered with the location of chargers to ensure equipment or cords are not an impediment to foot or wheelchair traffic. This is relevant for staff/public charging use cases, but not applicable to fleet only chargers.
- Detailed electrical needs for each EVSE location specifying electrical system and grid upgrades needed.
- Identification of opportunities for shared use of EVSE between fleet vehicles, County staff, and/or the public, including potential revenue opportunities through fees for staff and/or public use.
- Assumptions will need to be discussed as conditions may change with time including regulations and availability of equipment and infrastructure.
- Local electric utility provider (PG&E and Liberty Utilities in Truckee) requirements and steps on connecting proposed EVSE to new, upgraded, or existing electrical infrastructure.
- Recommendations on maintenance for EVSE including frequency, replacement timelines, cost, and financing options, including estimated annual operating costs for EVSE.
- Review of potential solar and battery storage opportunities at the Nevada County Operations Center.

- Identify testing equipment needs for the County Agricultural Commissioner/Weights and Measures Department who is tasked with testing electric charging and other fueling systems for accuracy.
- Recommendations on contracting opportunities with hydrogen suppliers and developing a hydrogen fueling network in Nevada County. Identification of other special districts, governmental entities, or private companies that could create a secondary market for the sale of hydrogen.
- Recommendations on maintenance of hydrogen distribution equipment and vehicles including frequency, replacement timelines, cost, and financing options, including estimated annual operating costs.
- Identify the potential for operating a mixed zero emission fleet, including the pros and cons.

### **Task 3.3 Plan Implementation:**

The consultant will develop a summary of the equipment and vehicle and infrastructure schedules and will identify available funding sources and recommended options for the vehicle and equipment replacement schedule and infrastructure schedule.

### **Task 3.0 Deliverables:**

1. Summary Report of ZEB Rollout Plan
2. Summary Report of Vehicle and Equipment Replacement Plan
3. Summary Report of Infrastructure Needs
4. Summary Report of Equipment and Vehicle and Infrastructure Schedules

### **Task 4.0: Draft Report**

#### **Task 4.1: Develop Administrative Draft Report:**

The consultant will prepare the administrative draft report for review and comment by the PAC.

#### **Task 4.2: Prepare Draft Report:**

Based on the comments provided by the PAC, the consultant will revise the report accordingly and prepare the draft report for distribution to the County of Nevada and NCTC.

#### **Task 4.3: Present Draft Report to County of Nevada and NCTC:**

The consultant will present a detailed overview of the draft report to the County of Nevada Board of Supervisors as well as the NCTC Commission.

### **Task 4.0 Deliverables:**

1. Administrative Draft Report: The consultant must provide to NCTC **ten (10)** bound copies of the administrative draft report, and an electronic version suitable for reproduction.
2. Draft Report: The consultant must provide to NCTC **ten (10)** bound copies of the draft report and an electronic version suitable for reproduction.

### **Task 5.0: Final Report**

#### **Task 5.1 Integrate Comments into Final Report:**

The consultant will review and incorporate comments provided by the PAC, County of Nevada, and NCTC on the Draft Report and prepare the Final Report.

#### **Task 5.2 Present Final Report to County of Nevada:**

The consultant will present the Final Report to County of Nevada Board of Supervisors highlighting the

findings, recommendations, and incorporated changes made to the document based on comments.

Task 5.0 Deliverables:

1. Final Report: The Consultant must provide to NCTC **fifteen (15)** bound copies of the final report and an electronic version suitable for reproduction.

### III. PROPOSAL FORMAT

A qualifying proposal must address all the following points, in the order shown below:

- A. **Introduction:** (Maximum 3 pages) A brief description of the consultant's firm, including the year the firm was established, type of organization of firm (partnership, corporation, etc.), and any variation in size over the last five years, along with a statement of the firm's qualification for performing the subject services. This section should demonstrate the firm's understanding of electric vehicle fleet conversions, infrastructure requirements, state and federal regulations, and the firm's experience coordinating with local energy providers and the development of similar plans for other entities.
- B. **Technical Approach:** The firm's proposed work plan and time schedule to address the scope of work. Applicants are encouraged to thoroughly articulate the proposed process and steps to achieve the goals of this RFP. The proposed work plan may also include "optional tasks" that add innovative enhancements, technologies, or methodologies that will ultimately improve the utility of plan.
- C. **Project Team:** An organizational chart depicting the individual or team proposed by the firm and time allowed by each team member. A brief summary of the qualifications and experience of each member proposed to work on the project. To assure that the designated personnel are used for the project, reassignment of and/or substitution of any member of the designated project team shall have prior approval by NCTC's Executive Director. If a subconsultant will be used, the proposer must include a summary of the qualifications and experience of the subconsultant.
- D. **Project Schedule and Costs:** The proposed project schedule and cost, including the method of compensation, the hourly rate for principals, employees to be assigned to this project, and a summary of any other related costs that are to be billed directly. A detailed schedule of proposed costs shall be included in the proposal along with a completed **Exhibit 10-H1 Cost Proposal** form (attached). **Include a Classification/Title and an Actual Hourly Rate for each person included in the project. The schedule of proposed costs must match Exhibit 10-H1.**
- E. **Subconsultants:** That portion, if any, of the total project for which the firm will require the services of a subcontracting firm.
- F. **References:** A list of references for similar projects, including contact person, phone numbers, and the professional staff who performed the work.
- G. **Exceptions:** Describe any and all proposed exceptions, alterations or amendments to the Scope of Work or other requirements of this RFP, including the NCTC Standard Agreement attached hereto as Part A. The nature and scope of your proposed exceptions may affect the evaluation of your submittal and the Agencies determination of whether it is possible to successfully negotiate a contract with your firm/individual.



#### IV. PROPOSAL SUBMITTAL

Proposals are to be received at the NCTC office no later than **4:00 p.m. on February 7, 2023**. The transmittal letter should include the name, title, address, phone number, and original signature of an individual with authority to negotiate on behalf of and to contractually bind the consultant or consulting firm, and who may be contacted during the period of proposal evaluation. The letter must also include a statement acknowledging that the consultant or consulting firm has reviewed and accepted the attached NCTC Standard Agreement with or without qualifications. Only one transmittal letter need be prepared to accompany all copies of the technical and cost proposals. Deliver **six (6)** bound copies of the proposals and an electronic version on USB flash drive to Nevada County Transportation Commission, 101 Providence Mine Road, Suite 102, Nevada City, CA 95959. Late proposals will not be accepted.

The Consultant may ask for clarification of the RFP by submitting written questions to Kena Sannar, NCTC's Transportation Planner, at [ksannar@nccn.net](mailto:ksannar@nccn.net). Questions regarding this RFP must be submitted by **January 13, 2023**. No response will be given to verbal questions. NCTC reserves the right to decline a response to any question if, in NCTC's assessment, the information cannot be obtained and shared with all potential organizations in a timely manner. A summary of the questions submitted, including responses deemed relevant and appropriate by NCTC, will be provided on or about **January 20, 2023** to all firms that receive the RFP.

#### V. REVISED SCHEDULE OF ACTIVITIES

ACTIVITIES	DATE
Distribute RFP	December 16, 2022
Distribute Addendum 1 RFP	January 19, 2023
Deadline for Written Questions	January 13, 2023
Responses to Written Questions	January 20, 2023
Proposals Due	February 7, 2023 (4:00 p.m.)
Selection Committee Review of Proposals	February 8-14, 2023
Oral Presentations if Needed	February 22, 2023
Consultant Selection	February 24, 2023
Scope of Work Finalized (Pre-contract meeting)	March 3, 2023
Contract Execution	March 15, 2023
Consultant Begin Work/Project Kick-off meeting	April 3, 2023
Complete the Final Zero Emission Bus Roll Out Plan	June 30, 2023
Project Complete	June 30, 2024

The proposed project schedule may be adjusted to meet the needs of the NCTC or the consultant.

## VI. EVALUATION AND SELECTION PROCESS

### **PROPOSAL EVALUATION CRITERIA**

A Selection Committee will perform an in-depth analysis of all proposals, carefully evaluating each one with the following criteria:

	Relative Weight/Maximum Points
1. Understanding of project requirements, issues, and challenges.	15
2. Approach to be followed and tasks to be performed, including detailed steps, resources required, and proposed project schedule.	20
3. Specialized experience and technical competence of personnel to be assigned to project.	25
4. Relative allocation of resources to key tasks, including the time and skills of personnel assigned to the task and the consultant's approach to managing resources and project output.	15
5. Qualifications of the project leader and assurance of involvement in the project.	15
6. Proposed cost to accomplish the RFP scope of work.	<u>10</u>
Total Points Possible	100

The Selection Committee may recommend selection of a consultant firm based on the evaluation of the proposals or may decide to entertain formal oral interviews of proposers placed on the final short list of proposers. If oral interviews are held, the evaluation of the oral interviews will determine the selection of the recommended consultant firm.

In oral interviews, if held, the Consultant would be expected to provide a 30-minute oral presentation that will be followed by a 15-minute question and answer period, during which the committee may question the prospective consultant about their proposed approaches.

### **ORAL INTERVIEW EVALUATION CRITERIA**

The Selection Committee will carefully evaluate the oral interview based on the following criteria:

	Relative Weight/Maximum Points
1. Presentation by Consultant Team (Overview of Team and Approach to Scope)	25
2. Q&A Session: Responses to Panel Questions	<u>25</u>
Total Points Possible	50

All finalists may be required to participate in negotiations and submit cost, technical, or other revisions of their proposals as may result from negotiations. However, each initial proposal should be submitted on the most favorable terms from a cost and a technical viewpoint.

A consultant will be selected by NCTC staff on or before **February 24, 2023**, based on the Selection Committee evaluation process described above.

## VII. GENERAL CONDITIONS

- A. **Limitations**: NCTC reserves the right to reject any or all proposals or to waive any irregularity or informality in any proposal or in the RFP procedure and to be the sole judge of the responsibility of any proposer and of the suitability of the materials and/or services to be rendered. NCTC reserves the right to negotiate minor deviations to the proposal with the successful consultant.
- B. **Award**: The RFP does not commit NCTC to award a contract, to pay any costs incurred in the preparation of the contract in response to this request, or to procure or contract for services or supplies. NCTC reserves the right to withdraw this RFP at any time without prior notice. Further, NCTC reserves the right to modify the RFP schedule described above.

NCTC may ask RFP finalists to present oral briefings of their proposals. All finalists may be required to participate in negotiations and submit such price, technical, or other revisions of their proposals as may result from negotiations. NCTC also reserves the right to award the contract without oral briefings or discussion, based upon the initial written proposals. Accordingly, each initial proposal should be submitted on the most favorable terms from a price and a technical viewpoint.

NCTC reserves the right to award a contract to the firm or individual that presents the proposal, which, in the sole judgment of the Commission, best accomplishes the desired results.

- C. **RFP Addendum**: Any changes to the RFP requirements will be made by written addenda issued by NCTC and shall be considered part of the RFP. Upon issuance, such addenda shall be incorporated in the agreement documents, and shall prevail over inconsistent provisions of earlier issued documentation.
- D. **Verbal Agreement or Conversation**: No prior, current, or post award verbal conversations or agreement(s) with any officer, agent, or employee of NCTC shall affect or modify any terms or obligations of the RFP, or any contract resulting from this RFP.
- E. **Precontractual Expense**: NCTC shall not be liable for any precontractual expenses incurred by any proposer or selected contractor. Proposers shall not include any such expenses as part of the price proposed in response to this RFP. NCTC shall be held harmless and free from any and all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this RFP.
- F. **Signature**: By submitting a proposal, the proposer certifies that his or her name or the consultant firm's name, as well as the name of proposer subcontractors, does not appear on the Comptroller General's list of ineligible contractors for federally assisted projects.
- G. **Confidentiality**: All proposals, whether selected or rejected, shall become the property of the NCTC. Until award of a contract, the proposals shall be held in confidence and shall not be available for public review. No proposal shall be returned after the date and time set for the opening thereof. Upon award of a contract to the successful proposer, all proposals shall be public records.

## VIII. PAYMENTS AND FINANCIAL CONDITIONS

A budget of **\$230,000 (Two hundred thirty thousand dollars)** has been approved for the Nevada County Zero

Emission Transition Plan contract. At the time of contract negotiations, a payment schedule and amount will be agreed upon between the NCTC and the consultant. Payment will be tied to the completion of the project.

NCTC will not provide financial assistance to the consultant beyond negotiated fees but will collaborate with the consultant and give reasonable cooperation in the collection of information and facilitation of meetings with appropriate agencies.

The contract that results from this RFP will specify a maximum price. All applicable costs may be charged to the contract within the fixed price limit. Appropriate charges may include wages and salaries, overhead, travel, materials, and subcontractor costs.

## **IX. LIMITATIONS ON CONSULTANT**

- A. All reports and pertinent data or materials are the sole property of NCTC and may not be used, reproduced or released in any form without the explicit written permission of NCTC.
- B. Consultant should expect to have access only to the public reports and public files of local governmental agencies in preparing the proposal or reports. No compilation, tabulation, or analysis of data, definition of opinion, etc., should be anticipated by the consultant from the agencies, unless volunteered by a responsible official in those agencies.

## **X. CONFLICT OF INTEREST**

Consultants, subcontractors, and members of any firm proposed to be employed in the preparation of this project must disclose to NCTC any actual, apparent, or potential conflict of interest under the Fair Political Practices Act or other law. If the consultants or firm have no conflict of interest, a statement to that effect shall be included in the proposal.

During the term of this Agreement, the Consultant shall not accept any employment or engage in any consulting work that would create a conflict of interest with NCTC or in any way compromise the services to be performed under this Agreement. The Consultant shall immediately notify NCTC of any and all potential violations of this paragraph upon becoming aware of the potential violation.

## **XI. CONTRACT ARRANGEMENTS**

The consultant is expected to execute a contract similar to the enclosed NCTC's Professional Services Agreement, which meets the requirements of Federal law and Federal regulations:

### **1. Disadvantaged Business Enterprise (DBE) Program Considerations**

The Agreement with the consultant selected is subject to Title 49, Part 26 of the Code of Federal Regulations (49 CFR 26) entitled, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs."

DBE and other small businesses, as defined in Title 49 CFR, Part 26 are encouraged to participate in the performance of agreements financed in whole or in part with federal funds. The consultant or subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of the contract. The consultant shall carry out the applicable requirements of 49 CFR, Part 26 in the award and administration of U.S. Department of Transportation assisted contracts. Failure by the consultant to carry out these requirements is a material breach of the contract, which may result in the termination of the contract or such other remedy, as recipient deems appropriate.

Any subcontract entered into as a result of the Agreement shall contain all of the provisions of this section. NCTC also advises that participation of DBEs is not a condition of award.

The attached **Exhibits 10-O1 and 10-O2** from Chapter 10 of the Caltrans Local Assistance Procedures Manual must be signed and dated by the consultant submitting the proposal. Also, list a phone number in the space provided and print the name of the person to contact.

2. Title VI of the Civil Rights Act of 1964:

The consulting firm and NCTC shall comply with the nondiscrimination program requirements of Title VI of the Civil Rights Act of 1964 as amended and the regulations of the U.S. Department of Transportation issued there under in 49 CFR Part 21.

3. Equal Employment Opportunity:

NCTC will not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract on the basis of race, religion, creed, medical condition, color, marital status, ancestry, sex, age, national origin, or disability. In addition, NCTC requires that any consulting firm hired to perform any work activity does not discriminate against any employee or applicant for employment because of race, religion, creed, medical condition, color, marital status, ancestry, sex, age, national origin, or disability.

## **XII. INSURANCE**

The successful firm or individual shall provide evidence of insurance as stated in the contract prior to execution of the contract.

## **XIII. TERMINATION OF CONTRACT**

Upon failure of performance by the other party, or at NCTC's convenience, either party may terminate the contract upon ten (10) days written notice to the other party. If the contract is to be terminated, the consultant shall be paid the amount due for work properly completed and approved by NCTC, up to the date of the notice of termination, based on the actual costs to the consultant attributable to the project, less any compensation to NCTC for damages suffered as a result of consultant's failure to comply with the terms of the contract.

## **XIV. CONTACT PERSON**

Kena Sannar, Transportation Planner  
Nevada County Transportation Commission  
101 Providence Mine Road, Suite 102 Nevada City, CA 95959  
Phone: (530) 265-3202  
Fax: (530) 265-3260  
Email: [ksannar@nccn.net](mailto:ksannar@nccn.net)

attachments

Part A – NCTC Standard Agreement  
Exhibit 10-H1: Cost Proposal form  
Exhibit 10-O1: Local Agency Consultant DBE Commitment  
Exhibit 10-O2: Local Agency Consultant DBE Information