

**NEVADA COUNTY TRANSPORTATION COMMISSION
REQUEST FOR PROPOSAL
EASTERN NEVADA COUNTY TRANSIT DEVELOPMENT PLAN UPDATE**

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, Town of Truckee, and with 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.

As part of the regional transportation planning process, the NCTC in coordination with the Town of Truckee is seeking proposals from consulting firms with qualifications and experience necessary to update the *Eastern Nevada County Transit Development Plan (ENCTDP)*. It is necessary that the ENCTDP be updated to provide adequate guidance for making operational adjustments, prioritizing investments, and addressing capital needs over the five-year planning period. Additionally, the Town recently completed peak season microtransit pilot programs in summer 2023 and winter 2022-2023 as well as embarked on an off-peak pilot for Spring 2023. As part of this effort, the Town completed a “Microtransit Feasibility Report” that was informed by the 2022 summer pilot. The intent was to evaluate the feasibility of microtransit in Truckee against both the existing fixed route and dial-a-ride services as well as service expansion recommendations in the current 2018 ENCTDP. The firm selected to update the 2018 ENCTDP will be expected to, evaluate and incorporate, findings from the ongoing Microtransit pilot operations and “Microtransit Feasibility Report” by integrating microtransit into the overall service plan. It should be noted that the current fixed route, Dial-a-Ride (DAR), and ADA service is provided by one contractor, while the microtransit pilot project(s) are provided by different operators under a separate contract.

Finally, the Town is in the process of finalizing the update of their General Plan which places a heavy emphasis on alternative transportation to address both existing and future transportation needs and demand. The General Plan is anticipated to be adopted in late spring/early summer 2023 and should be cross referenced for consistency as it relates to the Mobility Element, Climate Action Plan Element, and Downtown Truckee Plan and associated Environmental Impact Report (<https://www.truckee2040.com/>).

Overall Scope Products/Objective

This study will analyze a wide range of service, capital, institutional and management, and financial alternatives. The consultant will evaluate the existing local and regional transit systems in place, (including microtransit service(s)), opportunities for improved coordination in the region, identify the most efficient approach to meet the needs of the public, and carefully identify where transit resources should be prioritized and allocated over the five-year planning period. Public involvement and outreach activities (i.e., community and stakeholder meetings, public forums, on-board surveys, etc.) are integral components of this study and are expected to be included in the consultant’s overall work plan. This should contemplate and include efforts and materials to engage and interact with minority, underrepresented AND vulnerable populations. The final product will guide the provision of services over the next five-year period, within the financial revenues projected, and include a prioritized implementation plan to accomplish the plan recommendations. Minor changes to the scope of work may be necessary to integrate innovative approaches suggested by the consulting firm.

The Plan will include a year-by-year implementation schedule for all plan elements, identifying the responsible parties as well as administrative and financial requirements. Implementation of the recommended plan elements will be reviewed annually by the Town of Truckee and adjustments will be made as necessary to ensure that capital, operating, and financial plans are both realistic and well-coordinated. The NCTC also

reviews transit statistics on an on-going basis and will coordinate closely with the Town of Truckee in relation to administering transit funding and the implementation of the ENCTDP.

In preparing proposals, firms should be advised that Town places a high value on diversity, equity and inclusiveness as part of any planning process and follows the a set of core values known as “The Truckee Way” <https://www.townoftruckee.com/living/the-truckee-way>. This should be taken into consideration as scope, budget and schedule are prepared.

Background Information

A variety of local, regional, and interregional public transit services are operated in and around the Town the Truckee and “Resort Triangle” area. State Route 267, State Route 89, and State Route 28 and the adjacent communities make up the “Resort Triangle” area between the Town of Truckee and Placer's lakeside Tahoe communities. The Town of Truckee contracts with Paratransit Services to provide Dial-A-Ride and fixed route services on a year-round basis within the Town, and fixed route service on a seasonal basis to Northstar Village and the Village at Palisades Tahoe to the south. As part of the year-round service buses serve the Henness Flat, Recreation Center, Truckee Artist Lofts, Downtown Truckee (including the Depot), Tahoe Forest Hospital, Gateway Shopping Center, Crossroads Shopping Center, Coldstream Commons, Donner State Park and the west end of Donner Lake on a fixed hourly schedule from 6:30 a.m. to 6:30 p.m., Monday through Sunday. During the winter season (mid-December through early April) a fixed route service is offered seven days a week between Truckee Depot and Northstar Village and Village at Palisades Tahoe, via State Route 267 and State Route 89, respectively. This winter seasonal service operates on hourly headways between 6:30 pm and 11 pm The Truckee Dial-A-Ride service is offered year-round within the entire Town limits, during the same hours and days as the fixed route service and is available to the general public with priority service for seniors and persons with disabilities.

In summer 2022, the Town initiated a microtransit pilot program to evaluate the long-term viability of microtransit in the Town of Truckee. This pilot program has since been continued as a winter pilot program operating from December 15, 2022 to April 2, 2023 and more recently, as a spring/non-peak season pilot operating from April 3 – June 30, 2023. The microtransit program, known as “TART Connect,” was planned and operated, to compliment, existing services and has not replaced any of the historically operated fixed route and DAR services. The TART Connect microtransit service has been provided by a separate contractor as a “turn-key” operation where the operator, Downtowner Inc., provides all vehicles, drivers, fuel, maintenance, and technology. This contract was procured for a short-term duration (1-2 yrs.) and will most likely be resolicited to be compliant with federal procurement regulations. This should be considered by all firms as part of their proposal submittal.

Placer County operates the Tahoe Truckee Area Regional Transit (TART) within Placer County, as well as routes connecting Truckee to Tahoe City to the south, with financial support provided by the Town of Truckee. TART also operates year-round service between Truckee and Kings Beach via State Route 267, with financial support from the Town of Truckee. Direct transfers to TART are available at Truckee Train Depot. Finally, Placer County also operates a Placer County TART Connect microtransit service that is provided in three (3) zones: Incline Village/Crystal Bay, Kings Beach/Northstar, and Tahoe City/Tahoma. This service is also on a year-to-year contract with Downtowner Inc. and opportunities to streamline contracting should be considered as well.

II. SCOPE OF WORK/SERVICES REQUESTED

Task 1.0: Project Meetings and Coordination

Task 1.1: Project “Kick-off” Meeting: NCTC staff will hold an initial “kick-off” meeting with the Project Advisory Committee (PAC), and the selected project consultant to finalize project goals and objectives, project deliverables, and timeline; and identify any critical and/or regional issues as background to the project.

In conjunction with this meeting, the consultant will review prior studies and other related documents and identify any data needs that will be required.

Task 1.2: PAC Meetings: This study will be guided by a PAC consisting of staff representatives of NCTC, Town of Truckee, TART, and other appropriate stakeholders. NCTC will be responsible for establishing the PAC. The consultant will meet with the PAC at the outset of the study, and meetings will be held at key points during the course of the study development and prior to the finalization of key deliverables.

Task 2.0: Data Collection

Task 2.1: Collect, Review, and Incorporate Relevant Data from Truckee Local and DAR services as well as TART Connect microtransit pilot services as well as from Current and Previous Planning Documents: The consultant will conduct an initial review and analysis of the current and previous transit planning efforts, including the Town's current 2040 DRAFT General Plan Update.

Task 2.2: Collect and Review Existing Demographic and Economic Conditions Information: The consultant will conduct an analysis of existing demographics and economic characteristics of the Tahoe Resort Triangle area including Reno work commute trips as it relates to the need for public transit services. This information will be used to assess transit needs in eastern Nevada County.

Task 2.3: Update Major Activity Centers Data: The consultant will update information relating to major activity centers such as resorts, hospitals, clinics, shopping centers, recreational areas, employment centers, social services, and other major transit generators. This should also contemplate planned and entitled developments such as the Tahoe Forest Hospital Master Plan and Truckee Railyard Master Plan.

Task 2.4 Deliverable: The Consultant will summarize the data and findings of Tasks 2.1, 2.2, and 2.3 in a Memo/White Paper to be reviewed by the PAC. It is assumed that this memo will be incorporated into the Draft Report.

Task 3.0: Analyze Existing Transportation Services

Task 3.1: Collect Existing Fixed Route and Demand Response Services: The consultant will, at a minimum, compile the following data regarding fixed route, demand response services, microtransit, and inter-regional services such as TART Connect, Greyhound and Amtrak ground transportation services:

- Service area and clients served
- Hours of operation and level of service
- Number of passengers and passenger-trips by market segment
- Operating budget, funding sources and financial program information
- Fare structure
- Areas of opportunity for fixed route and demand response/microtransit coordination of services
- Equipment and facilities – including those in project development
- Transit contractor management structure and organization
- Maintenance arrangements
- Existing fleet replacement and bus stop improvement plans
- Marketing efforts, including Title VI engagement and outreach efforts.
- Preliminary Site Identification of Parking Nodes to serve SR 89 and SR 267 Corridors

This information will be collected for the fixed route service, demand response service, and Dial-A-Ride complementary paratransit service.

Task 3.2: Review Existing Ridership Data for Fixed Route and Demand Response Services, including TART Connect: The consultant will evaluate the existing ridership data for each service provided, evaluate ridership by service, and identify ridership patterns.

Task 3.3: Evaluate Opportunities to Reduce the Operating Costs and improve efficiencies of Fixed Route and Dial-A-Ride Services: The consultant will review the current fixed route/Dial-A-Ride services and identify potential opportunities to reduce costs over the plan period. Consultant should assume this would include opportunities to scale service (expand and contract) service, including TART Connect microtransit service, based on demand or other opportunities to supplement or augment Fixed Route and Dial-A-Ride services with TART Connect microtransit model.

Task 3.4: Document Existing Coordination of Services: The consultant will evaluate the existing transportation services and identify the coordination of services where they exist, areas where coordination needs improvement, as well as areas of service and administrative duplication.

Task 3.5 Deliverable: The Consultant will summarize the data and findings of Tasks 3.1, 3.2, 3.3, and 3.4 in a Memo/White Paper to be reviewed by the PAC. It is assumed that this memo will be incorporated into the Draft Report.

Task 4.0: Summarize and Assess Transit Needs

Task 4.1: Review Input Received from the public through various forums and processes: Such as Unmet Transit Needs Hearings, Town General Plan Update, TART Connect rider app and email surveys, customer feedback, etc.: The consultant will review the minutes of the Unmet Transit Needs workshops and public hearings for the last three years as well as customer feedback logs, and comments received from the public, Planning Commission, and Town Council during the General Plan Update that is specifically related to existing and future transit needs.

Task 4.2: Identify High and Low Transit Demand Areas of Eastern Nevada County: The consultant will combine data and input from the existing conditions information, review of current transit services, surveys, and the Project Advisory Committee to identify high and low transit demand areas. Truckee's unique seasonal travel demand and patterns should be considered as part of this demand analysis.

Task 4.3 Deliverable: The Consultant will summarize the data and findings of Tasks 4.1 and 4.2 in a Memo/White Paper to be reviewed by the PAC. It is assumed that this memo will be incorporated into the Draft Report.

Task 5.0: Stakeholder Involvement and Public Outreach

Task 5.1: Review On-board Survey: On-board surveys were conducted in 2022 in coordination with the Tahoe Regional Planning Agency/Tahoe Metropolitan Planning Organization, Tahoe Transportation District, and Placer County. Additionally, a robust app-based and email survey was conducted as part of the TART Connect microtransit pilot programs. The consultant should review the on-board and email surveys to identify whether there is sufficient data available and whether the surveys will still be adequate for the plan update. The survey results can be found at:
<https://www.townoftruckee.com/home/showpublisheddocument/22010/638186375484239067>

The consultant should recommend any supplemental surveys to obtain a clear understanding of actual trip-making patterns of existing ridership, demographic characteristics, and perception of existing services.

If additional surveys are recommended, those surveys should be developed and administered in both English and Spanish.

Task 5.2: Conduct Public Meeting to Gather Additional Input: The consultant will hold two or three (2-3) pop up events and one (1) public workshop in coordination with NCTC staff to obtain input from the general public, potential transit users, School District, major employers, and social service providers. Workshops are to be held in Americans with Disabilities Act (ADA) accessible locations served by public transit to ensure

that they can be attended by the transit dependent population. Workshop information will be noticed in the local newspaper, posted on the NCTC website, Town of Truckee website, social media, and a press release will be sent to other media outlets. Flyers for the workshops will be made available on the buses and posted at bus shelters, and the train depot. All materials shall be in English and Spanish, and the Consultant should consider including Spanish interpreter services as an optional tasks and costs.

All activities under this task should anticipate close coordination with the Town's Community Engagement Manager as well as the Town's Diversity, Equity, and Inclusion Program Manager

Task 5.3 Deliverable: The Consultant will summarize the data and findings of Tasks 5.1 and 5.2 in a Memo/White Paper to be reviewed by the PAC. It is assumed that this memo will be incorporated into the Draft Report.

Task 6.0: Identification and Evaluation of Strategies

Task 6.1: Develop and Analyze Service Alternatives: Service alternatives will be developed by the consultant that focus on ensuring the transit system remains sustainable over the plan period, as well as opportunities to meet identified transit needs that are sustainable. The alternatives will be analyzed in terms of cost effectiveness, efficiency, and meeting the local goals for transit services. At a minimum, the service alternatives should consider the following:

- Enhancements to existing services that are affordable, cost-efficient and sustainable
- Possible changes in the hours of service and service areas that consider Truckee's unique seasonal travel demand and patterns
- Eliminating, restructuring and/or re-defining of service areas with poor performance, as defined by Transportation Development Act and/or Federal Transit Administration
- Analyze possible modifications to the Dial-A-Ride service area or supplementing with TART Connect microtransit
- Review of fare structures and opportunities for alignment with the Placer County's Tahoe Truckee Area Regional Transit fare structure
- Potential service expansions that are sustainable and meet identified existing and future gaps and needs
- Review both preventative and routine maintenance practices
- Review opportunities for increased coordination with regional transit providers and human service agencies, including those in Washoe County, NV
- Explore areas of coordination and collaboration of fixed route and demand response services as well as private services such as those operated by Palisades Tahoe and Northstar resorts.
- Opportunities for enhanced bicycle integration with transit and other recreation equipment such as skis and snowboards
- Senior and mobility impaired focused transit services
- Discussion of the Resort Triangle Transit Vision Coalition's "Transit Vision Plan" including background, implementation opportunities, and funding opportunities
- Discussion of opportunities and constraints for Transportation Network Companies type services to expand into the Truckee area
- Possible modifications to the fixed route service, given the recent success of the special event shuttle services, including expansion of routes to key neighborhoods now currently served by TART Connect microtransit service.
- Additional consideration and analysis should be given to the relocation of the downtown primary transit hub transitioning from its current location at the Train Depot to the Truckee Railyard Mobility Hub planned and designed to be constructed at the "North Balloon Track" in the Truckee Railyard.
- Status quo
- In-depth analysis of the cost and logistics to operate the any and/or all transit services (in-house) by the Town of Truckee

- All scenarios should consider progress toward achieving targets for reductions in Vehicle Miles Traveled and associated reduction in greenhouse gas emissions.

Task 6.2: Identify Options to Increase Efficiency and Effectiveness of fixed route and Dial-A-Ride services operating alongside with TART Connect microtransit OR absorbed by TART Connect microtransit: The consultant will evaluate ways to increase the efficiency and effectiveness of the fixed route and Dial-A-Ride services, as well as coordination opportunities.

Task 6.3 Deliverable: The Consultant will summarize the data and findings of Tasks 6.1 and 6.2 in a Memo/White Paper to be reviewed by the PAC. It is assumed that this memo will be incorporated into the Draft Report.

Task 7.0: Develop Capital, Financial, and Management Alternatives

Task 7.1: Identify Capital Needs Over the Five-Year Plan Period: The consultant will inventory and assess the existing transit stops and potential stops along new routes. This will be done in coordination with Task 2.3 and associated activity centers. In addition, the consultant will analyze the need for acquisition of replacement and expansion vehicles specific to service recommendations and incorporate local goals and objectives as well as state mandates associated with fleet electrification. The capital plan developed will need to take into consideration funding sources available to the Town of Truckee, such as Senate Bill 1 State of Good Repair and other state and federal capital funding programs.

Task 7.2: Identification of Funding Sources Over the Five-Year Plan Period: The consultant will identify Transportation Development Act funds, Federal Transit Administration funds, joint funding with adjacent jurisdictions, fare structure alternatives, and private funding partnership opportunities. The consultant will develop realistic transit revenue projections for each year of the five-year plan. Additionally, the consultant will develop strategies to help ensure continued transit funding in eastern Nevada County.

The Town is also in the process of developing a public polling effort to determine the likelihood of the passage of a sales tax increase to fund current and future transit operational and capital needs. While this will be done as part of a standalone effort this should be taken into account as part of this task.

Task 7.3: Institutional and Management Alternatives: The consultant will review the management of the public transportation system and develop strategies that can best further the goals of the transit program. This task will include looking at existing partnership agreements that currently exist with other public agencies such as Placer County, Truckee/North Tahoe Transportation Management Association, and the Truckee/Tahoe Airport District.

Task 7.4 Deliverable: The Consultant will summarize the data and findings of Tasks 7.1, 7.2, and 7.3 in a Memo/White Paper to be reviewed by the PAC. It is assumed that this memo will be incorporated into the Draft Report.

Task 8.0: Draft Report

Task 8.1: Preparation and Presentation of Draft Report: The consultant will prepare an administrative draft report for review and comment by the PAC. Comments received from the PAC will be incorporated into the final draft report and presented by the consultant to the Nevada County Transportation Commission, Truckee Planning Commission, and Truckee Town Council.

Task 9.0: Final Report

Task 9.1: Preparation and Presentation of the Final Report: The consultant will consider, respond to, and incorporate the comments received on the draft report into the final report, as appropriate, and present it at a meeting of the NCTC and Truckee Town Council if requested.

III. DELIVERABLE PRODUCTS

The consultant must provide NCTC with an electronic PDF copy of the administrative draft for review and comment. Ten (10) bound copies and a reproducible electronic of the draft final report. Once considerations and changes are fully addressed, the consultant must complete the final report and deliver fifteen (15) bound copies, one reproducible unbound original copy, and all electronic files used to generate tables, documents, and maps (e.g., Microsoft Word, Excel, and ArcMAP shapefiles, etc.) to NCTC.

IV. PROPOSAL FORMAT

A qualifying proposal must address all of 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. Also include a brief summary of the firm's experience with similar projects, including those in mountain resort communities.
- B. **Technical Approach:** The firm's proposed work plan and time schedule to address the scope of work and any innovative approaches.
- C. **Project Team:** An organizational chart depicting the individual or team proposed by the firm and time allocated by each team member and top three (3) projects the team member is currently assigned to and when those projects will be complete. Include 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 written approval by the NCTC Executive Director.
- 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. Schedule shall include all major milestones and critical path and consider the uniqueness of Truckee's resort economy and travel patterns and demand. Therefore, tasks will need to be scheduled around peak and shoulder season.
- 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 in similar communities, including contact person, phone numbers, and the professional staff who performed the work.

V. PROPOSAL SUBMITTAL

Proposals are to be received at the NCTC office no later than 4:00 p.m., **June 1, 2023**. Deliver three (3) bound copies of the proposal and an electronic copy on a flash drive to the 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 the NCTC's Transportation Planner, Kena Sannar at ksannar@nccn.net. Questions regarding this RFP must be submitted

no later than **May 16, 2023**. No response will be given to verbal questions. NCTC reserves the right to decline a response to any question if, in the 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 the NCTC, will be provided on or about **May 19, 2023**, to all firms that receive the RFP.

Oral interviews and presentations, if deemed necessary, are tentatively scheduled to be held between **June 20-22, 2023**.

VI. SCHEDULE OF ACTIVITIES

ACTIVITIES	DATE
Email RFP	May 2, 2023
RFP Question Submittal Deadline	May 16, 2023
NCTC Post Responses to Questions	May 19, 2023
Proposals Due	June 1, 2023
Selection Screening of Proposals	June 2-15, 2023
Oral Interview if needed	June 20-22, 2023
Consultant Selection	July 10, 2023
Contract Execution	July 19, 2023
Project Kick-off Meeting	August 1, 2023
Admin. Draft Report for Review and Comment	March 1-29, 2024
Draft Report Delivered to NCTC	April 19, 2024
Present Draft Report to NCTC	May 15, 2024
Present Draft Report to the Truckee Town Council	May 2024 (TBD)
Final Report Delivered to NCTC	June 28, 2024
Project Complete	June 30, 2024

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

VII. EVALUATION AND SELECTION PROCESS

EVALUATION CRITERION

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

	Relative Weight/Maximum Points
1. Understanding of project requirements, issues, and challenges.	20
2. Approach to be followed and tasks to be performed, including detailed steps, resources required, and proposed project schedule.	25
3. Specialized experience and technical competence of personnel to be assigned to project.	20
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.	<u>20</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 on or before **July 10, 2023**, based on an evaluation of the proposals submitted, oral interviews if deemed necessary, and the recommendation of the Selection Committee.

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.

IX. PAYMENTS AND FINANCIAL CONDITIONS

A budget of \$75,000 (seventy-five thousand dollars) has been approved for the Eastern Nevada County Transit Develop 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.

X. 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.

XI. 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.

XII. 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.

XIII. INSURANCE

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

XIV. 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.

XV. 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

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