

REQUEST FOR PROPOSAL

FRESNO COUNTY COMPREHENSIVE CLIMATE ACTION PLAN

DUE Tuesday, May 28, 2024, 5:00 P.M. (PST)

**Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
(559) 233-4148**

Additional background information on this proposal can be found on the
Fresno COG website!

www.fresnocog.org

April 2024

REQUEST FOR PROPOSAL

FRESNO COUNTY COMPREHENSIVE CLIMATE ACTION PLAN

The Fresno Council of Governments (Fresno COG) is requesting proposals from qualified consultants to complete the Fresno County Comprehensive Climate Action Plan, which is the subsequent plan to the Fresno County Priority Climate Action Plan (PCAP). The Comprehensive Climate Action Plan (CCAP) will be addressing the additional requirements for the CCAP and expand/enhance the PCAP components in the CCAP. It is anticipated that the CCAP process will take approximately 14 months to complete. The structure of the process will include the previously established Stakeholder Steering Committee, a public engagement process, and a Fresno COG decision making committee process. The Stakeholder Steering Committee will largely remain the same from the PCAP process except including a few more sector representatives and community groups to expand on the outreach efforts. Additional analysis and discussions are anticipated in the areas of GHG emission forecasting and emission reduction target setting, identification of GHG reduction measures for the Fresno County region, and more specific LIDAC analysis based on the findings. Based on the GHG inventory results and measures in the PCAP, the Fresno region's highest emitting sector is Transportation followed by Agriculture, Residential & Commercial Buildings, Industry, Waste Management, and Other. The CCAP will be a comprehensive inventory must include all GHG emissions and sinks by emission source and sink category following commonly accepted protocols for the following sectors: industry, electricity generation and/or use, transportation, commercial and residential buildings, agriculture, natural and working lands, and waste and materials management.

Background

Fresno COG is a federally designated Metropolitan Transportation Organization (MPO), State designated Regional Transportation Planning Agency (RTPA), and a Council of Governments (COG). Its membership includes the 16 jurisdictions in the Fresno Metropolitan Area. It operates under a joint powers agreement that was signed by the membership, which consists of all 16 local governments in Fresno County. Serving as a regional transportation planning agency, Fresno COG plays a pivotal role in coordinating transportation and land-use planning efforts within Fresno County. Fresno COG facilitates collaboration among local governments, State agencies, transit agencies, community organizations and other stakeholders to address the region's infrastructure and mobility challenges. The Fresno Metropolitan Area, which covers the entire Fresno County, ranks among one of the 67 most populous Metro Areas in the nation and was eligible for a \$1 million planning grant. Through close coordination with partner agencies in the Fresno region, especially with City of Fresno, the largest municipality in Fresno County, and the San Joaquin Valley Air Pollution Control District, the Fresno Council of Governments (Fresno COG) is leading the region in the development of a Fresno County Climate Action Plan.

In 2023, Fresno COG accepted the on behalf of the Fresno Metropolitan Statistical Area (MSA) the \$1 million Climate Pollution Reduction Planning Grant by U.S. Environmental Protection Agency's (US EPA). The plan will run through 2027 consisting of three deliverables: Priority Climate Action Plan, Comprehensive Climate Action Plan, and Status Report. The second deliverable of the U.S. EPA Climate Pollution Reduction Planning Grant is the Comprehensive Climate Action Plan (CCAP). Fresno COG has proposed a workplan for the Climate Action Plan for the Fresno County region. The plan includes the 15 incorporated cities: City of Clovis, City of Coalinga, City of Firebaugh, City of Fowler, City of Fresno, City of Huron, City of Kerman, City of Kingsburg, City of Mendota, City of Orange Cove, City of Parlier, City of Reedley, City of San Joaquin, City of Sanger, City of Selma, and the County of Fresno.

Scope of Work

The Scope of Work should include the development of the Climate Action Plan (CCAP), which covers all significant GHG sources/sinks and sectors present in the Fresno metropolitan area as identified in the Priority Climate Action Plan. The CCAP should establish near-term (e.g., 2030-2035) and long-term (e.g., 2050) projections of GHG emissions are required to be included in the CCAP. This element includes projections of GHG emissions (and sinks, if feasible) in the absence of plan measures (e.g., a “business-as-usual” projection), and a projection of GHG emissions under a scenario where the plan is fully implemented. The inclusion of sector-based projections is strongly recommended (e.g., establishing a separate GHG emissions projection for transportation, electricity generation, commercial and residential buildings, industry, agriculture, and waste and materials management).

This project will actively engage disadvantaged communities through public outreach as well as representation of such communities on the Working Group by community organizations. Fresno Council of Governments has established a Stakeholder Steering Committee from the previous plan and intends on growing membership during the CCAP for wider knowledge base. In addition to representative from all the 16 local governments in Fresno County, the Stakeholder Steering Committee also includes representatives from community-based organizations, transit agencies in the region, tribal representatives, industry experts, business representatives, agriculture representatives, and the general public.

The Comprehensive Climate Action Plan must include:

- A GHG inventory
- GHG emissions projections
- GHG reduction targets
- Quantified GHG reduction measures
- A benefits analysis for the full geographic scope and population covered by the plan
- A low-income and disadvantaged communities benefits analysis

REFERENCE MATERIALS

More information on the Climate Pollution Reduction Grant Program can be found here: [Climate Pollution Reduction Grants | US EPA](#)

The Fresno Council of Government’s engagement hub can be accessed here: [Climate Pollution Reduction Grants - PCAP/CCAP - PublicInput](#)

The Fresno County Priority Climate Action Plan can be found here: [Fresno COG PCAP 030124 FINAL.pdf \(dropbox.com\)](#)

Task 1: Greenhouse Gas (GHG) Inventory

- Identify a base year for evaluating GHG
- Produce a comprehensive inventory including GHG emission and sinks covering all sectors.
- Such sectors should at a minimum include transportation, industry, electricity generation, waste/recycle management, commercial/residential buildings, agriculture, natural and working land, etc.

Task Deliverables
<ul style="list-style-type: none">• Summary of GHG Inventory within Fresno County spanning over multiple sectors

Task 2: Greenhouse Gas (GHG) Emissions Projections & Reduction Targets

- Create two scenarios for GHG projections: business as usual (no implementation) and with plan implementation.
- The GHG projections and targets shall be made for the key sectors that are identified in the GHG inventory process.

Task Deliverables
<ul style="list-style-type: none">• Two sets of GHG projections: business as usual and plan implementation with both short-term and long-term projections.• GHG Reduction targets for both short-term and long-term years

Task 3: Quantified GHG Reduction Measures

- Identify GHG reduction measures for the key sectors (industry, transportation, electricity generation/use, commercial/residential buildings, agriculture, natural and working lands, and waste/recycle management)
- Estimate the GHG reduction for both short and long term, and identify the agency with implementation authority, and implementation timeline and milestone, funding sources, total cost, etc.

Task Deliverables
<ul style="list-style-type: none">• A list of GHG reduction measures for the key sector with GHG reduction estimates.• Should include implementation agency, cost, funding source and timeline for implementation.

Task 4: Benefit Analysis

- Conduct a benefit analysis that will assess the benefits from implementing the identified GHG reduction measures.
- Include both short-term and long-term reduction of co-pollutants (criteria pollutant/precursors and air toxics) by the identified key sectors, and other social and environmental benefits such as improved public health, increased access to education and services, creation of clean jobs, etc.
- Identify any disbenefits associated with implementation of the GHG reduction measures identified in the CCAP.
- Same tasks above for Low Income/Disadvantaged Communities in Fresno County as identified by CJEST mapping tool.

Task Deliverables
<ul style="list-style-type: none">• Estimates of co-pollutants reduced by key sectors due to the implementation of the plan.• Other social and environmental benefits shall be included.• Estimates of co-pollutants reduced by key sectors for the low-income and disadvantaged communities due to the implementation of the plan.• Other social and environmental benefits shall be included for the low-income and disadvantaged communities.

Task 5: Review of Authority and Leverage of Funding

- Identify the implementation authority for each of the identified implementation measures.

- Note: If such authority is to be obtained, a schedule of milestone will be provided for actions needed to obtain such authority.

Task Deliverables

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| <ul style="list-style-type: none"> • A list of identified implementation authority for each of the GHG reduction measures • A list of identified funding sources from federal, state, regional and local levels that can be leveraged to implement the plan |
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Task 6: Workforce Planning Analysis

- Assess the impact the implementation of the plan on the local workforce.
- Include number of clean and higher quality jobs created due to the plan implementation, supply of local skilled labor forces for plan implementation, job opportunities for low-income disadvantaged people etc.

Task Deliverables

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| <ul style="list-style-type: none"> • Workforce assessment report such as number of jobs created, whether there is shortage of skilled labor force for the plan implementation, etc. |
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Task 7: Stakeholder Engagement Activities

- Host bi-monthly meetings throughout plan development with previously established Stakeholder steering Committee with additional members.
- Conduct a robust and meaningful public outreach process to engage low-income and disadvantaged people.
- Conduct outreach through a combination of in-person and virtual meetings.
- Host up to five in-person outreach events at community or organization planned events as available.
- Develop and design social media posts and advertising targeting the Fresno County region in multiple languages and targeting low-income, disadvantaged communities.
- Ability and knowledge using Public Input website; coordinating with Fresno COG Public Information Officer to release updates.
- Execute communications through member agencies and stakeholder outreach partnerships who will assist Fresno COG in reaching low-income and disadvantaged community members using their suggested means of communication to engage the public in discussions about emissions reductions and identify public priorities.
- Actively engage community and local stakeholders (e.g., disadvantaged communities, community-based groups) during the project's development to receive input on pollution impacts and vulnerabilities to inform the project selection process.

Task Deliverables

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| <ul style="list-style-type: none"> • Stakeholder Steering Committee List • Outreach Summary which includes number of community members participating in plan development; data/presentations from online or in person workshops, meetings, events, stakeholder sessions, etc. • Dissemination of project/technology information via e-blast, websites, newsletters, and outreach events. |
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Task 8: Develop the Draft Plan and Publish the Draft plan for Public Review

- Develop the draft plan that includes recommendations from the Stakeholder Steering Committee and in adherence to the US EPA’s CPRG guidelines for the CCAP.
- Publish the draft plan for 30-day public review.
- Receive public input and produce response letters.

Task Deliverables
<ul style="list-style-type: none">• Draft plan• Public comments and response letters

Task 9: Presentation & Policy Board Acceptance

- Present the draft final plan to the Transportation Technical Committee, the Policy Advisory Committee, and the Policy Board for acceptance.
- Incorporate comments from the committees into the final report.

Task Deliverables
<ul style="list-style-type: none">• PowerPoint presentation• Final report

COORDINATION

The consultant will take primary direction from the Fresno COG Project Manager. It is intended that all work will be completed within twelve months negotiating a contract in accordance with the schedule component and that the consultant’s work will begin immediately upon receiving a notice to proceed.

The selected consultant will best demonstrate the ability to deliver quality work on schedule and in a cost-effective manner, consistent with the tasks and deliverables in this RFP.

File copies of all correspondence, technical memoranda and reports should be delivered to the Fresno COG Project Manager in electronic format.

All data, maps and all other materials prepared or collected under this contract will become the property of Fresno COG. Provide monthly progress reports to the Fresno COG project manager. These monthly status reports will include descriptions of work tasks completed that month and will identify any issues that may affect project schedule or project deliverables.

Proposed Time Schedule

Activity	Date
Request for Proposals released	April 25 th , 2024
Deadline for submitting questions	May 14 th , 2024, 5:00 p.m. PST
Deadline for proposal submittal	May 28 th , 2024, 5:00 p.m. PST
Selection process	Week of June 3 rd -June 7 th (Tentative)

Anticipated Notice to Proceed
Anticipated Completion of project

July 2024 (Tentative)
November 2025

III. PROPOSAL REQUIREMENTS

Clarity and succinctness are essential and will be considered in assessing the consultant's capabilities. Proposals that show creativity and new ideas will be highly considered. All consultant proposals submitted in response to this request will be screened by a review committee. The committee will determine, through the screening process, which consultants will be invited to make formal presentations and be interviewed by the selection committee. The selection committee reserves the right to make a final selection without an interview.

The proposal must be received by email by **5:00 p.m. PST on Tuesday, May 28th, 2024**. Proposals not received by email by that date and time *will not be considered*. A hard copy of the proposal can be mailed to Fresno Council of Government on the same day.

To simplify the review process and maximize the degree of comparative analysis, the proposal should be organized in the following manner:

A. Transmittal letter

The transmittal letter should be signed by an official authorized to bind the consultant contractually and will contain a statement to the effect that the proposal is a firm offer for 90 days. The letter accompanying the proposal will also provide the following: name, title, address, and telephone number of individuals with the authority to negotiate and contractually bind the company. The transmittal shall contain a statement of understanding of the RFP.

B. Table of Contents

Include identification of the material by section and page number.

C. Overview

This section should clearly convey the consultant's understanding of the nature of the work and the general approach to be taken to its performance. This section should include, but not be limited to, a discussion of the purpose of the project, the organization of the project effort, and a summary of the proposed approach.

D. Detailed Work Plan

The prospective contractor shall provide a schedule for completing the project, if different from the provided proposed project timeline (Appendix B), within the schedule set forth in this RFP. The schedule shall identify the major tasks to be undertaken and the time frame for each task.

This section should include the following components:

1. Task Description

Include a full description of each step to be followed in carrying out the project. The work description should be presented in sufficient detail (tasks, subtasks, etc.) to show a clear understanding of the work and the proposed approach.

2. Deliverables

A description of the format, content, and level of detail that can be expected for each deliverable.

3. Schedule

A schedule showing the expected sequence of tasks, subtasks, etc. should accompany the work description. Important milestones should be identified on the schedule.

E. Management Approach

This section should describe the firm's management approach. If the proposal is a team effort, the distribution of work among the team members should be indicated. Describe the organization of the management, the structure of the work assignments, and any specific features of the management approach that require special explanation. Designate by name the project manager to be employed who will oversee the project. **No substitutions of the identified project manager will be allowed without prior approval of Fresno COG.**

Include the name and qualifications of all professional personnel to be employed, a resume for each professional (included in an appendix), a statement indicating how many hours each professional will be assigned to the contract and what tasks each professional will perform. Staffing assignments should be specific enough to demonstrate understanding of skills required and commitment of proper resources. **The selected consultant will not substitute members of the project team without prior approval of Fresno COG.**

F. Budget and Billing Format

A cost analysis of the proposed budget will be done by Fresno COG staff. Under various circumstances the budget could be subject to Preaudit and/or the final cost subject to Post audit by Fresno COG or Caltrans division of Audits and Investigations. The allowability of individual items of cost will be determined by 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et. Seq. The Contractor will also be required to comply with Title 2, CFR part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and 2 CFR, Part 1201, Uniform Administrative Requirements Costs Principles, and Audit Requirements for Federal Awards. The contractor should have an accounting system capable of segregating direct cost from indirect costs per the above cited regulations. The Contractor and Subcontractors will comply with all applicable laws and maintain books, documents, papers, and accounting records for a period of three years from the date of the final payment.

1. Method of Payment

The cost proposal must be prepared consistent with the method of services provided under this agreement and will be reimbursed, by one of, or a combination of the methods below. The proposer must clearly state the method used to prepare the cost proposal.

- Lump Sum payment
- Actual Cost plus Fixed Fee
- Specific Rates of Compensation

Lump Sum proposals will be paid per milestone of completed work or at the end of the contract upon acceptance of the final product. Actual Cost plus Fixed Fee agreements shall be billed at actual payroll costs and include a fixed fee for profit. In agreements reimbursed by Specific Rates of Compensation, billing rates containing a component for profit will be negotiated that will not change during the term of the contract.

2. Project Budget

A maximum of \$ 450,000 has been budgeted for consultant services for this project.

3: Task Budget

A schedule of estimated costs to complete each task should add down to the total cost of the project (see Table 1 & 2 “Hypothetical”). The task budget should include a subsidiary breakdown by task of hours and billing rate charges. To ensure a full understanding of the resources committed to the project the schedule should clearly indicate the amount of hours key personnel will be used in each task.

4. Budget and Cost Breakdown

The prospective consultant will prepare a detailed cost breakdown for the work to be performed during the project regardless of the method of reimbursement chosen. This will include all tasks required to complete the project including final reports and presentation.

a. Direct Labor Costs – A schedule of billing rates and hours worked by employee or category of employee is required of the prime contractor and all subcontractors. Billing rates shall be based on actual pay rates and should cover all costs associated with the employee (salary, benefits, and anticipated cost of living and/or merit increases during the term of the contract). Depending on the individual cost structure, overhead may be applied as a component of the billing rate or applied separately. The proposer should be prepared to validate billing rates with payroll registers, wage agreements, or other payroll documentation.

b. Overhead Rates – The overhead rate should include all indirect cost not readily assignable to cost objectives specifically benefited. Typically an overhead rate is calculated on a company or division wide basis by segregating expenses into direct cost and indirect cost categories and then dividing the indirect costs by a direct cost base such as direct labor to arrive at an overhead rate. The overhead rate is then applied on a contract by contract basis to recapture the indirect costs that are not chargeable directly to a final objective such as general and administrative, facilities, equipment, supplies, accounting, maintenance, materials, etc. Some cost structures may be broken into various overhead rates that are applied to different bases. The proposer should be prepared to provide supporting documentation such as prior agreements with government agencies or audits of prior year activities to validate overhead rates structures.

c. Direct Cost – Direct costs are those incremental costs that can be identified specifically with a particular final cost objective. Although in some instances direct cost and indirect cost may include similar categories, incremental direct cost attributable to final objectives must be separated and not included in the overhead calculation. All direct cost specifically attributed to the project and not included in the billing rates must be itemized by budget category to be eligible for reimbursement. Once contractually authorized, direct cost budgets may not be substituted without prior written consent of FCOG. Travel expenses and per diem rates are not to exceed the rate specified by the State of California Department of Personnel Administration as specified by the California Department of Transportation’s Travel Policy unless written verification is supplied that hotel rates were not then commercially available at the time and location required.

d. Sub consultant Fees – Sub consultants must provide the same cost data detail as the prime contractor (see Table I and Table 2).

e. Fixed Fee – A fixed fee is calculated as a basis of total direct and indirect costs. The State of California allows a 10% maximum fee.

The hypothetical cost format example given below is to illustrate required components of the cost proposal only, and may have to be tailored to fit individual cost structures.

HYPOTHETICAL
COST ESTIMATE

Table 1.- Direct cost by Task

Cost Items	Task 1	Task 2	Task 3	Total
1. Direct Labor	3,700	17,053	5,502	26,255
2. Overhead (___% of Line 1)	1,480	6,821	2,201	10,502
Total Salary Burden	5,180	23,874	7,703	36,757
3. Direct Expenses				
Telephone/FAX	35	28	15	78
Postage/Shipping	12	8	35	55
Graphics/Printing	11	11	75	97
Travel	350		500	850
Misc.	45	45	45	135
Total Direct Expenses	453	92	670	1,215
4. Subconsultant Fees *	4,244	22,276	2,726	29,246
5. Fixed Fee (___% of Lines 1,2,3)	764	1,524	1,132	3,420
Total	10,640	47,766	12,231	70,638 70,638

Table 2 - Project Task Costs by Key Personnel

Task No. and Description	Key Staff #1	Key Staff #2	Staff Support	Total Hours
Task 1. Establish Parameters	25	75		100
Task 3. Data Collection and Analysis		400	250	650
Task 4. Final Report and Presentation	15	50	175	240
Total Hours	40	525	425	990
Billing Rate	\$75.00	\$44.06	\$25.00	
Memo Total	3,000	23,132	10,625	36,757

* Subconsultants must provide required cost components found in Tables 1 & 2

G. Insurance requirements

Without limiting Fresno COG's right to obtain indemnification from the consultant or any third parties, the consultant, at its sole expense, shall maintain in full force and affect the following insurance policies throughout the term of the contract:

1. Comprehensive general liability insurance with coverage of not less than \$2,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage. Comprehensive general liability insurance policies shall name Fresno COG, its officers, agents, and employees, individually and collectively, as additional insured, but only insofar as the operations under the terms of the contract are concerned. Such coverage for additional insured shall apply as primary insurance or self-insurance and any other insurance, maintained by Fresno COG, its officers, agents, and employees, shall be given excess only and not contributing with insurance provided under the consultant's policies herein.
2. Comprehensive automobile liability insurance with limits for bodily injury of not less than \$25,000 per person, \$250,000 per accident, and for property damages of not less than \$50,000, or such coverage with a combined single limit of \$250,000.
3. Professional liability insurance of at least \$1,000,000.
4. Worker's compensation insurance as required by law.

This insurance shall not be canceled or changed without a minimum of thirty (30) days advance written notice given to Fresno COG. The consultant shall provide certification of said insurance to Fresno COG within twenty-one (21) days of the date of the execution of the contract. Such certification shall show, to Fresno COG's satisfaction, that such insurance coverages have been obtained and are in full force; that Fresno COG, its officers, agents, and employees will not be responsible for any premiums on the policies; that as and if required such insurance names Fresno COG, its officers agents, and employees individually and collectively as additional insured (comprehensive and general liability only), but only insofar as the operations under the contract are concerned; that such coverage for additional insured shall apply as primary insurance and any other insurance, or self-insurance, maintained by Fresno COG, its officers, agents, and employees, shall be excess only and not contributing with insurance provided under the consultant's policies herein; and that this insurance shall not be canceled or changed without a minimum of thirty (days) advance, written notice given to Fresno COG.

In the event the consultant fails to keep in effect at all times insurance coverage as herein provided, Fresno COG may, in addition to other remedies it may have, suspend or terminate the contract upon the occurrence of such event.

H. Disadvantaged Business Enterprise (DBE) Certification

DBE Bidders Listing (Attachment B) must be completed for all contractors and subcontractors regardless of DBE affiliation.

The Fresno COG fully anticipates that it will consistently meet and exceed its adopted DBE overall goal under 49 CFR Part 26 using Race-neutral measures exclusively.

Only DBE firms currently certified per 49 CFR Part 26 will participate as DBEs in our program. Such certification must be issued by Caltrans, FHWA, FTA, DOT, MPO, City, County, or State in accordance with 49 CFR Part 26. All contractors or subcontractors claiming to be a certified DBE must provide a valid DBE certification.

Fresno COG will not deny award to contractors on the basis of DBE participation, who demonstrate that they have used good faith efforts to achieve DBE participation. Contractors must provide the following information with the initial proposal or before entering into a contractual agreement with Fresno COG:

1. The name, addresses, & phone number of all bidding firms.
2. NAICS code by firm.
3. The dollar amount of participation by each firm.
4. Proof of DBE certification if claimed.
5. Written confirmation named DBE's will participate.
6. If DBE participation is not achieved, evidence of good faith efforts may be required.

Prime contractors are required to maintain records and document payments to all subcontractors for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative on Fresno COG, Caltrans, FHWA, FTA or DOT. This reporting requirement also extends to any certified DBE subcontractor. The contractor shall maintain records showing the name and address of each subcontractor, the date of payment, and total dollar figure paid to each subcontractor.

Fresno COG will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with federal, state, or local laws.

I. Conflicts of Interest

The prospective contractor shall disclose any financial, business, or other relationship with Fresno COG that may have an outcome on the selection.

J. Summary of Qualifications

Proposals shall include a summary of the firm's qualifications, including resumes of assigned staff.

K. Signing of Proposal/Authorization to Negotiate

The proposal shall be signed by an official authorized to bind the proposer and shall contain a statement to the effect that the proposal is a firm offer for a 90-day period. The proposal shall also provide the following: name, title, address, and telephone number of individuals with authority to negotiate and contractually bind the company.

L. Attachments

Attachments to be included at the end of the proposal are as follows (as attached herein):

- Attachment A: Title VI Assurance
- Attachment B: DBE Participation
- Attachment C: Budget and Cost Breakdown

IV. PROPOSAL SUBMITTAL

A. Preparation of Proposal

The proposal shall be formatted in accordance with the requirements specified in *Section III: Proposal Requirements* of this RFP. Proposal forms shall be executed by an authorized signatory as described in *Section III-K: Signing of Proposal/Authorization to Negotiate*. All proposals shall be prepared by and at the expense of the proposer.

B. Examination of RFP Document

The proposer shall be solely responsible for examining, with appropriate care, the RFP, including any addenda issued during the proposal period. The proposer shall also be responsible for informing itself with respect to any and all conditions which may in any way affect the amount or nature of the proposal, or the performance of the work in the event the proposer is selected. Failure of the proposer to examine and inform itself in this manner shall be at the proposer's own risk and no relief for error or omission shall be given.

C. Submission of Proposal/Period of Acceptance

The proposal must be received by email by **5:00 p.m. PST on Tuesday, May 28th, 2024**. Proposals not received by email by that date and time *will not be considered*. A hard copy of the proposal can be mailed to Fresno Council of Government on the same day. Proposals should be emailed to and sent to

Jennifer Rodriguez, Associate Regional Planner
jrodriguez@fresnocog.org
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

All proposals will remain firm for a period of ninety (90) days following the final date for submission. All proposals will become the sole property of Fresno COG and a part of its official records without obligation on the part of Fresno COG.

This RFP is not to be construed as a contract of commitment on the part of Fresno COG. Fresno COG reserves the right to reject all proposals, to seek additional information from each proposer, or to issue another RFP, if deemed appropriate.

D. Modification or Withdrawal of Proposals

Any proposal received before the date and time specified above for receipt of proposals may be withdrawn or modified by written request of the proposer. To be considered, however, the modified proposal must be received by the proposal due date and time specified previously.

All verbal modifications to these conditions or provisions are ineffective for proposal evaluation purposes. Only written changes issued by proposers to Fresno COG are authorized and binding.

E. Rejection of Proposals

Failure to meet the requirements for the request for proposals will be cause for rejection of the proposal. Fresno COG may reject any proposal if it is conditional, incomplete, or contains irregularities or inordinately high cost rates. Fresno COG may waive an immaterial deviation in a proposal. Waiver of an immaterial deviation shall in no way modify the Request for Proposals document or excuse the proposer from full compliance with the contract requirements if the proposer is awarded the contract.

V. CONSULTANT SELECTION

All consultant proposals submitted in response to this request will be screened by a selection committee. The committee will determine, through the screening process, which consultants will be invited to make formal presentations and be interviewed by the committee. **The selection committee reserves the right to make a final selection without an interview.**

The actual award of the contract will be by the Fresno COG Policy Board. Proposal opening does not constitute the awarding of a contract. The contract is not in force until it is awarded by Fresno COG and executed by the Fresno COG designees.

VI. PROPOSER OBJECTIONS

A proposer may object to any of the terms or provisions set forth in the RFP's Scope of Work or to the selection of a particular proposer on the grounds that Fresno COG's procedures, the provisions of this RFP, or applicable provisions of federal, state, or local law have been violated or inaccurately or inappropriately applied by submitting Fresno COG a written explanation of the basis for the objection. Deadlines for submittal of objections are:

- No later than two weeks prior to the date proposals are due, for objections to RFP provisions; or
- Within three working days after the date on which contract award is authorized or the date the proposer is notified that it was not selected, whichever is later, for objections to proposer selection.

If the proposer does not state any objections, Fresno COG will assume that the RFP scope of services are acceptable to the proposer and have been fully factored into its response. If the proposer intends to negotiate with Fresno COG concerning any part of the scope of services that the proposer finds objectionable, the proposer must provide specific language in its response that will address or cure its objections.

VII. FRESNO COG RIGHTS

Fresno COG may investigate the qualifications of any proposer under consideration, require confirmation of information furnished by a proposer, and require additional evidence of qualifications to perform the work described in this RFP.

Fresno COG reserves the right to:

1. Reject any or all of the proposals if it deems such action is in the public interest;
2. Issue subsequent Requests for Proposals;
3. Cancel the entire Request for Proposal;
4. Remedy technical errors in the Request for Proposals process;
5. Appoint an evaluation committee to review the proposals;
6. Seek the assistance of outside technical experts in proposal evaluation;
7. Approve or disapprove the use of particular subcontractors;
8. Establish a short list of proposers eligible for interviews after review of written proposals;
9. Negotiate with some, all, or none of the respondents to the RFP;
10. Solicit best and final offers from all or some of the proposers;
11. Award a contract to one or more proposers;
12. Accept an offer other than the lowest price offer; and

13. Waive informalities and irregularities in proposals and the bid process.

This RFP does not commit Fresno COG to enter into a contract, nor does it obligate Fresno COG to pay for any costs incurred in preparation and submission of proposals or in anticipation of a contract. All proposals will be subject to public disclosure as required by the California Public Records Act.

Fresno COG reserves the right to investigate the qualifications of all firms under consideration to confirm any part of the information furnished by a proposer, or to require other evidence of managerial, financial, or other capabilities which are considered necessary for the successful performance of the contract.

VIII. RFP QUESTIONS

All questions on the RFP should be submitted in writing by 5:00 p.m. PST by May 14th, 2024 to:

Simran Jhutti, Project Manager
Jhutti@fresnocog.org
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

All questions and answers will be posted on the Fresno COG website at:
<https://www.fresnocog.org/business-fresno-cog/>.

Attachment A

TITLE VI ASSURANCE

The Council of Fresno County Governments, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-4 and Title 49, Code of Federal Regulations, department of Transportation, Subtitle A, Office of the Secretary, Part 21 Nondiscrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority businesses enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or nation origin in consideration of an award.

Attachment B

DBE/WBE BIDDERS LISTING

Name of Firm	NAICS Code	Address	Phone Number	Project Budget \$\$	DBE Status Yes/No	Age of Firm	Annual Gross Receipts

- 1. All contractors/subcontractors bidding on the project must provide the requested information.
- 2. Bidders claiming DBE status must attach a copy of a current Certification issued pursuant to 49 CFR Part 26.
- 3. Bidders claiming DBE status must attach written affirmation that they will participate in the project.
- 4. Each bidder must designate if Gross Annual Receipts are greater than or equal to \$750,000.

Attachment C

BUDGET AND COST SCHEDULE TEMPLATE

	<i>(Name)</i>		<i>(Name)</i>		<i>(Name)</i>			
	<i>(Role)</i>		<i>(Role)</i>		<i>(Role)</i>			
TASKS	<i>(Hourly Billing Rate)</i>		<i>(Hourly Billing Rate)</i>		<i>(Hourly Billing Rate)</i>		Total Task Hours	Total Task Cost
Task	Hours	Cost	Hours	Cost	Hours	Cost		
Tasks Subtotal								

DIRECT COSTS

Direct Cost		Amount
Direct Costs Subtotal		

SUBCONSULTANTS

Subconsultants		Total Cost
Subconsultants Subtotal		

PROPOSAL GRAND TOTAL		
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