

REQUEST FOR PROPOSALS

ENVIRONMENTAL IMPACT REPORT FOR THE 2026 FRESNO COUNTY REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY

DUE: Wednesday, November 20th, 2024, By 5:00 P.M.

**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

October 2024

REQUEST FOR PROPOSALS

ENVIRONMENTAL IMPACT REPORT FOR THE 2026 FRESNO COUNTY REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY

The Fresno Council of Governments (Fresno COG) seeks proposals from qualified consultants to assist in the development of a “program-level” Environmental Impact Report (EIR) for the 2026 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). The EIR must be completed in compliance with the California Environmental Quality Act (CEQA); Fixing America’s Surface Transportation Act (FAST Act); Senate Bill (SB) 375; and all other applicable state and federal laws.

Background

Fresno County is the second largest county in the San Joaquin Valley (located in the central valley region of the State of California) encompassing approximately 6,000 square miles. The estimated population as of 2024 is just over 1,018,000, placing Fresno as the tenth most populous county of the 58 counties in California. There are fifteen incorporated cities and the county contains a federally recognized urbanized area, known as the Fresno-Clovis Metropolitan Area (FCMA). The City of Fresno is now the fifth largest city in the state, with a population of over 545,000.

Along the western boundary of Fresno County are the arid foothills of the Coastal Range. The western and central areas of the county are part of the fertile San Joaquin Valley where almost all the agricultural production takes place. In the east, one again encounters foothills and the Sierra Nevada Range; most of this area is either part of the National Forest or National Park Service. There are eight neighboring counties, which include: Kings, Tulare, Inyo, Mono, Madera, Merced, San Benito, and Monterey.

Fresno COG is an association of local governments within Fresno County bound by a joint power agreement. The agency acts as both the Regional Transportation Planning Agency (RTPA) and Metropolitan Planning Organization (MPO) for the Fresno County area. Its members include Fresno County and the cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger and Selma (all within the County of Fresno).

The RTP is a comprehensive assessment of all forms of transportation available in Fresno County and of needs for travel and goods movement projected into the future. Federal and State legislation mandate that long-range transportation planning be updated every four years for a period of at least 20 years into the future. Therefore, updated editions of the RTP are required every four years and are refinements of the original and subsequent plans. The first RTP was adopted in 1975; the updated plan associated with this requested EIR will be the twentieth edition, and is a continuation of a process of inter-agency cooperation, coordination and long-range planning which has involved the fifteen cities in the County, Fresno County, staff from related local public agencies, the local Air District (SJVAPCD), Caltrans and other state agencies, federal agencies, other stakeholders and the general public. This process has been accomplished within the framework of the Fresno COG. The 2026 RTP’s horizon year is 2048.

The RTP is updated every four years and is used to guide the development of the Regional and Federal Transportation Improvement Programs (RTIP and FTIP) as well as other transportation programming documents and plans. The RTP outlines the region’s goals and policies for meeting current and future mobility needs, providing a foundation for transportation decisions by local, regional and State officials that are ultimately aimed at achieving a coordinated and balanced transportation system. The RTP identifies the region’s transportation needs and issues, sets forth actions, programs, and a plan of projects to address the needs consistent with adopted policies and goals, and documents the financial resources needed to implement the plan. As required, the RTP consists of policy, action, financial, conformity, public outreach, environmental and regional context, as well as the Sustainable Communities Strategy element. Fresno

COG conducts an environmental justice analysis of the projects included in the RTP in order to demonstrate compliance as an MPO with federal requirements related to Title VI and Environmental Justice in the RTP development process.

The Sustainable Communities and Climate Protection Act of 2008 (SB 375, Steinberg) enhances California's ability to reach its AB 32 goals by promoting good planning with the goal of more sustainable communities. SB 375 mandates regional greenhouse gas emission reduction targets for passenger vehicles. Pursuant to SB 375, the California Air Resources Board (CARB) established targets for 2020 and 2035 for each region covered by one of the State's 18 metropolitan planning organizations (MPOs). Fresno COG, as the regional MPO, must prepare a Sustainable Communities Strategy that demonstrates how the region will meet its greenhouse gas reduction target through integrated land use, housing and transportation planning. First adopted in 2014 by Fresno COG, the SCS is now an integral part of the RTP.

Fresno COG is utilizing a new approach to scenario development and analysis for the 2026 SCS with the incorporation of futures, which are sets of assumptions about extreme future conditions for which transportation and land use strategies can be tested against to determine which set of strategies yield the most desirable outcomes. This practice is similar to those used recently by other planning agencies such as Caltrans, the Metropolitan Transportation Commission, and others.

The futures currently being developed by Fresno COG, with input from regional stakeholders, include: Extreme Climate, High-Tech Innovation, and Regulatory Challenges. In addition to these three extreme futures, COG staff will develop a base future, which will be consistent with the results of the regional demographic forecast which is currently being developed. This Base Future will form the basis for the preferred scenario, when chosen. More information on the SCS is available on the Plan Fresno website: www.planfresno.com.

An EIR for the 2026 RTP and SCS is necessary to evaluate potentially significant environmental effects of the plan and to identify strategies to avoid or mitigate significant environmental effects. Certification of the EIR by the Fresno COG Policy Board must be completed no later than June 30, 2026. A tentative timeline of the major project milestones is included in Attachment D.

The EIR will provide analysis sufficient to meet all CEQA requirements, including (but not limited to):

- Aesthetics
- Air Quality
- Agricultural and Forest Resources
- Biological resources
- Cultural Resources
- Energy
- Environmental Justice
- Geology / Soils
- Green House Gas Emissions (GHG)
- Hazards and Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mandatory Findings of Significance
- Mineral Resources
- Noise
- Population / Housing
- Public Health & Services
- Recreation
- Transportation / Traffic
- Utilities / Service Systems
- Visual Resources
- Transportation

In addition to the requirements of CEQA, the EIR may also require coordination with or reference to:

- Fixing America's Surface Transportation Act (FAST Act) (or subsequent legislation)
- The Federal Clean Air Act
- The California Clean Air Act
- California Senate Bill 375 (Steinberg)
- California Senate Bill 743 (Steinberg)
- Additional Executive Orders and/or legislation, as appropriate

I. SCOPE OF SERVICES

The consultant will be responsible for the following tasks:

A. Project Initiation / Data Collection

To ensure prompt completion of tasks and to maintain clear communication, applicable consultant staff will attend a kick-off meeting with Fresno COG within the first two weeks of the project. There, the project schedule will be finalized and communication protocols will be agreed upon. Roles and responsibilities as well as internal deadlines will be established.

Data collection will be accomplished in coordination with Fresno COG staff to obtain relevant existing reports and all materials related to implementation of the RTP and SCS as they are developed. Fresno COG will provide all available descriptions of the SCS future land use scenarios, air quality and traffic modeling results, publications, resource maps, and the PEIR from the 2022 RTP/SCS, as applicable.

B. Prepare Notice of Preparation (NOP)

The consultant will prepare the NOP, including a project description, location map, and list of probable environmental effects of the project. The consultant will prepare presentation materials, make the presentation on the EIR, and respond to questions regarding the EIR process at the scoping meeting. Agency staff will address questions regarding the project. The consultant will also review and assess NOP comments and prepare responses.

C. Attend Public Meetings

The consultant will be responsible for attending no more than two (2) Fresno COG Policy Board meetings (one of which is a public hearing), two (2) Transportation Technical Committee (TTC) / Policy Advisory Committee (PAC) joint meetings; and a minimum of two (2) public workshops. The consultant will work with Fresno COG staff in the development of presentation materials for the public meetings. The consultant will be responsible for recording all public and Board comments and including a summarization of comments in the EIR. The consultant will be responsible for preparing written responses to comments received during the EIR public review period. Comments and responses to comments are to be included in the EIR.

D. VMT Analysis

The consultant will work with Fresno COG to establish a performance metric and threshold of significance and conduct the transportation impact analysis per Senate Bill 743. Fresno COG has developed SB 743 Regional Guidelines, which provide guidance for SB 743 implementation in the Fresno region. The document is available at: <https://www.fresnocog.org/project/sb743-regional-guidelines-development/>.

E. Prepare Draft EIR

The consultant will prepare an administrative draft of the document for internal Fresno COG staff review and comment. Fresno COG comments will then be incorporated into the draft EIR. The draft EIR will include all sections required by CEQA. Consistent with these requirements, the EIR will contain a CEQA analysis of the 2026 Fresno COG RTP, including, but not limited to, the following components:

1. A description of the project.
2. A description of the environmental setting and baseline conditions.
3. Identification of any major implementation issues of the RTP, including any issues to be resolved.
4. Identification of known areas of concern or controversy regarding the type or nature of potential environmental impacts, measurement of those impacts, or the significance of those impacts.
5. Identification of potential environmental impacts including, but not limited to, project-specific, cumulative, growth-inducing, environmental justice, vehicle miles traveled (VMT), induced travel demand and socioeconomic impacts.

6. Evaluation of and the significance of potential impacts and recommendation of feasible mitigation measures and mitigation monitoring efforts that would reduce significant impacts to a less than significant levels or, if this is not possible, produce a substantial lessening of such impacts.
7. List unavoidable significant impacts, if any, of the implementation of the plan, with all implemented mitigation measures and a mitigation monitoring program.
8. A summary table of environmental impacts, their significance and mitigation measures.
9. Analysis of the proposed RTP and project alternatives. The consultant will work with Fresno COG to identify the project alternatives to be analyzed. It's anticipated that the EIR will evaluate the No Project alternative, the Preferred Scenario, and two additional project alternatives each with its own set of strategies and investments.
10. Discussion of the RTP and consistency with other plans. Analysis and identification of any potential conflicts or inconsistencies which may result from implementation of the 2026 RTP and any mitigated alternatives with the adopted goals, objectives or policies contained within:
 - a. Comprehensive, general, regional or local transportation plans
 - b. Comprehensive, general, regional or local land use plans
 - c. Local coastal programs
 - d. Local or regional Short-Range Transit Plans.

The consultant also will be responsible for preparing an electronic as well as print-ready hard copy of the draft report. The consultant will produce an electronic copy and enough printed copies of the Draft EIR such that public review through the State Clearinghouse can be accomplished. The number of copies required could be as many as 20.

The EIR shall be a legally defensible document in compliance with CEQA, SB 375 and other relevant legislation, as appropriate. The EIR also will describe how the CEQA streamlining provisions of SB 375 can be used by Fresno COG member agencies through the certification of this EIR.

F. Public Outreach

The consultant will prepare and conduct public workshops and hearings, prepare notices and displays and respond to all comments.

G. Agency Coordination

Meet and confer with Fresno COG and various additional agencies as necessary to identify and address concerns and comments.

H. Prepare Response to Comments

The consultant will prepare written responses to comments received during the EIR public review period. In addition, the EIR will include a list of persons, organizations, and agencies commenting on the EIR.

I. Prepare a Mitigation Monitoring and Reporting Program (MMRP)

The consultant will prepare a MMRP to ensure the implementation of mitigation measures identified to mitigate any adverse environmental effects of the project. The MMRP shall be included in the EIR as an appendix.

J. Prepare the Final EIR Consistent with the Requirements of CEQA Guidelines Section 15132, SB 375, and other applicable legislation

The consultant will prepare the Final EIR, which will include a summary of any changes made to the draft EIR that were incorporated into the Final EIR, as an appendix. The consultant will provide a PDF file compatible for placement on Fresno COG's web site. The consultant will also provide up to 15 bound and presentable hard copies of the Final EIR.

K. Prepare Findings and Statement of Overriding Considerations

The consultant will prepare findings and a statement of overriding considerations (if applicable) for approval by the Fresno COG Policy Board.

Related Project Information

The following are important items of information related to the project:

- Fresno COG will be administering this contract and will be the CEQA lead agency. Staff from Fresno COG will monitor and assess progress of the work product produced by the consultant during regularly scheduled meetings. The consultant will be expected to produce a timeline under which the work product is to be delivered on time and within approved budgetary amounts.
- Fresno COG has a contract with an attorney to provide legal assistance with the development of the 2026 RTP/SCS, PEIR, and 6th Cycle Regional Housing Need Allocation (RHNA).
- All final approvals for all documents and work products generated as a result of this contract will be made by Fresno COG.

The following background material is available for use by consultants who have determined that they will submit a proposal in response to this RFP:

- The adopted 2022 RTP and SCS Program Environmental Impact Report: <https://www.fresnocog.org/project/regional-transportation-plan-rtp/>
- The final 2025 Federal Transportation Improvement Program (FTIP): <https://www.fresnocog.org/project/federal-transportation-improvement-program-ftip/>
- The 2024-2025 adopted Overall Work Program (OWP): <https://www.fresnocog.org/project/overall-work-program-owp/>
- Fresno County Measure C Program (1/2 cent sales tax for transportation purposes): <https://www.fresnocog.org/project/measure-c/>
- SB 743 Regional Guidelines: <https://www.fresnocog.org/project/sb743-regional-guidelines-development/>

II. COORDINATION

The consultant will take primary direction from the Fresno COG Project Manager. It is intended that all work will be completed within **eighteen** months of 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. A monthly progress report should be provided to the project manager along with the invoice. The progress report should provide information on the work that has been completed in the previous month, and the work expected to be conducted in the coming month. A brief summary should be provided each month reporting the progress of each task (percent completion) and whether the task is on schedule and on budget. A monthly meeting/conference call should be held between the consultant and the project manager to discuss the progress of the project and issues that need to be addressed.

III. PROPOSED SCHEDULE

Activity

Date

Request for Proposals released	Wednesday, October 23, 2024
Deadline for submitting questions	Wednesday, November 6, 2024, 4:00 p.m.
Deadline for proposal submittal	Wednesday, November 20, 2024, 5:00 p.m.
Oral interviews/selection process	Week of December 2-6, 2024 (Tentatively)
Anticipated Notice to Proceed	February, 2025 (Subject to COG Policy Board approval)
Anticipated completion of project	June 2026

IV. PROPOSAL REQUIREMENTS

Clarity and succinctness are essential and will be considered in assessing the consultant's capabilities. 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.

An electronic copy of the proposal must be received by the Fresno Council of Governments Project Manager by **Tuesday, November 18, 2024, 5:00 p.m. local time**. Proposals not received by that date and time *will not be considered*.

In order 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 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 **\$300,000** 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
- Attachment D: Tentative Timeline

V. 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

An electronic copy of the proposal must be received by the Fresno COG Project Manager no later than **5:00 p.m. local time on November 20, 2024.**

Elliot Racusin, Project Manager
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
eracusin@fresnocog.org

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.

VI. 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.

VII. 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.

VIII. 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.

IX. RFP QUESTIONS

All questions on the RFP should be submitted via email by Wednesday, November 6, 2024, 4:00 p.m.to:

Elliot Racusin, Project Manager
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
eracusin@fresnocog.org

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

TASKS	(Name)		(Name)		(Name)		Total Task Hours	Total Task Cost
	(Role)		(Role)		(Role)			
	(Hourly Billing Rate)		(Hourly Billing Rate)		(Hourly Billing Rate)			
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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ATTACHMENT D

TENTATIVE TIMELINE FOR FRESNO COG'S 2026 RTP/SCS PEIR

- Consultant Kick-Off Meeting: March 2025
- Notice of Preparation and Public Scoping Meeting: April 2025
- Draft RTP/SCS available for management review: November 24, 2025
- Deadline for edits to the Draft RTP/SCS and sent to CEQA consultant: December 15, 2025
- Administrative Draft EIR released: February 1, 2026
- Notice of Completion, Public Notice of Availability: March 15, 2026
- Draft EIR to RTP Roundtable, TTC, PAC, and Policy Board: March/April 2026
- Public Hearing at Policy Board: April 28, 2026
- Public Hearing (another TBD location): May 10, 2026
- Draft EIR Comments Due: May 16, 2026
- Final EIR to RTP Roundtable, TTC, and PAC: June 2026
- Final EIR Certification at Policy Board: June 30, 2026
- Notice of Determination filed: July 1, 2026