



REQUEST FOR PROPOSAL

FOR

Transit Advertising Program

**Solano County Transit (SolTrans)
Vallejo, California**

SOLICITATION NO. 2019-RFP-03

**PROPOSALS DUE
May 10, 2019**

ISSUED FOR SOLICITATION

April 12, 2019

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I. NOTICE TO CONTRACTORS

NOTICE IS GIVEN that sealed proposals are requested by Solano County Transit, (SolTrans), a Joint Powers Authority, for Transit Advertising Program. All proposals shall be submitted in response to the conditions of this “REQUEST FOR PROPOSALS” for Transit Advertising Program (hereinafter referred to as RFP),” dated April 12, 2019, said RFP being on file in the offices of SolTrans located at 311 Sacramento Street, Vallejo, California, 94590.

Proposals must be submitted in a sealed envelope and appropriately labeled as described in the Section entitled Schedule & Submittal Instructions. Proposals must be received at the offices of SolTrans, at or before 2:00 p.m. PST on May 10, 2019.

Proposals received after 2:00 p.m. on May 10, 2019 may be returned unopened.

A. Obtaining Documents

Proposal documents may be obtained in person at the SolTrans office at 311 Sacramento Street, Vallejo, California, 94590, or electronically at:

<http://www.soltransride.com/about-soltrans/doing-business-with-soltrans/procurements>

Documents requested by mail will be packaged and sent postage-paid.

B. Vendor Registration & Addenda Request Form

Proposers and their subconsultants must complete the Vendor Registration & Addenda Request Form at the following website address:

<http://www.soltransride.com/about/doing-business-with-soltrans/vendor-registration-form/>

If any Proposer has difficulty using or accessing the form at the link above, please call (707) 736-6990 for assistance, or you may contact the designated Project Manager for this solicitation at least 3 days prior to the deadline for submission of Proposals.

C. Validity of Proposals

Proposals and subsequent offers shall be valid for a period of not less than One-Hundred Twenty (120) days after proposal deadline.

D. Pre-Proposal Conference

No pre-proposal conference will be held for this project.

E. Proposal Inquiries and Contacts

Inquiries may be submitted via email, personal delivery, or by mail (return receipt requested). Proposal inquiries submitted by personal delivery shall be deemed received at the date and time of delivery. SolTrans is under no obligation to consider any proposal inquiries that are not submitted as provided herein.

More information, and all communications regarding this Request for Proposal, including those seeking clarification of the RFP documents, must be submitted in writing (email preferred), and directed to:

Mandi Renshaw
Program Analyst II
311 Sacramento Street
Vallejo, CA 94590
mandi@soltransride.com
(707) 736-6990

All emails sent to mandi@soltransride.com will receive a brief confirmation email in return. PROPOSERS who do not receive a confirmation within one day of submitting questions or requests for clarification should contact the Project Manager listed above to confirm receipt or to resubmit questions and clarifications.

F. Equal Employment Opportunity and DBE/SBE Requirements

It is SolTrans' policy to ensure that Contractors shall not discriminate based on race, color, religious creed, national origin, ancestry, sex, physical disability or other protected class in the performance of SolTrans contracts.

Although there is no specific goal or requirement to include Disadvantage Business Enterprises (DBE) for this project, SolTrans highly encourages the participation of Disadvantaged Business Enterprises (DBE). SolTrans encourages all prime Contractors to utilize qualified SBE (Small Business Enterprise) sub-Contractors on SolTrans projects, and promotes the direct purchase of goods from qualified SBEs by utilizing SBE vendors when such vendors are available and the price of the goods or services sought is reasonable.

SECTION 1. GENERAL INFORMATION

1.1 Introduction

SolTrans is issuing this Request for Proposals (RFP) with the intent of selecting a Contractor, to provide and manage a revenue-generating Transit Advertising Program. The goal of this solicitation is to enter into a Contract with a qualified firm that will be able to best meet SolTrans' needs.

SolTrans has prepared a Scope of Services (see Section 7) and a Sample Standard Contract (see Appendix A) that define the scope, performance standards, term, compensation mechanism, insurance requirements, and other contractual issues.

Proposers shall provide a clear, concise explanation of the proposer's capability to satisfy the requirements of this RFP and the attached Sample Standard Contract. Each proposal shall be submitted in the requested format and shall provide all pertinent information, including but not limited to, information relating to the contractor's capability, experience, financial resources, management structure and key personnel, and other information as specified in Section Four (4) or otherwise required in this RFP.

Solano County Transit is referred to as "SolTrans". Proposers are referred to as the "PROPOSER" or "Bidder" or "Contractor" or "CONTRACTOR".

1.2 Organization of the RFP

The RFP is organized into seven (7) sections, and includes Appendices A, B, and C.

Section 1 consists of information regarding the introduction and purpose, RFP organization, SolTrans' rights, PROPOSER responsibilities, contact restrictions, consequence of proposal submission, and cost of submitting proposals.

Section 2 contains background information, including relevant project and other related information.

Section 3 identifies the procurement schedule and proposal submittal instructions.

Section 4 provides instructions on the required content of the proposals.

Section 5 describes the evaluation and selection process and criteria.

Section 6 identifies the protest procedures.

Section 7 describes the type of services SolTrans is requesting to be performed.

The appendices contain additional information required for proposal preparation, which include the Sample Contract, the Required Certification Forms, and the SolTrans Advertising Policy.

1.3 SolTrans' Rights

SolTrans' rights include, but are not limited to, the following:

- ❑ Issuing addenda to the RFP, including extending or revising the timeline for submittals.
- ❑ Withdrawing, reissuing or modifying the RFP.
- ❑ Requesting clarification and/or additional information from any PROPOSER at any point in the procurement process.
- ❑ Executing a Contract with a PROPOSER on the basis of the original written proposal (without conducting interviews or negotiations) and/or any other information submitted by the PROPOSER during the procurement process.
- ❑ Rejecting any or all proposals, waiving irregularities in any proposals, accepting or rejecting all or any part of any proposals, waiving any requirements of the RFP, as may be deemed to be in the best interest of SolTrans.
- ❑ Proposals shall be evaluated on a "Best Value" basis. This solicitation will utilize the Federal Transit Administration's (FTA) Best Practices Manual's definition of "Best Value" as follows:
"Best Value" is a selection process in which proposals contain both price and qualitative components, and award is based upon a combination of price and qualitative considerations. Qualitative considerations may include technical design, technical approach, quality of proposed personnel, and/or management plan. The award selection is based upon consideration of a combination of technical and price factors to determine (or derive) the offer deemed most advantageous and of the greatest value to the procuring agency.
- ❑ SolTrans may, but is not bound to, commence negotiations with selected PROPOSERS deemed by SolTrans to be within the "competitive range". The "competitive range" will consist of those proposals which have a reasonable chance, following committee initial evaluation of proposals in accordance with the published RFP evaluation criteria, of being selected for award. The competitive range may be selected and refined by the selection committee at any time following initial review of the written proposals.
- ❑ SolTrans reserves the right to audio and video record any and all live meetings, including conferences and interviews, with potential and actual PROPOSERS and staff during any and all phases of this RFP process. All recordings shall be deemed confidential until after the notice of intent to award is issued with the exception of open public meetings.

1.4 PROPOSERS' Responsibilities

It is the responsibility of each PROPOSER to:

- ❑ Examine this RFP, including all appendices and the attached Contract, thoroughly.
- ❑ Register as a SolTrans Vendor at www.soltransride.com/about-soltrans/doing-business-with-soltrans/vendor-registration-form.
- ❑ Become familiar with local conditions that may affect cost, permitting, progress, performance, or services described in this RFP.

- ❑ Consider all federal, state and local laws, statutes, ordinances, regulations and other applicable laws, rules and regulations that may affect costs, permitting, progress, performance, or services.
- ❑ Clarify, with SolTrans, any conflicts, errors, or discrepancies in this RFP prior to the Proposer Questions/Clarifications submission deadline as provided in the RFP Schedule.
- ❑ Agree not to collaborate or discuss with other PROPOSERs the content of the proposal or service fees proposed.
- ❑ Prior to submitting a proposal, each PROPOSER will, at his/her own expense, make or obtain any additional examinations, investigations, and studies; and obtain any additional information and data that may affect costs, permitting, progress, performance or furnishing of the project that PROPOSER deems necessary to determine its proposal.
- ❑ Each PROPOSER shall use mail, fax, email or other delivery method or mechanism at its own risk, and SolTrans shall not be obligated to accept or respond to any submission that is delayed due to delivery failures.

1.5 Consequence of Submission of Proposal

The submission of a proposal will constitute a binding representation and warranty by the PROPOSER that the PROPOSER has reviewed all aspects of the RFP and its proposal; that the PROPOSER is aware of the applicable facts pertaining to the RFP process, its procedures and requirements; that the PROPOSER has read and understands the RFP and has complied with every requirement; that without exception, the proposal is premised upon performing and furnishing the services and equipment required by this RFP and the attached Contract and such means, methods, techniques, sequences or procedures as may be indicated in or required by this RFP and the Contract; and that the RFP is sufficient in scope and detail to indicate and convey understanding of all terms and conditions for performance and furnishing of the project.

The submission of a proposal shall not be deemed an agreement between the PROPOSER and SolTrans. The proposal is a contractual offer by the PROPOSER to perform services in accord with the proposal. Specifically, the following provisions apply:

- ❑ SolTrans shall not be obligated to respond to any proposal submitted nor be bound in any manner by the submission of a proposal.
- ❑ Acceptance of a proposal by SolTrans obligates the PROPOSER to enter into a Contract with SolTrans for the performance of the services chosen by SolTrans at its sole discretion.
- ❑ The Contract shall not be binding or valid against SolTrans unless and until it is executed by SolTrans and the selected PROPOSER, and any required bonding, insurance, or other surety guarantee has been accepted by SolTrans.
- ❑ The proposals received shall become the exclusive property of SolTrans. At such time as a Notice of Intent to Award is issued, all proposals submitted in response to this RFP shall become a matter of public record and shall be regarded as public record, with the exception of those elements in each proposal which are trade secrets as that term is defined in Government Code section 6254.7 and which are so marked as “TRADE SECRET”, “CONFIDENTIAL” or “PROPRIETARY”. Every page of the proposal containing such

information shall be clearly marked as such on the top of each page containing information corresponding to the designation. However, proposals that indiscriminately identify all or most of the proposal as exempt from disclosure with justification may be found technically unacceptable. SolTrans shall not in any way be liable or responsible to any PROPOSER or other person for any disclosure of any such records or portions thereof, whether the disclosure is deemed to be required by law, by an order of a court, or occurs through inadvertence, mistake, or negligence on the part of SolTrans or its officers, agents or employees.

1.6 Cost of Submitting Proposals

- The cost of investigating, preparing, and submitting a proposal is the sole responsibility of the PROPOSER and shall not be chargeable in any manner to SolTrans. SolTrans will not reimburse any PROPOSER for any costs associated with the preparation and submission of a proposal, including but not limited to, expenses incurred in making an oral presentation, participating in an interview, or negotiating a Contract with SolTrans.

SECTION 2. BACKGROUND

This section includes background information relevant to the scope of services. Please note that the data provided is for informational purposes only. SolTrans does not certify the accuracy of the information provided. PROPOSER should not rely on this section for developing proposals and service costs.

2.1 Agency Description

SolTrans is a Joint Powers Authority that provides public transportation to the Southern Solano County Cities of Vallejo and Benicia.

The SolTrans Joint Powers Agreement was approved in the Fall of 2010 by the City of Benicia, the City of Vallejo, and Solano Transportation Authority to build a unified public transit system in Southern Solano County. On July 1, 2011, SolTrans officially assumed responsibility for transit operations and all its related public transit programs, previously provided for by its member Cities of Vallejo and Benicia.

SolTrans provides local and express bus service to the Solano County Cities of Vallejo, Benicia and Fairfield, with express bus service connecting to the Contra Costa County communities of El Cerrito, Pleasant Hill and Walnut Creek, with regional connections to rapid transit service. There are currently 13 routes in operation. The SolTrans fixed route fleet consists of 21 diesel hybrids, 3 conventional diesel, and 2 battery electric buses for local service and 16 over-the-road buses for express service, powered by compressed natural gas.

In addition to fixed route service, SolTrans provides ADA complementary paratransit bus service, general public dial-a-ride service within Benicia, and administers a Local Taxi Scrip Program and partners with Solano County agencies in the Intercity Taxi Scrip Program. The demand response fleet consists of 12 gasoline powered cutaway vehicles.

Organizational Structure

There are 13 staff that work directly for SolTrans located at 311 Sacramento Street, Vallejo Transit Center (“VTC”). The Agency contracts with National Express Transit (“NEXT”) to perform the operations and maintenance functions of the transit system. There are approximately 110 NEXT employees who consist of drivers, road supervisors, dispatchers, customer service representatives, mechanics for vehicle, bus stop maintenance, and maintenance of the operation and maintenance facility at 1850 Broadway Street, Vallejo. In addition, there are five NEXT management personnel. Customer service functions are performed at VTC as well as at the operations and maintenance facility. SolTrans also operates the Curtola Park and Ride lot at 801 Curtola Parkway in Vallejo.

2.2 Project Description

Solano County Transit (referred to as “SolTrans”) is seeking proposals from qualified firms or individuals to provide and manage a Transit Advertising Program in a manner acceptable to SolTrans. The advertising will consist of both exterior and interior spaces on SolTrans vehicles used in revenue service, and including designated bus shelters. The Project shall include the furnishing of all labor and services as set forth in the Scope of Work under Section 7 of the RFP. SolTrans expects the successful Proposer to administer all approved forms of advertising as well as all aspects of development, manufacturing and installation of advertisements. The successful Proposer will be responsible for the complete management of all necessary and desired components relative to the provision of the Transit Advertising Program. Specific tasks and details are further described in the Scope of Work.

The resulting contract will be for an initial three (3) year base term with two (2) additional one (1) year option terms exercised at SolTrans’ sole discretion. Should SolTrans determine to exercise an option, SolTrans will notify the Contractor of its determination, in writing, at least sixty (60) days prior to the end of the base term or option term.

SECTION 3. SCHEDULE & SUBMITTAL INSTRUCTIONS

3.1 Schedule

SolTrans will attempt to adhere to the following schedule. This schedule may change due to unforeseen circumstances and at the sole discretion of SolTrans. Changes will be conveyed to proposers at the earliest opportunity possible through a written addenda.

Activity	Date
Request For Proposal Release Date	APRIL 12
Pre-Proposal Conference	N/A
Deadline for written Questions	APRIL 24; 2:00 P.M. PST
SolTrans Responses to Written Questions	APRIL 26
Proposals Due from Offerors	MAY 10, 2019; 2:00 P.M. PST
Interviews (If Required)	MAY 14 & 15 (Time TBD)
Projected Notification of Intent to Award Date	May 20
Projected Contract Start Date	JULY 1, 2019

All dates following proposal submission date are estimated and are subject to change.

3.2 Proposal Submission Requirements

Sealed proposals must be received by SolTrans, in accordance with the Notice to Contractors and the RFP Schedule listed in Section 3.1. If not previously delivered by mail, proposals may be hand-delivered to the SolTrans Ticket Office at the address below, on the due date and time listed in the Notice to Contractors and the RFP Schedule listed in Section 3.1. Proposals shall be in sealed packets labeled “2019-RFP-03 Transit Advertising Program” to:

Mandi Renshaw
Program Analyst II
311 Sacramento Street
Vallejo, CA 94590
mandi@soltransride.com
(707) 736-6990

Proposals should be limited to 20 pages unless otherwise specified in the Solicitation. This 20 - page limitation does not include SolTrans Forms and Certifications, resumes and price proposal. Standard marketing materials and brochures are also not included in the page limitation and are discouraged.

□ **Technical Proposal**

Three (3) hard copies of the proposal and one (1) electronic PDF copy on a USB flash drive must be received by SolTrans by the RFP Proposal due date and time listed in the Notice to Contractors and the RFP Schedule listed in Section 3.1. Technical proposals must be in a sealed envelope and marked “Technical Proposal for 2019-RFP-03 Transit Advertising Program.”

□ **Price Proposal**

Three (3) hard copies of the proposal and one (1) electronic PDF copy on a USB flash drive must be received by SolTrans by the RFP Proposal due date and time listed in the Notice to Contractors and the RFP Schedule listed in Section 3.1. Price Proposals must be in a *separate* sealed envelope and labeled “Price Proposal for 2019-RFP-03 Transit Advertising Program.”

Proposals received after the specified date and time provided in the Notice to Contractors shall be considered late and may not be considered for award.

3.3 Proposal Content Requirements

All proposals must include the following:

A. Cover letter that provides the following information:

- a. Name, address, and telephone email and fax number of PROPOSER and key contact person.
- b. Date of establishment and description of type of business organization (e.g., corporation, partnership, limited liability company, including joint venture teams and subcontractors) submitting proposal.
- c. Name of entity that would sign a Contract if one is negotiated for this project.
- d. A written statement warranting that the requirements of the project as described in this RFP, its appendices and all addenda, by listing all addenda and dates received hereto, have been reviewed and the PROPOSER has conducted all necessary due diligence to confirm material facts upon which the proposal is based.
- e. A written statement acknowledging validity of the proposal contents, costs, and services fees for a period of 120 days after the submission deadline.
- g. An officer or agent of the PROPOSER who is duly authorized to bind the company to the proposal must sign the cover letter.

B. Executive Summary (not to exceed 2 pages) that highlights the major elements of PROPOSER’S qualifications and proposal. The summary should clearly convey that the proposer understands the nature of the work and the general approach to be taken. All information should be provided in a concise manner.

- C. **Responses to all required elements requested in Section 4.** The proposal responses shall be organized in identifiable sections as outlined in Section 4 of this RFP, so that all requested information can be readily found.
- D. **Completion and inclusion of all required forms (as listed in Appendix B).** All PROPOSERS shall complete, sign and include all required forms in their proposal. Any proposal that does not contain the required forms may be deemed non-responsive.
- E. **All pages** of the proposal must be numbered for reference.

SolTrans may waive any immaterial technical variations at its sole discretion.

3.4 Pre-Proposal Conference

A pre-proposal conference (if appearing in the Notice to Contractors RFP Schedule) will be held at the time and place indicated in the Notice to Contractors. If there is no Pre-Proposal date in the RFP Schedule, then there will be no Pre-Proposal conference. Questions brought up at the conference, will be answered, to the extent possible, at that time. Any questions that require modification to the meaning or intent of the RFP must be submitted in writing.

Responses to written questions and answers will be posted on the SolTrans website:

<http://www.soltransride.com/about/doing-business-with-soltrans/procurements/>

Any changes, interpretations, or clarifications considered necessary by SolTrans in response to PROPOSER's written questions will be posted online at the above website address as **addenda**. Only answers issued in writing and/or posted on the SolTrans website by SolTrans will be binding on SolTrans. Oral and other interpretations or clarifications including those provided at the pre-proposal conference will be without legal effect.

3.5 Written Questions

PROPOSERS may submit written questions and requests for clarification or additional information regarding the meaning or intent of the RFP content, its process and appendices. Written questions and requests for clarification must be received no later than 2:00 p.m. on the date listed in the RFP Schedule.

The preference for method of submission of written questions is via email to the following SolTrans staff:

Mandi Renshaw
Program Analyst II
mandi@soltransride.com

SolTrans will not respond to questions received after the time and date listed in the RFP Schedule. Due consideration will be given to the time it may take to respond to SolTrans' final responses to questions. All written questions and answers between SolTrans and PROPOSERS,

including changes, interpretations, or clarifications considered necessary by SolTrans will be documented and posted online as addenda at the website address provided in Section 3.4 above.

Only answers issued in writing and/or posted on the SolTrans website by SolTrans will be binding on SolTrans. Oral and other interpretations or clarifications, including those provided at the pre-proposal conference will be without legal effect.

3.6 Interviews

SolTrans reserves the right to base its decision solely on the written proposals without performing interviews. PROPOSER may be asked to clarify proposal information through writing or interviews. The clarification period will begin when the proposals are submitted. PROPOSERS shall be prepared to attend an interview with the Evaluation Committee, *only if one is required*. The PROPOSER's selected team or individual must be available to answer questions at the interview and may be questioned individually.

SolTrans reserves the right to audio and/or video record any and all live meetings, including conferences and interviews, with potential and actual PROPOSERS and staff during any and all phases of this RFP process.

The interview, only if interviews are required, will occur in accordance with the RFP Schedule. The PROPOSER will be advised of the specific time and place. PROPOSERS will be provided information with regard to specific accommodations that will be made when they are provided the specific place and time of interviews. Submission of a proposal does not guarantee the Proposer an interview.

3.7 Accuracy in Reporting Requested Information

Information submitted as part of the proposal will be subject to verification. Inaccurate information or information that is misleading will, at the sole discretion of SolTrans, be grounds for removal of a proposal from further consideration. Should a PROPOSER be awarded a Contract as a result of this RFP, inaccurate or misleading information included in the proposal and subsequently discovered by SolTrans will be, at SolTrans' sole discretion, grounds for default.

SECTION 4. PROPOSAL REQUIREMENTS

4.1 Performance Requirement

The successful PROPOSER (hereafter “CONTRACTOR”) will be required, at all times during the terms of the Contract, to perform all services diligently, carefully, and in a professional manner; and to furnish all labor and supervision, as required under the Contract. Any proposal submitted must be for the entire scope of services. The CONTRACTOR shall conduct all work in the CONTRACTOR’s own name and as an independent contractor, and not in the name of, or as an agent for SolTrans.

4.2 Content of Technical Proposals

The following items must be included in the PROPOSER’s technical proposal for it to be considered complete and responsive.

A. Documentation of Qualifications and Related Experience

Provide a brief narrative description of your firm’s background and experience in providing the work or services described in the scope of services section of this RFP, as it relates to Advertising Services for public transit agencies. Proposer must demonstrate that it has the experience and capability to provide and manage a Transit Advertising Program. Proposer must also demonstrate that it has the capacity and ability to conduct a sales program designated to produce maximum advertising income for SolTrans.

Proposer should include, as attachments, any examples of artwork, designs and photographs of successful installations.

B. Client References

Provide a client reference list of no less than three (3) public transit or other government clients for which the PROPOSER provides or has provided similar work services as those requested by SolTrans (not including any projects completed for SolTrans). Client references shall be current (where PROPOSER is currently providing services to the client) or recent (where, within the past three calendar years, PROPOSER has provided services to the client). The Client reference contact information shall include the name of agency, status of the contract, contact person, telephone numbers, and a valid email.

C. Financial Stability and Solvency

A statement of your firm’s financial condition, strength, stability, capacity, and resources. Include at least one bank reference.

D. Technical Approach and Methodology

Describe your firm’s approach to providing the services described in the RFP Scope of Services. The proposal should set forth the marketing plan, including but not limited to staffing levels, marketing the advertising sales based on SolTrans’ available ad space, and aimed at securing

business from all potential advertisers, national, regional, and local. Proposer must describe all other services to be performed as required in the Scope of Services.

E. Certifications, Forms and Declarations (Appendix B)

PROPOSER shall sign and complete the following forms:

- Non-Collusion Affidavit for Contractor
- Certification Regarding Debarment, Suspension, and other Responsibility Matters
- Listing of Subcontractors

4.3 Content of Payment/Compensation Proposal

The following items must be included in the PROPOSER's price proposal for it to be considered complete and responsive.

- A. Minimum guaranteed payment for compensation to SolTrans for each year of the proposed contract
- B. Percentage rate on sales revenue to be paid to SolTrans. Specifying the basis on which the percentage rate will be applied (gross and net revenue and what expenses are deducted to determine net revenue).
- C. Method of payment to be used (i.e., monthly, quarterly, semiannually or annually).
- D. Compensation structures must be outlined for SolTrans with corresponding rationale. Proposers must submit a table showing gross revenue, expenses, and their calculation of the net revenue broken down by advertising type anticipated to be paid to SolTrans during the initial three (3) year term of the agreement, and including the two (2) option years.

4.4 Insurance

- Proposer must provide documentation of its ability to provide insurance in accordance with the Sample SolTrans StandardContract in Appendix A.

4.5 Willingness to Accept Proposed Arrangements

Submission of a proposal constitutes an offer to enter into a binding legal contract with SolTrans on all of the terms specified in this RFP (including Section 7 – Scope of Services, Appendix A - Sample SolTrans Contract, Appendix B - Required Certification Forms, and Appendix C – SolTrans Advertising Policy).

SECTION 5. EVALUATION AND SELECTION

5.1 Evaluation and Selection Process

Proposals submitted in response to this RFP will be evaluated by the Evaluation Committee established by SolTrans, in accordance with the criteria and procedures set forth in this Request for Proposals. This section incorporates those rights and procedures noted in RFP Section 1.3 - SolTrans' Rights.

The primary desire of SolTrans for this procurement is to ensure an award will be made based on the highest quality of service that best matches SolTrans' requirements using the Best Value methodology.

The Evaluation Committee will submit its recommendation for an award to be made based upon the Evaluation Committees' determination of the responsible Proposer whose proposal is most advantageous to SolTrans.

5.2 Evaluation Criteria

The following items constitute the evaluation criteria (and their respective weights), which SolTrans will use in evaluating proposals submitted in response to this RFP.

Firm Experience and Qualifications	30%
Project Approach	30%
Payment/Compensation Proposal (Expected revenues for SolTrans, Cost and Rates)	40%
Total	100%

PROPOSERS who remain in the competitive range following the initial evaluation of written proposals may be invited to submit additional information as requested by SolTrans, and (only if interviews are required) to demonstrate their qualifications, experience and project approach before the Evaluation Committee. There will not be a separate "interview" score. The Evaluation Committee may raise or lower criteria scores based on information and clarifications gained during the interview process. Reasons for such changes will be documented.

SolTrans reserves the right to make an award solely on a PROPOSERS' written proposals alone, and is not required to conduct interviews or negotiations. SolTrans may negotiate contract terms with the selected PROPOSER(s) prior to award, and expressly reserves the right to negotiate with several PROPOSERS simultaneously, and, thereafter, to award a contract to the PROPOSER offering the most favorable terms to SolTrans.

5.3 Notification to Unsuccessful PROPOSERS

All PROPOSERS shall be notified of SolTrans Evaluation Committee's recommendations by way of a Notice of Intent to Award (this will serve as the final committee recommendation) within five (5) working days of said recommendation.

SECTION 6. PROTEST PROCEDURES

6.1 Definitions

The following terms, as may be used in this section, are defined below:

- a. “Proposal” refers to an offer or proposal as used in the context of this Request for Proposals.
- b. “Day” refers to working day of SolTrans, where SolTrans Administrative Office, located at 311 Sacramento Street is open to the public.
- c. “Date of Notification of Intent to Award” refers to the calendar date that SolTrans communicates to PROPOSERS which proposing firms, corporation, partnership or individual are recommended for award.
- d. “File” or “Submit” refers to date and time of receipt by SolTrans of protest materials.
- e. “Interested Party” means an actual or prospective PROPOSER whose direct economic interest would be affected by the award of Contract or by failure to award Contract.
- f. “Protester” refers to interested party filing a protest or appeal.
- g. “FTA” means Federal Transit Administration.

6.2 Protest Procedures

Filing Procedure:

Protests dealing with restrictive specifications or alleged improprieties in solicitation must be filed no later than ten (10) working days prior to bid opening or closing date for receipt of proposals. Any other protest must be filed no later than three (3) working days after:

1. Notification of Intent to Award is issued for award of contract if the contract is awarded by SolTrans Board per staff recommendation; or
2. Notification of Award is issued if the SolTrans Board has delegated award authority to the Purchasing Agent or SolTrans Board does not award the contract according to the Notification of Intent to Award.

Protests shall be in writing and addressed to the Executive Director.

The protest shall identify the protestor, contain a statement officially declaring a protest and describing the reasons for the protest, and provide any supporting documentation. Additional materials in support of the initial protest will only be considered if filed within the time limit specified above. The protest shall indicate the ruling or relief desired from SolTrans.

Confidentiality:

Materials submitted by a protester will not be withheld from any interested party, except to the extent that the withholding of information is permitted or required by law or regulation. If the protest contains proprietary material, a statement advising of this fact may be affixed to the front page of the protest document and the alleged proprietary information must be so identified wherever it appears.

Withholding of Award:

When a protest is filed before opening of bids or closing date of proposals, the bids will not be opened prior to the resolution of the protest, and when the protest is filed before award, the award will not be made prior to the resolution of the protest, unless the Awarding Authority determines that:

- a) Items to be procured are urgently needed, or delivery or performance will be unduly delayed by failure to make award promptly; or
- b) Failure to make award will cause undue harm to SolTrans.

In the event an award is to be made while a protest is pending, the Federal Transit Administration shall be notified if Federal funding is involved.

Processing the Request:

- a) The Executive Director shall respond to the protester within five (5) working days of receiving the protest. A conference on the merits of the protest may be held with the protester.
- b) Any additional information required by SolTrans from the protester shall be submitted as expeditiously as possible, but no later than three (3) days after receipt of such request.

Notification:

The Executive Director shall notify the protester of a decision regarding the protest no later than ten (10) days following receipt of all relevant information.

Appeal:

If a protester is not satisfied with the decision made by the Executive Director the protester may appeal the decision to the Awarding Authority by way of a letter to the Executive Director no later than three (3) working days after notification of denial of the protest by the Executive Director. If Federal funds are involved, the protester may file protest with the FTA appealing the final decision of the Awarding Authority. Review by FTA will be limited to:

- a) Violation of Federal law or regulations.

b) Violation of SolTrans' protest procedures described herein, or failure by SolTrans to review protest.

Protests must be filed with FTA (with a concurrent copy to SolTrans) within five (5) days after the Awarding Authority renders a final decision, or five (5) days after the protester knows, or has reason to know, that the Awarding Authority failed to render a final decision. After five (5) days, SolTrans will confirm with FTA that FTA has not received protest on the contract in question.

Circular 4220.1F, the FTA's Third Party Contracting Guidance, is available for review at SolTrans' office. A copy may be obtained from FTA at the following address:

Federal Transit Administration
Region IX
201 Mission Street – Suite 2210
San Francisco, California 94105

SolTrans shall not be responsible for any protests not filed in a timely manner with FTA.

In the event an award is to be made while a protest is pending, the FTA shall be notified if Federal funding is involved.

SECTION 7. SCOPE OF WORK

NOTE: For the purposes of Section 7 “Scope of Work,” the term “Contractor” or “Consultant” represents the successful PROPOSER

7.1 General Requirements

Proposers will be responsible for duties that include, but are not limited to the following:

1. Solicit and procure advertisers for available advertising space on SolTrans transit assets;
2. Vendor to tour the SolTrans bus fleet facility and develop internal and external advertising specs for each of the five (5) bus type in fleet;
3. Design, Submit for review and approval to the SolTrans staff and produce all sales pieces (rate cards, etc.);
4. Be responsible for the sales and marketing for available transit assets except as directed by SolTrans.
5. SolTrans reserves the right to use a set amount of advertising space for its exclusive use for any purpose as deemed to be in the best interest of the agency. SolTrans reserves the right to coordinate advertising sales and self-promotion on up to five (5) buses for the rear/tail;
6. Provide account management, including billings and collections;
7. Produce, supply, install and maintain all advertisements. All advertising materials displayed on SolTrans’ available assets shall be of a quality so as to maintain an attractive appearance and to withstand the elements and general asset maintenance (e.g. cleaning). Advertising will be repaired or replaced if deemed worn by SolTrans staff;
8. The installation and future removal of bus interior and exterior ads shall be performed on-site at an indoor facility area at 1850 Broadway Vallejo CA 94589. Vendor to schedule installation and removal of ads in advanced with SolTrans designated staff to minimize both vehical downtime and maintenance schedule distrupction;
9. Procure and install approved advertising frames at shelter locations designated by SolTrans staff;
10. Advertisements shall comply with SolTrans advertising policy (*Appendix C*);
11. Restoration of artwork, production and painting of vehicles and other assets used in the advertising program at the end of each ad campaign contract, including placement of reflective vinyl of fleet numbers, yield signs, logo over any vinyl wrap should they cover this information;
12. Preparation of reports pertaining to the provision of the service on a monthly basis, including copies of all contracts with advertisers;
13. Other work as may be necessary to comply with the requirements contained in the agreement;

14. SolTrans shall not incur any costs relating to the services identified above. Proposer must furnish all equipment, labor, supervision, any/or all required materials and services;
15. Geographic advertising sales will not be permitted. The fleet is assigned based on a variety of considerations and assigning vehicles to keep certain advertisements in certain parts of the service area will not be permitted.

7.2 Advertising Inventory

A. Bus Exterior Advertising

SolTrans Fixed Route Large Bus Fleet has 41 buses and 12 paratransit on-demand smaller buses available for exterior and interior advertising sales by the selected Contractor.

All advertising will be placed on the bus as a vinyl sticker by the successful Contractor.

Current bus inventory available for external advertising (Tail/Rear):

- 21 Gilligs (Local Fixed Route)
- 2 BYDs (Local Fixed Route all electric)
- 8 MCI (Diesel Express Highway Bus)
- 10 MCI (Compressed Natural Gas - CNG - Express Highway Bus)
- 12 Cutaway (Paratransit Service)

B. Bus Interior Advertising

SolTrans Fixed Route Fleet has 41 buses available for interior advertising sales by the selected Contractor.

SolTrans reserves the right to post SolTrans transit information on the interior of the vehicles at its sole discretion. Interior specs to be developed by the vendor.

C. Shelter Advertising

The assignment of a shelter site is determined by meeting the boarding activity needs of a particular bus stop location. Secondly, by mutual and cooperative benefit to SolTrans and adjacent property owner(s) or jurisdiction. All locations must meet the requirements of the City Transit Amenity or sign ordinance. While SolTrans will continue to own, control, install, remove, relocate and maintain all the shelters and benches in their area of operation, including but not limited to general repairs, the vendor will maintain, repair, and/or replace any and all advertising in each shelter.

APPENDIX A
SAMPLE SOLTRANS CONTRACT

The Sample SolTrans Contract is attached as APPENDIX A. It is not formatted like the rest of the RFP, and has been incorporated as a “Stand Alone” PDF document into the RFP. In limited circumstances SolTrans may, but is not bound, to make changes to the Contract. Any requested changes to the contract must be addressed prior to submission of the proposal. Conditional proposals are not typically accepted, and may be rejected as non-responsive to the proposal. Reviewing the standard contract is important, and proposers will be bound by their submission, under the terms of this contract.

**APPENDIX B
REQUIRED CERTIFICATION FORMS**

NON-COLLUSION AFFIDAVIT FOR CONTRACTOR

STATE OF CALIFORNIA

COUNTY OF SOLANO

_____ declares and says:

1. That he/she is the (owner, partner, representative, or agent) of _____, hereinafter referred to as (CONTRACTOR) or (SUBCONTRACTOR).
2. That he/she is fully informed regarding the preparation and contents of this proposal for certain work in SolTrans, State of California.
3. That his/her proposal is genuine and is not collusive or a sham proposal.
4. That any of its officers, owners, agents, representatives, employees, or parties in interest, including its affiliates, has not in any way colluded, conspired, connived or agreed, directly or indirectly, with any other CONTRACTOR, firm, or person to submit a collusive or sham proposal in connection with such contract or to refrain from submitting a proposal in connection with such contract, or has in any manner, directly or indirectly, sought by unlawful agreement or connivance with any other CONTRACTOR, firm, or person to fix the price or prices in said proposal, or to secure through collusion, conspiracy, connivance, or unlawful agreement any advantage against SolTrans or any person interested in the proposed contract; and,
5. That the price or prices quoted in the proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the CONTRACTOR or any of its agents, owners, representatives, employees, or parties in interest, including its affiliate.

I certify (or declare) under penalty of perjury, that the foregoing is true and correct.

Dated this _____ day of _____, 2018 at _____, California.

Signed: _____ Title: _____

CERTIFICATION OF PRIMARY PARTICIPANT REGARDING RESPONSIBILITY
MATTERS

The Primary Participant _____ (Name of CONTRACTOR) certifies to the best of its knowledge and belief, that it and its principals:

- a. Have not within a three year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state or local) transaction or contract under a public transaction; violation of Federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- b. Are not presently under indictment for or otherwise criminally or civilly charged by a governmental entity (Federal, state or local) with commission of any of the offenses enumerated in paragraph (a) of this certification; and
- c. Have not within a three year period preceding this proposal had one or more public transactions or contracts (Federal, state or local) terminated for default.

If the primary participant is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.

THE PRIMARY PARTICIPANT, _____ (Name of CONTRACTOR) CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 USC SECTIONS 3801 ET SEQ. ARE APPLICABLE THERETO.

Signature of Authorized Official

Title

The undersigned chief legal counsel (or corporate secretary) for the _____ certifies that the _____ has authority under state and local law to comply with the subject assurances and that the certification above has been legally made.

Signature of Attorney/Secretary

Date

LISTING OF SUBCONTRACTORS

The CONTRACTOR declares that it has contacted the subcontractors listed below, and has made arrangements covering hourly rates and other terms which may materially affect the Contract, contingent upon successfully entering into a contract with SolTrans, with the following subcontractors:

	Name/Address of Subcontractor	DBE? yes/no	Amount of Subcontract	Description of Work
1.				
2.				
3.				
4.				
5.				
6.				

NOTE: The above DBE/EEO Affidavit is part of CONTRACTOR'S Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this DBE/EEO Affidavit.

SIGNATURE

DATE

TITLE

COMPANY NAME

VENDOR REGISTRATION FORM

Proposers and their subconsultants must complete the Vendor Registration & Addenda Request Form at the following website address:

<http://www.soltransride.com/about/doing-business-with-soltrans/vendor-registration-form/>

If any Proposer has difficulty using or accessing the form at the link above, please contact (707) 736-6990 for assistance, or you may contact the designated Project Manager for this solicitation at least 3 days prior to deadline for submission of Proposals.

APPENDIX C
SOLTRANS ADVERTISING POLICY

ADVERTISING POLICY ATTACHED AS STAND ALONE DOCUMENT