

**STATEWIDE OUTREACH  
& PUBLIC COMMUNICATIONS**



**CALIFORNIA**  
**High-Speed Rail Authority**

**REQUEST FOR PROPOSALS**

RFP #HSR11-06  
State of California

August 2011

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# **I. Introduction**

## **PURPOSE OF RFP**

The purpose of this Request for Proposal (RFP) is to select a full-service prime contractor to develop and implement a strategic statewide outreach and communications plan to support the overall success of the state's high-speed rail project. Potential Bidders are expected to develop and present an approach for messages and strategies to reach affected parties, while coordinating activities among various public and private interests. The prime contractor shall have demonstrated expertise in public relations, advertising, and project management, with 5 or more years of experience. A single agency or firm will be awarded the contract; however additional expertise may be gained by proposing a team of subcontractor(s) and/or consultant(s) to provide the range of expertise required under this contract (e.g. advertising, printing, media placement, research and analysis).

## **BACKGROUND**

Implementing a high-speed train network in California is the sole and exclusive responsibility of the California High-Speed Rail Authority (Authority) established by Chapter 796 of the Statutes of 1996 (SB 1420/Kopp and Costa). The Authority is responsible for preparing a business plan, funding and finance plan, conducting environmental studies, design, construction and operation of a high-speed passenger train network in California.

This includes a need for outreach and communications services to clearly communicate the project's details and keep the public and other stakeholders apprised of its development.

## **AVAILABLE FUNDING**

There is a maximum of up to \$1,100,000 available in fiscal year 2011-12 for the contract resulting from this RFP. Future funding for this agreement (estimated at \$1,700,000 annually based on current Budget Act appropriation) may be available from fiscal years 2012-2013 and 2013-2014, subject to appropriation and availability for that purpose in the 2012-2013 and 2013-2014 Budget Act.

In the event funds are not available, the Authority shall have no further liability with regard to the contract. This is an hourly rate plus cost reimbursement contract with a ceiling on the total contract amount.

The Authority reserves the right to reduce contract funding to an amount deemed appropriate in the event the budgeted funds do not provide full funding of Authority contracts. In this event, the Contractor and Authority Contract Manager shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

## I. INTRODUCTION, CONTINUED

### KEY ACTIVITIES AND DATES

Key activities and times for this RFP are presented below. This is a tentative schedule; please call the Contracts Office to confirm dates.

ACTIVITY	ACTION DATE
RFP Release	August 23, 2011
Deadline for Written Questions	September 1, 2011
<b>Deadline to Submit Proposals by 4:00 p.m.</b>	September 7, 2011
Mandatory Interviews	September 14, 2011
Notice of Proposed Award	September 16, 2011
Contract Start Date	September 26, 2011
Contract Termination Date	June 30, 2014

### CONTACT INFORMATION

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E-mail: [estone@hsr.ca.gov](mailto:estone@hsr.ca.gov)

### QUESTIONS

During the RFP process, questions of clarification about this RFP must be directed to the Contracts Officer listed in the following section. All questions concerning this RFP must be submitted in writing and received by 5:00 p.m. (PDT), September 1, 2011, (letter, fax or e-mail) to the attention of Elizabeth Stone, [estone@hsr.ca.gov](mailto:estone@hsr.ca.gov), or by fax (916) 322-0827.

All questions or communications related to this RFP shall be addressed to Ms. Stone, and **NOT** Authority members or other staff.

Any verbal communication with an Authority employee concerning this RFP is not binding on the State and shall in no way alter a specification, term, or condition of the RFP.

### RESPONSES TO THIS RFP

Responses to this solicitation shall be in the form of an Administrative and Technical Proposal and Cost Proposal according to the format described in this RFP. The Administrative and Technical Proposal shall provide the required administrative documentation, document the Bidder's experience, qualifications, management

## I. INTRODUCTION, CONTINUED

capabilities, project organization, technical expertise, etc., as described in this RFP, and the Cost Proposal shall provide detailed costs to perform the tasks described in the Scope of Work.

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## II. BACKGROUND

Implementing a high-speed train network in California is the sole and exclusive responsibility of the California High-Speed Rail Authority (Authority) established by Chapter 796 of the Statutes of 1996 (SB 1420/Kopp and Costa). The Authority is responsible for preparing a plan, conducting environmental studies, design, construction and operation of a high-speed passenger train network in California.

The Authority, in cooperation with the Federal Railroad Administration (FRA), has completed and certified a program-level environmental document for a high-speed train (HST) network over 800 miles long which connects the major metropolitan areas of the state (see Figure 1). The proposed HST system stretches from San Francisco and Sacramento in the north –the Central Valley with service throughout – to Los Angeles and Anaheim, and serving San Diego via the Inland Empire. With electrified, steel-wheel-on-steel rail trains operating at speeds up to 220 mph, the express travel time from downtown San Francisco to Los Angeles will be about 2 hours 40 minutes. Intercity travelers (trips between metropolitan regions) along with longer-distance commuters would enjoy the benefits of a system designed to complement and connect with existing passenger rail, air and highway systems.

The project currently is in the environmental review phase, with 10 separate CEQA/NEPA reviews – broken down regionally – occurring simultaneously. The most advanced of those reviews – those for the Merced-Fresno and Fresno-Bakersfield regional sections – were released in draft form in August 2011 and to be finalized by March 2012, at which point property acquisition and construction can begin.

As part of the development of this project, the Authority has need for statewide outreach and public communications services. Until 2010, those services were provided under subcontract to the Authority's Program Management prime contractor, Parsons Brinckerhoff. In 2009, the Authority's Board of Directors voted to bring these services, because of their vital nature to the project's success, under the direct management of the Authority, and an RFP was released for those services. In late 2009, Ogilvy PR Worldwide was selected by a review panel and then by the Board. Ogilvy executed a contract with the Authority in February 2010.

In June 2011, Ogilvy opted to terminate its work with the high-speed rail project, and is currently continuing to serve in a transition role. On July 14, 2011, the Authority Board of Directors authorized the advertisement of this RFP and the execution of a contract for outreach and communications services. (See Board item here:

<http://cahighspeedrail.ca.gov/assets/0/152/232/278/af5bea4d-e636-4721-b93f-7b25c48414d0.pdf>)



## II. BACKGROUND, CONTINUED

Figure 1



### **III. Scope of Work and Deliverables**

#### **ABOUT THIS SECTION**

This section describes the scope of work, deliverables, and key dates under the direction of the Authority Contract Manager (ACM), the winning Bidder (“Contractor”) will be asked to perform. The Bidder’s proposal shall demonstrate the qualifications to effectively provide the support needed.

#### **GOALS AND OBJECTIVES**

California’s high-speed rail system is a large and complicated infrastructure project that directly impacts a majority of Californians and whose success depends in large part on effective communication and outreach with many diverse stakeholder groups. Simply put, the contractor will be responsible for assisting in the success of the implementation of high-speed rail in California by explaining key decision points of the project to a broad audience.

The Contractor will develop a comprehensive and long-term communications and outreach strategy and will work closely with Authority staff and the Authority’s engineering, planning, financial and other contractors to execute that strategy. The Contractor will clearly disseminate information about the project and its various aspects to a broad audience of the general public as well as tailoring the information to key audiences, including the legislature, business, labor, environmental, and other constituency groups whose need for information about the development of the high-speed rail project is significant.

#### **SUBCONTRACTORS**

A subcontractor is defined as a firm or individual expert or consultant with media communications/outreach expertise to supplement the Contractor’s expertise. The Contractor, in conjunction with the subcontractors, is referred to as the contractor team. The Authority reserves the right to use some or all of the subcontractors belonging to the Contractor team, and to remove, approve and/or designate additional subcontractors during the contract term. The Contractor shall manage and coordinate all subcontracts and is responsible for the quality of all subcontractor work and activities, and the Authority will assign all work to the Contractor.

Any subcontractor whose work within the proposal would be essential to completion of the tasks in this agreement (such as a market analysis or strategy development) must be identified as a “key” subcontractor and identified specifically in the proposal.

When subcontractors are hired or added in conjunction with the Contract, the Contractor shall comply with the Authority’s Small Business and Disabled Veteran’s Business Enterprise Program as set forth in this RFP.

### **III. SCOPE OF WORK AND DELIVERABLES, CONTINUED**

The Contractor shall work directly with and report to the ACM on subcontract status and subcontractor work assignments and progress. Contractor shall ensure that the ACM has necessary access to and communication with all involved subcontractors, and Contractor shall facilitate and coordinate, as necessary, the subcontractors' access to and communication with, the ACM.

The Contractor shall require subcontractors to provide invoices that correctly identify expenses charged to each contract task. The Contractor shall provide all subcontractor invoices for which Contractor is seeking compensation, to the ACM, showing funds authorized, invoices submitted, and status.

The Contractor shall ensure that all subcontractors provide the ACM with copies of all final, approved work statement deliverables. All scope of work deliverables from the Contractor team must be submitted as drafts for review by the ACM.

#### **TASKS**

The Contractor shall perform the task areas outlined below to meet the program goals and objectives. These task areas are not inclusive, and are intended to guide the bidder in preparing a proposal that demonstrates that the bidder has the technical expertise and skills necessary to successfully perform the work. The following task areas shall provide a guide for the prospective contractor to create an innovative and effective outreach & communication strategy for expanding awareness, understanding, and support for California's high-speed rail project:

- Contract Management and Administration
- Development of a Strategic Communications Plan
- Stakeholder Involvement
- Research and Analysis
- Strategy Development
- Earned and Paid Media
- Media Events
- Regional Outreach Management/Coordination
- Design and Production of Marketing Materials

#### **TASK 1: CONTRACT MANAGEMENT AND ADMINISTRATION**

The Contractor shall manage a team capable of undertaking all work assignments identified in this Scope of Work. All contract tasks performed by the team shall be directed by and coordinated with Authority staff as designated by the ACM.

Assistance under this task may include, but is not necessarily limited to the following sub-tasks:

### III. SCOPE OF WORK AND DELIVERABLES, CONTINUED

Attend Kick-Off Meeting. Attend a “kick-off” meeting with the Authority Contract Manager, and the Contracts Office. The Contractor shall bring their Project Manager, Contracts Administrator, Accounting Officer, and others designated by the Authority Contract Manager to this meeting. The administrative and technical aspects of this Agreement will be discussed at the meeting. Prior to the kick-off meeting, the Authority Contract Manager will provide an agenda to all potential meeting participants. The Authority Contract Manager shall designate the date and location of this meeting.

The administrative portion of the meeting shall include, but not be limited to, the following:

- Terms and conditions of the Agreement
- Invoicing
- Critical Project Reviews (CPRs)

The technical portion of the meeting shall include, but not be limited to, the following:

- The Authority Contract Manager’s expectations for accomplishing tasks described in the Scope of Work;
- An updated Schedule of Deliverables;
- Processes for submitting, reviewing and approving Progress Reports, Task Deliverables and Final Report.

#### Task 1.1 Progress reports

The Contractor shall prepare progress reports on a monthly basis that include project schedules, progress by task to date, description of the progress, including identification of problems, proposed solutions and revised completion dates if necessary. The progress shall also indicate, in percentage form for each task, the amount of work completed and the budget expended to date, and any anticipated cost overruns. Each progress report is due to the ACM within 5 working days after the end of the reporting period.

#### Task 1.2 Critical Project Review Meetings

The goal of this task is to determine if the contract should continue to receive Authority funding to complete this Agreement and if it should, are there any modifications that need to be made to the tasks, deliverables, schedule or budget.

CPRs provide the opportunity for frank discussions between the Authority and the Contractor. CPRs generally take place at key, predetermined points in the Agreement, as determined by the Authority Contract Manager and as shown in the Technical Task List above and in the Schedule of Deliverables. However, the Authority Contract Manager may schedule additional CPRs as necessary, and any additional costs will be borne by the Contractor.

### **III. SCOPE OF WORK AND DELIVERABLES, CONTINUED**

Participants include the Authority Contract Manager and the Contractor, and may include the Authority Contracts Officer, other Authority staff and Management as well as other individuals selected by the Authority Contract Manager to provide support to the Authority.

#### **The Authority Contract Manager shall:**

- Determine the location, date and time of each CPR meeting with the Contractor. These meetings generally take place at the Authority, but they may take place at another location.
- Send the Contractor the agenda and a list of expected participants in advance of each CPR.
- Conduct and make a record of each CPR meeting. One of the outcomes of this meeting will be a schedule for providing the written determination described below.
- Determine whether to continue the contract, and if continuing, whether or not to modify the tasks, schedule, deliverables and budget for the remainder of the Agreement, including not proceeding with one or more tasks. If the Authority Contract Manager concludes that satisfactory progress is not being made, this conclusion will be referred to the Authority's Board of Directors for its concurrence.
- Provide the Contractor with a written determination in accordance with the schedule. The written response may include a requirement for the Contractor to revise one or more deliverable(s) that were included in the CPR.

#### **The Contractor shall:**

- Prepare a CPR Report for each CPR that discusses the progress of the Agreement toward achieving its goals and objectives. This report shall include recommendations and conclusions regarding continued work of the contract. This report shall be submitted along with any other deliverables identified in this Scope of Work. Submit these documents to the Authority Contract Manager and any other designated reviewers at least 15 working days in advance of each CPR meeting.
- Present the required information at each CPR meeting and participate in a discussion about the Agreement.

#### **Contractor Deliverables:**

- CPR Report(s)
- CPR deliverables identified in the Scope of Work

#### **Authority Contract Manager Deliverables:**

- Agenda and a List of Expected Participants
- Schedule for Written Determination
  - Written Determination

### **III. SCOPE OF WORK AND DELIVERABLES, CONTINUED**

#### **Task 1.3 Administer subcontracts.**

- Establish and maintain contractual agreements with entities performing the work.
- Develop project schedules and assign work;
- Manage subcontractor activities in accordance with the Subcontractor clauses in this Agreement.
- Provide oversight and review of reports and documentation;
- Comment on the content of products and deliverables;
- Ensure that tasks are completed efficiently, on schedule, and within the budget.
- Review and approve all invoices and provide audit and accounting services for subcontractors.

#### **Task 1.4 Coordinate with other Authority contractors**

In order to manage all outreach and communications activities it is necessary to coordinate with and manage the activities of other Authority contractors whose roles include public engagement functions.

#### **Task 1.5 Prepare and Submit Invoices.**

Provide invoices in accordance with the Invoice Clauses in this Agreement.

#### **Task 1.6 Provide a Final Contract Report**

The final report for this contract shall summarize the work that took place under this agreement. The format and contents shall be specified by the ACM. The draft final report must be delivered to the ACM at least 90 days before the termination date of this contract. Once agreement has been reached on the draft final report, the Contractor shall submit the final report along with the final invoice.

#### **Task 1.7 Participate in a Final Meeting**

Meet with the Authority to discuss the overall contract and its closeout. The final meeting must be completed during the term of this Agreement. The ACM will determine the appropriate meeting participants. The meeting shall include a discussion of:

- Final invoicing and release of retention
- Preparation of a schedule for completing the closeout activities for this Agreement.

There will be written documentation of the meeting agreements, and a schedule for completing closeout activities.

### **III. SCOPE OF WORK AND DELIVERABLES, CONTINUED**

#### **TASK 2: DEVELOP A STRATEGIC COMMUNICATIONS PLAN**

The Contractor shall develop a strategic communications plan to be presented to the Authority Board of Directors within 45 days of the contract start date. The Contractor shall propose a creative and compelling plan for developing a high-speed rail strategic communications plan that addresses the various outreach and communication issues associated with a statewide transportation project and specifically Tasks 3 through Task 9 in this RFP.

#### **TASK 3: STAKEHOLDER INVOLVEMENT**

Ensuring that the high-speed rail project team is routinely and adequately keeping stakeholders informed of the project's development is vital to ensuring the successful development of the project.

Much of the Authority's public engagement currently occurs through the state and federal environmental review processes (CEQA/NEPA). That environmental review is managed by Regional Consultants (RCs) to the Authority. Because much stakeholder interaction is conducted by those members of the RC teams, this task will require the Contractor to be in close coordination with other members of the extended project team. In developing a plan for coordinating activities among stakeholders, the Contractor shall be responsible for:

- Identifying stakeholders and stakeholder groups;
- Describe how the Contractor would engage and maintain regular communications with key stakeholder groups (local, state, federal, public and private entities);
- Describe an approach to coordinating with Regional Consultant outreach teams responsible for specific CEQA/NEPA activities;
- Describe an approach to engaging stakeholder groups, business entities state, federal and regional entities, etc. in expanding the Authority's reach for purpose of disseminating information and project knowledge;
- Describe an approach to disseminating informational materials statewide via publications, Web sites, and other media;
- Coordinate with Authority staff to facilitate information sharing among stakeholders and keep Authority staff apprised of all activities.
- Assist and support the Authority in developing stakeholder partnerships to facilitate the distribution of materials and increase opportunities for joint advertising, combined messages and cross-tagging ads;

#### **TASK 4: RESEARCH AND MARKET ANALYSIS**

Research is needed in order to effectively communicate with private and public interests most likely to support high-speed rail and how to reach them (the general public, commercial, industrial and key audiences). The Contractor shall identify what data are

### **III. SCOPE OF WORK AND DELIVERABLES, CONTINUED**

needed, and a plan for collecting, analyzing and translating data into usable information. The Contractor shall:

- Assess awareness and knowledge of high-speed rail, its benefits, and the state's transportation infrastructure needs;

#### **TASK 5: STRATEGY DEVELOPMENT**

In addition to describing the overall project, the Authority is required to communicate with the public, legislators and others about key decision points, complex project details, and daily news events. The Contractor shall advise the Authority on each of those challenges and establish a long-term strategy for reaching those key audiences. The Contractor shall:

- Describe effective awareness strategies for the key audiences;
- Demonstrate an awareness of timelines relevant to such outreach and communications strategy;
- Discuss messaging;
- Propose a program for assessing changes in levels of awareness and actions that result from outreach and communications activities.

#### **TASK 6: EARNED AND PAID MEDIA**

The Contractor shall advise the Authority on where it can most effectively communicate when it comes to an effective mix of paid- and earned-media. The Contractor may be asked to create logos, public service announcements, and key messages. The Contractor shall:

- Present strategies for earned media;
- Discuss a strategy and plan for paid media – potentially to include print, online, radio, television, etc.;
- Discuss the development of informational advertisements; and
- Display an ability to place paid media advertisements effectively.

#### **TASK 7: MEDIA EVENTS**

The Contractor shall assist the Authority in key events in order to reach certain audiences, but also will need to hold events of its own in concert with environmental milestones, procurement deadlines, and large announcements. The Contractor shall:

- Demonstrate an ability to organize conferences, symposia, press and other events and to coordinate with other entities on conferences, symposia, press and other events;
- Discuss an approach to establishing speakers to participate in events;



### **III. SCOPE OF WORK AND DELIVERABLES, CONTINUED**

- Display an awareness of key projects deliverables dates that may necessitate managing and coordinating events.

#### **TASK 8: REGIONAL OUTREACH MANAGEMENT/COORDINATION**

The large geographic area of the project and numerous project team members working on the project requires regional outreach and communication management. The Contractor shall:

- Describe an approach to managing outreach and communications at a regional level and to coordinating with local/regional outreach consultants on statewide, legislative, messaging and other issues;
- Assist and support the Authority in developing partnerships to facilitate the distribution of materials and increase opportunities for joint advertising, combined messages and cross-tagging ads.

#### **TASK 9: DESIGN AND PRODUCTION OF MARKETING MATERIALS**

Ensuring that the high-speed rail project team and its stakeholders have access to the same, accurate information, Authority staff will require assistance with the design, layout and technical writing for a wide range of program presentation materials, including reports, brochures, booklets, fact sheets, advertisements, articles and publications. Examples of these types of communications are as follows, but not limited to:

- brochures,
- video presentations,
- web page development,
- reports,
- booklets,
- fact sheets,
- seminars,
- workshops,
- articles for trade journals and publications, and
- other graphical/printing production support.

Assistance may also be needed with the design and layout of program presentation materials needed for workshops, training sessions, success stories, reports, and general distribution. This effort may include copy editing, desk top publishing, designing of graphic elements, produce illustrations, digitizing photographs and providing copies in GIF or JPEG format, and producing slides and videos.

### III. SCOPE OF WORK AND DELIVERABLES, CONTINUED

#### SCHEDULE OF KEY DATES AND DELIVERABLES

Task	Event/Deliverable	Estimated Due Date
1	Kickoff Meeting with the Authority	September 27, 2011
	Monthly Progress Reports	By the 10 <sup>th</sup> of the Month
	Critical Project Review Meetings	September 2012 & 2013
	Final Report / Final Meeting	May 1, 2014
2	Develop a Strategic Communications Plan	Within 45 days of Contract Execution
3	Stakeholder Involvement	November 2012
4	Research and Market analysis	January 2012
5	Strategy Development	February 2012
6	Earned and Paid Media	As Needed
7	Media Events	Ongoing
8	Regional Outreach Management/Coordination	As Needed
9	Design and Production of Marketing Materials	As Needed

## IV. Evaluation Process and Criteria

### ABOUT THIS SECTION

This section explains how the proposals will be evaluated. It describes the evaluation stages, preference points, and scoring of all proposals. A Bidder's proposal will be evaluated and scored based on its response to the information requested in this RFP.

The entire evaluation process from receipt of proposals to the posting of the Notice of Proposed Award is confidential.

### PROPOSAL EVALUATION

To review all proposals, the Authority will organize an Evaluation Committee. The identity of the evaluators will be kept confidential during the selection process. The Authority reserves the right to solicit technical input from other internal and external sources. This technical input will be utilized by the Evaluation Committee during the evaluation of the proposals. The proposals will be reviewed in three stages:

#### Stage One: Fulfillment of RFP Mandatory Format

After the period has closed for receipt of proposals, each proposal received prior to the time and date set for receipt of proposals is opened and examined to determine compliance with the RFP format requirements and grounds for rejection. If a proposal is not rejected for reasons stated in Grounds for Rejection, it may still be rejected if it does not meet the proposal format requirements or minimum administrative requirements.

#### Stage Two: Evaluation of Proposals

Phase One: The Evaluation Committee will evaluate and score all remaining proposals based on the Evaluation Criteria, Exhibit A. The Evaluation Committee may, at its discretion, seek clarification of any point in the written technical proposal through a conference call or interview with the affected bidder. Proposals must attain 85 percent of the combined possible total points in the technical sections to be considered for the interviews. After the technical evaluation, those bidders who pass the minimum required technical score of 1232 points (85%) will be scheduled for an interview by the Committee. **Those bidders not meeting the minimum technical score of 1232 points will not be interviewed.**

Phase Two: Bidders passing Phase One of the technical evaluation will be scheduled for an interview to be conducted at the High-Speed Rail Authority headquarters, 770 L Street, Suite 800, Sacramento, CA. Bidders must achieve a minimum of 100 points in order to pass Phase Two. Bidder responses will be scored in accordance with the criteria contained in the Evaluation Criteria. All scores are final at this time. Bidders who pass the minimum required score of 100 points will have their proposals proceed to Stage Three.

## IV. EVALUATION PROCESS AND CRITERIA, CONTINUED

### Stage Three: Cost Proposal

Those proposals that pass the minimum technical points of 1232 for Phase One and a minimum of 100 points for the Phase Two interview will have their cost proposal opened. The Small Business and Disabled Veteran Business Enterprise Preferences will be applied, if applicable.

The contract will be awarded to the lowest responsible Bidder who met the minimum technical and administrative requirements.

### HOW WILL MY PROPOSAL BE SCORED?

The Evaluation Committee will award points based upon the information provided in the Bidder's Proposal according to the following scoring scale.

#### Scoring Scale

The proposals will be scored by a consensus of the Evaluation Committee. The scores will then be multiplied by a weighting factor to obtain the total points for that criterion. The final score for each Bidder will reflect the consensus of all Evaluation Committee members. Scores will be assigned in accordance with the following guidelines:

0 Points	<ul style="list-style-type: none"><li>ü Is not in substantial accord with the RFP requirements.</li><li>ü Has a potential significant effect on the amount paid or net cost to the State or the quality or quantity of product and/or service.</li><li>ü Provides an advantage to one competitor over the other competitors, for example, not paying minimum wages.</li></ul>
1-3 Points	<ul style="list-style-type: none"><li>ü The proposal states a requirement, but offers no explanation of how or what will be accomplished.</li><li>ü The response contains a technical deficiency which is an inaccurate statement or reference concerning the how, what, where, or when, which is part of an overall statement or description.</li></ul>
4-6 Points	<ul style="list-style-type: none"><li>ü Satisfies the minimum requirements and describes generally how and/or what will be accomplished.</li></ul>
7-9 Points	<ul style="list-style-type: none"><li>ü Satisfies the minimum requirements and specifically describes how and/or what will be accomplished in an ideal manner, using sample products and illustrative materials (i.e., diagrams, charts, graphs, etc.).</li></ul>
10 Points	<ul style="list-style-type: none"><li>ü Exceeds the minimum requirements and specifically describes how and/or what will be accomplished both quantitatively and qualitatively, using sample products and illustrative materials (i.e., diagrams, charts, graphs, etc.).</li></ul>

## IV. EVALUATION PROCESS AND CRITERIA, CONTINUED

<i>Technical Evaluation Criteria – Phase One</i>	Weight Factors	X	Max Points (0-10)	Weighted Score
<b>1. Approach to Tasks in Scope of Work</b>				
The proposal is clearly defined and outlines the approach to:				
a. Contract management & administration	5		10	
b. Strategic communication plan	5		10	
c. Stakeholder involvement	5		10	
d. Research and market analysis	5		10	
e. Strategy Development	5		10	
f. Earned and Paid Media	2		10	
g. Media Events	4		10	
h. Regional Outreach Management/Coordination	5		10	
i. Design and Production of Marketing Materials	3		10	
<b>2. Project Description</b>				
a. Proposal demonstrates clarity and succinctness of project and deliverables to meet project goals.	5		10	
b. Proposal demonstrates innovation and creativity to reach project goals	5		10	
c. Proposal demonstrates successful strategic communication plan	5		10	
d. Demonstrated understanding of the critical project success factors (identification of risks associated with a successful outreach and communications program).	5		10	
e. Products and deliverables are appropriate given the proposed strategies	5		10	
f. Proposal demonstrates knowledge and understanding of federal, state, regional, local and general public issues relative to project.	4		10	
g. Proposal demonstrates hours are reasonable and appropriate to complete each task	5		10	
h. Proposal demonstrates policies to reduce or control costs (including travel) to the State.	4		10	
<b>3. Contractor / Team Experience</b>				
a. Bidder/prime contractor and subcontractors are clearly identified and expertise is appropriate for proposed work.	5		10	
b. Project team experience with large-scale, visible, controversial issues.	5		10	
c. Proposal demonstrates understanding of necessary steps required to develop robust outreach and communications strategies	5		10	
d. Proposal demonstrates appropriate and effective contract management team with experience in all aspects of communications and outreach	5		10	
e. Team has five or more years of experience	5		10	
f. Project management team demonstrates commitment and availability.	5		10	
g. Demonstrates effective and appropriate project management.	5		10	

#### IV. EVALUATION PROCESS AND CRITERIA, CONTINUED

<b>4. Contractor / Team Qualifications</b>				
a. Experience and expertise of project manager and team members are clearly described and demonstrate qualifications	5		10	
b. Project team education and experience are relevant to the requirements of the scope of work	5		10	
c. Project Manager has demonstrated ability to effectively manage the project	5		10	
d. Personnel allocations are appropriately and adequately justified.	4		10	
<b>5. Previous Work Products</b>				
a. Illustrate a reasonable approach for achieving stated goals and objectives.	4		40	
b. Show appropriate strategies for stated target audience.	4		40	
c. Successfully leverage public relations opportunities.	4		40	
<b>6. References</b>				
a. References for project manager and team members support statements of ability to perform proposed work.	2		20	
<b>Minimum Technical Points Required = 1232</b>				
<b>Total Maximum Technical Points Possible = 1450</b>				
<b>Total Technical Score</b>				

Proposals not attaining a minimum score of 1232 from the Technical Evaluation will be eliminated from further competition.

#### PRESENTATION EVALUATION CRITERIA WORKSHEET

The following criteria will be used for scoring the interview/oral presentations:

<b>Presentation Evaluation Criteria – Phase Two</b>	<b>Weight Factors</b>	<b>X</b>	<b>Max Points (0-10)</b>	<b>Weighted Score</b>
a. Presents clear understanding of communication tactics to reach broad audiences.	5		10	
b. Response to Evaluation Committee's questions pertaining to the presentation.	5		10	
c. Presentation is organized, clear and thorough.	5		10	
d. Professionalism of presentation.	5		10	
<b>Maximum Points - 200</b>				
<b>Total Possible Points (Technical Evaluation + Presentation)</b>				1650
<b>Disabled Veteran Business Enterprise Incentive</b>				
<b>Small / Micro Business Preference</b>				
<b>Non-Small Business Preference</b>				
<b>TOTAL SCORE</b>				

## V. Proposal Format, Required Documents, and Delivery

### ABOUT THIS SECTION

This section contains the format requirements and instructions how to submit a proposal. The format is prescribed to assist the Bidder in meeting State bidding requirements and to enable the Authority to evaluate each proposal uniformly and fairly. Bidders must follow all Proposal format instructions, answer all questions, and supply all requested data.

### REQUIRED FORMAT FOR A PROPOSAL

All proposals submitted under this RFP must be typed or printed using a standard 11-point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred. Binders are discouraged.

### NUMBER OF COPIES

Bidders must submit the original and 6 copies of the Administrative and Technical Response (Volume 1), and Cost Proposal (Volume 2) **in two separately sealed envelopes** and include the title of the proposal and the appropriate volume number:

Bidders must also submit electronic files of the proposal on [CD-ROM diskette](#) along with the paper submittal. Electronic files must be in Microsoft Word XP (.doc format) and Excel Office Suite formats. Electronic files submitted via e-mail will not be accepted.

### PACKAGING AND LABELING

The original and copies of each volume must be labeled "Request for Proposal HSR11-06," and include the title of the proposal and the appropriate volume number:

Volume 1 – Administrative and Technical Response

Volume 2 –Cost Proposal

Include the following label information and deliver your proposal, in a sealed package:

Person's Name, Phone # Company/Firm Name Street Address City, State, Zip Code FAX #	RFP #HSR11-06 California High Speed Rail Authority Contracts Office 770 L Street, Suite 800 Sacramento, California 95814
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## V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED

### PREFERRED METHOD FOR DELIVERY

A Bidder may deliver a proposal by:

- U. S. Mail
- Personally
- Courier service

Proposals must be received no later than 4:00 p.m. (PDT), September 7, 2011, to the High-Speed Rail Authority during normal business hours and prior to the date and time specified in this RFP. In accordance with Public Contract Code 10344, proposals received after the specified date and time are considered late and will not be accepted. There are no exceptions to this law. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not accepted under any circumstances and are not acceptable toward meeting the submission deadline for proposal delivery.

### ORGANIZE YOUR PROPOSAL AS FOLLOWS:

#### VOLUME 1, Section 1 - Administrative Response

- Cover Letter
- Table of Contents
- Contractor Status Form Attachment 1
- Darfur Contracting Act Form Attachment 2
- Small Business Preference Certification If Applicable
- DVBE Bidder Declaration Form Attachment 4.2
- Contractor Certification Clauses Attachment 5

#### VOLUME 1, Section 2 - Technical Response

- Approach/Methodology to Tasks in Scope of Work
- Description of Project
- Team Qualifications and Relationships
- Team Organizational Structure
- Project Team Experience and Qualification
- Schedule of Tasks
- Previous Work Products
- Client References Attachment 6

#### VOLUME 2, Cost Response

- Task Budget Summary Exhibit A-1
- Calculation of Fringe Benefits, Indirect Overhead, G&A and Profit Exhibit A-2
- Unloaded Hourly Rates Exhibit A-3
- Fully Loaded Hourly Rates Exhibit A-4
- Travel, Materials List, and Other Exhibit A-5



## **V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED**

### **VOLUME 1, Section 1, Administrative Response**

#### Cover Letter

Each Bidder shall submit a cover letter on company letterhead that references the following:

- “REQUEST FOR PROPOSAL, No.HSR11-06”;
- Summary of the Bidder’s ability to perform the services described in the Scope of Work; and,
- Statement that the Bidder is willing to perform those services and enter into a contract with the State.

The cover letter must be signed by a person having the authority to commit the Bidder to a contract. If the Bidder claims a Small Business Preference, a statement to that effect shall also be included in the cover letter.

#### Table of Contents

Each Proposal must include a Table of Contents, organized in the order previously cited and include corresponding page numbers.

#### Required Administrative Forms

Each Bidder must complete and include the following forms with their proposal:

- Contractor Status Form, Attachment 1
- Darfur Contracting Act form, Attachment 2
- Small Business/Disabled Veteran Business Enterprise Certification (if applicable)
- DVBE Bidder Declaration form, Attachments 4.2
- Contractor Certification Clauses, Attachment 5

### **VOLUME 1, Section 2, Technical Proposal**

#### **Approach / Methodology**

The prospective Contractor/Team shall provide a brief summary of your overall approach to achieving the goals and objectives in the Scope of Work, highlighting any outstanding features and/or qualifications your team possesses relevant to performing the work, including managing the project.

## **V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED**

### **Description of Project**

Clearly describe your proposed project, explaining in detail your plan for achieving the Authority's goals and objectives listed in the Scope of Work, including how you will measure the effectiveness of your proposed project. Your project description shall include:

- Contract Management and Administration
- Development of a Strategic Communications Plan
- Stakeholder involvement
- Research and Market Analysis
- Strategy Development
- Earned and Paid Media
- Media Events
- Regional Outreach and Management/Coordination
- Design and Production of Marketing Materials

Provide your rationale for why the products and deliverables specified in your proposal are appropriate given the proposed strategies. Include a discussion of why your proposed tasks, schedule and due dates are logical, reasonable and appropriate.

### **Team Qualifications and Relationships**

Identify and describe the prime contractor (organization/company) and briefly describe each organization on the team, including subcontractors (SB, DVBEs, and DBE's), highlighting any special expertise that will be utilized in achieving the project objectives outlined in the Scope of Work. Describe the strengths of your organization including accomplishments and past media and communication outreach efforts relevant to this project.

Describe the strengths, accomplishments, marketing, and outreach efforts of other team members (subcontractors). Provide an organizational chart that shows each team member and the relationships within each firm/company (including subcontractor companies). Describe the relationship between your organization and others on your team (subcontractors), if applicable. Include any history of a working relationship between team members and highlight any relevant success stories.

### **Team Organizational Structure**

The prospective Contractor/Team must have experience developing and implementing outreach and communications strategies for large-scale projects/initiatives/issues. The Contractor/Team must provide detailed descriptions and documented results of previous work and experience.

## **V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED**

1. Describe the organizational structure of the Bidder, including an organizational chart of the entire contract team.
2. Identify the location of the Bidder's and Subcontractor's headquarters and satellite office(s) and proposed methods of minimizing costs to the State.
3. Provide a short description of each firm and key members of the team. Indicate any history of a working relationship between the team members noting any significant success stories
4. Describe the organization, composition, and functions to be performed by staff members of the Bidder and any subcontractors and how the staff pertains to this contract.
5. Identify a primary contact person. This person should attend the oral interview session. At least one person from each major subcontractor should also attend the interview.

### **Project Team Experience and Qualifications**

1. Describe the qualifications of all professional personnel to be employed, including a summary of similar work or studies performed, and a resume for each professional.
2. Include an estimate of how many hours each professional will be assigned to the contract and what tasks each professional will perform including subcontractor hours. The Contractor/Team shall not cause members of the project team to be substituted without prior approval of the Authority.

### **Schedule of Tasks**

1. The proposal shall contain a detailed schedule identifying major tasks to be undertaken to conduct the work, timeframe and deliverable due dates for each task.
2. The schedule shall specify the estimated hours to accomplish each task.
3. The schedule shall be in accordance with the milestones listed in the Scope of Work section.

### **Previous Work Products**

Describe and provide at least one example of a previous large scale media and communications effort that demonstrates successfully completed relevant work by your organization or team.

### **Client References**

Bidders must provide a list of at least three (3) client references who have received similar services from the Bidder or the Bidder's personnel or subcontractors, during the last five (5) years by completing Attachment 6. Such services should be of comparable complexity to the services requested in this RFP. Complete at least one reference form

## **V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED**

for each team member or company and include the completed forms in Section 2 of Volume 1 of Bidder's proposal.

All references must include the name and telephone number of a contact person with the contacting organization. These individuals, as well as others, may be contacted by the Authority when reviewing the submitted proposals. Final evaluations filed with the State on Bidder's past contract performance may be reviewed; therefore, the Bidder may wish to discuss any disagreements he/she has with those evaluations.

### **VOLUME 2, Cost Response**

#### **Cost Summary Letter**

The RFP response shall state the Bidder's costs for carrying out the project as outlined during the period of the contract. The costs must be displayed utilizing a cost cover letter on the organization's letterhead.

#### **Total Cost to Complete Project**

The Contractor must submit information for all the Exhibit B Budget forms and will be deemed the equivalent of a formal bid submission under the Public Contract Code. In order to show how Bidders calculate task cost, Bidders must provide a detailed budget using Exhibits A-1 through A-5 for this project. Provide the total cost of the project, with a breakdown showing how the cost was determined and method of payment. Dedicated clerical support and other administrative hours to be provided by clerical staff must be shown separately from hours calculated for project management, and other professional work.

#### **NOTE**

The rates you bid are a part of the final contract and may not be changed. The Authority will accept a Federal Government audit of general and administrative, overhead, and labor rates. The following is a list of items that must be included in your project cost:

- Bidder's Direct Labor - List name, classification, and rate per hour and number of hours by task.
- Subcontractors/Consultants – Name, Technical Specialty, rate per hour/day, and number of hours/day by task.
- Travel and per diem - Travel expenses incurred will be reimbursed at no more than the State per diem rates for non-represented State employees, and must be included in the Bidder's cost.
- Supplies/Equipment
- Overhead Rate - List basis of application and all items charged in overhead
- General and Administrative - List basis of application
- Fee (not allowed on subcontractors invoices)

## V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED

- Identify any Small Business, Disabled Veteran Business Enterprise or Disadvantaged Business Entity by task and dollar amount.

NOTE: The cost information provided will not be kept confidential.

Costs must be incurred within the term of the contract. **When preparing these forms, be sure to take into consideration the length of the project and take into account increases in salaries and wages, general and administrative, overhead, etc.**

**The rates quoted in the Cost Proposal will become a part of the final contract and will not be changed during the term of the contract. The entire term of the contract and projected rate increases must be considered when preparing the budget. The hourly rates bid are considered capped and shall not change during the term of the contract.**

Bidders should note that in addition to names and hourly rates presented in the cost proposal, the technical qualifications must contain the resumes of all individuals, including subcontractors. Individual names, corresponding hourly rates, and proposed hours will be struck from the cost proposal for resumes missing in the technical qualifications. The following is a list of items that must be included in your project cost:

### **CONTRACT TASK BUDGET SUMMARY, A-1**

These are the total project costs by task, and will be used in the final contract.

### **CALCULATION OF FRINGE BENEFITS, INDIRECT OVERHEAD, GENERAL AND ADMINISTRATIVE EXPENSES (G&A), AND PROFIT RATES, A-2**

Using Exhibit A-2, provide fringe benefits, indirect overhead, G&A and profit rates (as a % of base costs). Different types of indirect overhead (e.g., overhead and G&A) may be combined in a single column if they are applied to the same budget items (i.e., base costs). Profit cannot exceed 10%. Change the column headings, if appropriate, to match your chart of accounts. List items you include in each category (Fringe Benefits, Overhead, and G&A).

Show the budget items (i.e., base costs) to which you apply your indirect cost and profit rates. The Prime Contractor may not apply profit to subcontractor invoices, nor may subcontractors apply profit to sub-subcontractor invoices.

Indirect cost rates must be developed in accordance with generally accepted accounting principles and the applicable OMB circulars or federal acquisition regulations. If the Contractor has an approved fringe benefits or indirect cost rate (indirect overhead, G&A or F&A) from their cognizant Federal Agency, the Contractor should use their federal rate if the following conditions are met.

## V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED

- The Contractor may bill at the federal provisional rate but must adjust annually to reflect their actual final rates for the year.
- The cost pools used to develop the federal rates must be allocable to the Authority contract, and the rates must be representative of the portion of costs benefiting the Authority contract.
- The federal rate must be adjusted to exclude any costs that are specifically prohibited in the Authority contract.
- The Contractor may only bill up to the contract Budget rate caps.

The Bidder must provide the following document to support the indirect rates shown on form A-2:

- Copy of approved federal rate agreement for 2010/11 if it meets the conditions specified above. If a Bidder has not yet received an approved rate for 2010/11, submit the approved 2009/10 rate and a copy of your indirect cost rate proposal for 2010/11, and date when it was submitted to your cognizant federal agency.

### UNLOADED HOURLY RATES, A-3

Use one form for the Bidder (Prime Contractor) and for each subcontractor. Insert your company or organization name at the top of the form.

For all personnel from this company or organization that will be directly billed to this Agreement:

- List the names in alphabetical order.
- Provide the job classifications or title.
- Provide the **unloaded** hourly rates in the columns for each fiscal year. Projected rates, including applicable escalation factors, are acceptable. Average rates are **not** acceptable. Providing hourly rate ranges (e.g., \$50 - \$75) for a given period of time is also **not** acceptable. If awarded an Agreement, the rates in your proposal become part of the signed Agreement and may not be changed. When billing under this agreement, you must use your **actual** rates for a given period of time, or the amounts shown in this Exhibit, whichever is less.
- Use the Fiscal Years that correspond to each company or organization. The term of the proposed agreements will be from September 26, 2011, to June 30, 2014. The fiscal years you use must cover the entire period of the proposed agreement.

### LOADED HOURLY RATES, A-4

Use one form for the Bidder (Prime Contractor) and for each subcontractor. Insert your company or organization name at the top of the form.

For all personnel from this company or organization that will be directly billed to this Agreement:

## **V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED**

- List the names in alphabetical order (if not already linked).
- Provide the job classifications or title (if not already linked).
- Insert the loaded hourly rates in the columns provided for each year of the contract. There are two columns for each contract year. Please show the loaded hourly rates for each portion of the contract year that correspond to your fiscal years. You must use the rates provided on Forms A-2 and A-3 for your company or organization when calculating the loaded hourly rates.
- The loaded hourly rate is defined as direct labor, fringe benefits, indirect rates (overhead, general and administrative, etc., as applicable), and profit (if applicable).

### **TRAVEL, EQUIPMENT LIST, MATERIALS LIST, AND MISCELLANEOUS EXPENDITURES, A-5**

The Contractor and all Subcontractors must provide details of "Travel," "Equipment," "Materials," and "Miscellaneous," listed in Exhibit A-5. Task numbers must be entered for all items on each table. Include any meetings, and the final meeting. Also include any other trips that you can identify. Any trips not identified here will need prior written approval by the Authority Contract Manager. Along with the purpose, include the destination, person or people taking the trip, and the amount for each trip.

#### **EQUIPMENT**

The purchase of equipment is not allowed under the resulting contract.

## VI. Administration

### RFP DEFINED

The competitive method used for this procurement of services is a Request for Proposal (RFP). A Proposal submitted in response to this RFP will be scored and ranked based on the Evaluation Criteria. Every Proposal must establish in writing the Bidder's ability to perform the RFP tasks.

### DEFINITION OF KEY WORDS

Important definitions for this RFP are presented below:

Word/Term	Definition
State	State of California
DGS	Department of General Services
Authority	California High Speed Rail Authority
RFP	Request for Proposal, this entire document
Proposal	Formal written response to this document from contractor
Bidder	Respondent to this RFP
ACM	Authority Contract Manager
DVBE	Disabled Veteran Business Enterprises

### IMPORTANT ADMINISTRATIVE DETAILS

#### Cost of Developing Proposal

The Bidder is responsible for the cost of developing a proposal, and this cost cannot be charged to the State.

#### Errors

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the Bidder shall immediately notify the Authority of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the RFP, without divulging the source of the request for clarification. The Authority shall not be responsible for failure to correct errors.

#### Confidential Information

The Authority will not accept or retain any Proposals that are marked confidential in their entirety and Bidders are strongly discouraged from requesting confidential treatment for any of the information contained in a submittal.



## **VI. ADMINISTRATION, CONTINUED**

### **Target Area Contract Preference**

The Target Area Contract Preference Act (TACPA, Government Code Section 4530 et seq.) provides a five percent (5%) preference to California-based companies that perform State contract work in a distressed area. Bidders should complete Attachment 7 if they qualify for this preference. If you have questions regarding this preference, please contact OSBCR at (916) 323-6743.

### **Enterprise Zone Preference Request**

The Enterprise Zone Act (EZA, Government Code Section 7070 et seq.) provides an incentive for business and job development in distressed and declining areas of State. Bidders should review Attachment 8 to determine if they qualify for this incentive.

### **Local Agency Military Base Recovery Act**

The Local Agency Military Base Recovery Area Act (LAMBRA, Government Code Section 7118 et seq.) provides a five percent (5%) preference to California-based companies that perform State contract work in the LAMBRA. Bidders should review Attachment 8 to determine if they qualify for this preference.

### **DARFUR CONTRACTING ACT OF 2008**

Effective January 1, 2009, all Requests for Proposals (RFP) must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475, *et seq.*; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with “scrutinized” companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).

Therefore, Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a “scrutinized” company when it submits a bid or proposal to a State agency. (See # 1 on Attachment 2).

A scrutinized company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See # 2 on Attachment 2).

## VI. ADMINISTRATION, CONTINUED

### LOSS LEADER

Per Public Contract Code 10302, (b) (1) "It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code."

### CERTIFIED SMALL/MICRO BUSINESS AND NON-SMALL BUSINESS

The Authority strongly encourages the participation of certified small businesses. In order to receive Small/Micro Business or Non-Small Business Preference, Bidders must either be certified by the State Department of General Services, Office of Small Business and DVBE Certification (OSDC) as a small/micro business, or non-small business. See Attachment 3.

The preference to a non-small business bidder that commits to small business or microbusiness subcontractor participation of twenty-five percent (25%) of its net bid price shall be five percent (5%) of the lowest responsible bidder's total cost or price. A non-small business which qualifies for this preference may not take an award away from a certified small business. See Government Code section 14838 (b)(1)(2).

The Office of Small Business and DVBE Certification (OSDC) offer program information and may be reached at:

Department of General Services  
Office of Small Business and DVBE Certification  
707 3<sup>rd</sup> Street, 1<sup>st</sup> Floor, Room 400  
West Sacramento, CA 95605  
Email: [OSDSHelp@dgs.ca.gov](mailto:OSDSHelp@dgs.ca.gov)  
Homepage: <http://www.pd.dgs.ca.gov/smbus>  
Receptionist: (916) 375-4940  
Fax: (916) 375-4940

### DISABLED VETERAN BUSINESS ENTERPRISES (DVBE) COMPLIANCE REQUIREMENTS

This RFP is subject to a participation goal of three percent (3%) certified California Disabled Veteran Business Enterprise (DVBE) as set forth in Public Contract Code Section 10115 et seq. More information regarding DVBE is located in Attachment 4.1. The Disabled Veteran Business Enterprise (DVBE) Program has two inter-related aspects:

**DVBE Participation**: The mandatory DVBE Participation Program of achieving participation goals by attaining the minimum 3% goal.

And,

## **VI. ADMINISTRATION, CONTINUED**

**Incentive:** The DVBE Incentive Program gives a contractor an opportunity to improve their bid status based on the efforts attained from the DVBE Participation Program. See Attachment 4.3.

### **RFP CANCELLATION AND AMENDMENTS**

If it is in the State's best interest, the Authority reserves the right to do any of the following:

- Cancel this RFP;
- Amend this RFP as needed; or
- Reject any or all Proposals received in response to this RFP

If the RFP is amended, the Authority will send an addendum to all parties who requested the RFP.

#### **Contract Amendment**

This RFP may be amended to make changes, including without limitation; additional funds, additional time, additional or modified tasks, and additional or modified terms. Amendments may be made without competitively bidding, so long as the amendment is exempt from competitive bidding pursuant to Public Contract Code section 10335, Government Code section 11010.5 and the State Contract Manual.

#### **Modifying or Withdrawal of Proposal**

A Bidder may, by letter to the Contact Person at the Authority, withdraw or modify a submitted Proposal before the deadline to submit proposals. Proposals cannot be changed after that date and time. A Proposal cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the RFP: "This proposal and the cost estimate are valid for 60 days."

#### **IMMATERIAL DEFECT**

The Authority may waive any immaterial defect or deviation contained in a Bidder's proposal. The Authority's waiver shall in no way modify the proposal or excuse the successful Bidder from full compliance.

#### **DISPOSITION OF BIDDER'S DOCUMENTS**

On the Notice of Proposed Award posting date all proposals and related material submitted in response to this RFP become a part of the property of the State and public record. Bidders who want any work examples they submitted with their proposals returned to them shall make this request and provide either sufficient postage, or a Courier Charge Code to fund the cost of returning the examples.

## **VI. ADMINISTRATION, CONTINUED**

### **CONTRACT REQUIREMENTS**

After Stage Three scoring the Notice of Proposed Awards (NOPA) will be posted for five (5) working days at the Authority's headquarters in Sacramento, and on the Authority's and the DGS' web site. In addition, each Bidder under this solicitation will be emailed a copy of the NOPA for this solicitation.

The Authority will not consider any changes to the Contract "terms and conditions" contained in this RFP. If, for any reason, a successful Bidder does not sign the Contract documents within the time allotted, the Authority may eliminate that Proposal from its award list and select the next lowest cost Proposal for funding from the order of eligible proposals under the Solicitation.

The content of this RFP shall be incorporated by reference into the final contract. See the sample Agreement terms and conditions included in this RFP.

#### **No Contract Until Signed & Approved**

No contract between the Authority and the successful Bidder is in effect until the contract is signed by the Contractor, and approved by the Department of General Services, Legal Office.

#### **Audit**

The Bureau of State Audits may audit a Contract awarded under this RFP up to a period of three years after the final payment or termination of the Contract.

#### **Subcontractors**

The Bidder must submit the information required in the Team Qualifications and Experience section of the proposal for all Subcontractors including DVBE subcontractors as well as the budget forms.

#### **Unsuccessful Proposals**

After the NOPA is posted, each unsuccessful Bidder may request a debriefing meeting with the Authority Contracts Office. The debriefing meeting is an opportunity for an unsuccessful Bidder to learn why their particular proposal was not successful and may provide insight to improving proposal preparation for future solicitations.

#### **Award Payments and Invoicing**

Award payments shall be subject to the following conditions:

Payments will be made on a reimbursement basis, after the recipient submits the appropriate invoice(s) to the Authority

## **VI. ADMINISTRATION, CONTINUED**

Ten percent (10%) of the contract amount will be withheld as retention until the final report is received from the Contractor and the Authority's Contract Manager determines the Project has been satisfactorily completed. Typically, the Authority withholds 10% from each invoice throughout the program period, and then the bidder submits a retention invoice once all contract deliverables have been satisfactorily completed.

All invoices must be submitted with a completed payment request form, as specified by the Authority, and accompanied by all backup documentation. The backup documentation must include copies of paid invoices and receipts detailing the specific equipment purchased, the services produced, and personnel time records where appropriate.

Authority staff must approve all invoices. Such approval is subject to the Contractor's acceptable submittal of the required progress reports, other specified products, and the appropriateness of the invoiced expenses under the contract.

### **BIDDERS' ADMONISHMENT**

This RFP contains the instructions governing the requirements for a firm quotation to be submitted by interested Bidders, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Bidder responsibilities. Bidders must take the responsibility to carefully read the entire RFP, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the RFP are followed and appropriately addressed, and carefully reread the entire RFP before submitting a proposal.

### **GROUND TO REJECT A PROPOSAL**

#### **A Proposal shall be rejected if:**

- It is received after the exact time and date set for receipt of Proposal's pursuant to Public Contract Code, Section 10344.
- It is considered non-responsive to the California Disabled Veteran Business Enterprise participation requirements.
- It is lacking a properly executed Certification Clauses.
- It is lacking a properly executed Darfur Contracting Act
- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Bidder.
- The Proposal is intended to erroneously and fallaciously mislead the State in its evaluation of the Proposal and the attribute, condition, or capability is a requirement of this RFP.
- There is a conflict of interest as contained in Public Contract Code Sections 10410-10412 and/or 10365.5.
- It contains confidential information.

## VI. ADMINISTRATION, CONTINUED

### A Proposal may be rejected if:

- It is not prepared in the mandatory format described.
- It is unsigned.
- The firm or individual has submitted multiple proposals for each task.
- It does not literally comply or contains caveats that conflict with the RFP and the variation or deviation is not material, or it is otherwise non-responsive.

### PROTEST PROCEDURES

A Bidder may file a protest against the proposed awarding of a contract. Once a protest has been filed, contracts will not be awarded until either the protest is withdrawn, or the Authority cancels the RFP, or the Department of General Services decides the matter.

Please note the following:

- Protests are limited to the grounds contained in the California Public Contract Code Section 10345.
- During the five working days that the Notice of Proposed Award (NOPA) is posted, protests must be filed with the DGS Legal Office and the Authority Contracts Office.
- Within five days after filing the protest, the protesting Bidder must file with the DGS and the Authority Contracts Office a full and complete written statement specifying the grounds for the protest.
- If the protest is not withdrawn or the solicitation is not canceled, DGS will decide the matter. There may be a formal hearing conducted by a DGS hearing officer or there may be briefs prepared by the Bidder and the Authority for the DGS hearing officer consideration.