



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS
Regional Transportation Planning Agency
Humboldt County Local Transportation Authority
Service Authority for Freeway Emergencies
611 I Street, Suite B
Eureka, CA 95501
(707) 444-8208
www.hcaog.net

Request for Proposals for Services for Fiscal and Compliance Audits

RFP released: 01/24/2025
Proposals due: 5:00PM 2/28/2025

Invitation: The Humboldt County Association of Governments (HCAOG) is inviting interested parties or auditing firms that are qualified to perform Fiscal and Compliance Audits for the three (3) Fiscal Years 2024/25, 2025/26, and 2026/27 and to prepare an annual report of the financial transactions in accordance with Public Utilities Code Section 99406 and 99245, California Code of Regulations Section 6660, and notifications from the State Controller's office for those fiscal years. The Fiscal and Compliance Audits are to be conducted in response to, and in accordance with the Transportation Development Act Statutes, California Code of Regulation, and as applicable, the requirements of Federal Circular OMG A-133 for federally funded projects.

**A cover letter and proposal must be received no later than 5:00 p.m. on
February 28, 2025 to be considered.**

Proposals must be delivered electronically to:

Amy Eberwein, Administrative Services Officer
Humboldt County Association of Governments
amy.eberwein@hcaog.net

Questions regarding this RFP must be in writing and emailed to
amy.eberwein@hcaog.net
by February 10, 2025

Services for Fiscal and Compliance Audits

I. BACKGROUND

The Humboldt County Association of Governments (HCAOG) is the designated Regional Transportation Planning Agency (RTPA) and the Service Authority for Freeways Emergencies (SAFE) for Humboldt County. In the RTPA capacity, HCAOG is responsible for directly allocating funding from the State of Good Repair (SGR), Local Transportation Fund (LTF), and State Transit Assistance Fund (STAF) made available under the TDA to eligible claimants. HCAOG has additional responsibilities overseeing other transportation programs. HCAOG is soliciting proposals to prepare audits for the following agencies:

- City of Arcata (Arcata-Mad River Transit System)
- City of Blue Lake
- City of Eureka (Eureka Transit System-administered by the Humboldt Transit Authority (HTA))
- City of Ferndale
- City of Fortuna (Fortuna Transit)
- City of Rio Dell
- City of Trinidad
- County of Humboldt
- HTA (Redwood Transit System, Southern Humboldt Transit System, Willow Creek Transit System, Humboldt Dial A Ride) - Single Audit (as necessary)
- HCAOG

Fiscal and Compliance Audits are to be conducted in accordance with the TDA statutes, California Code of Regulations (CCR), and as applicable, the requirements of Federal Circular OMB A-133 for federally funded projects. In addition to the audits, the auditor will be required to prepare an annual report of the financial transactions in accordance with Public Utilities Code (PUC) Sections 99406 and 99245, CCR Section 6660, and notifications from the State Controller's office for the three fiscal years.

The objective of the audits is to meet and/or exceed the requirements of: PUC Section 99245 and CCR Sections 6633, 6634, 6645, 6637, 6662, 6664, 6618, 6645, 6661, 6662, 6663, 6664, 6666, 6667, and 6751 (Title 21, Subchapters 2 and 2.5); applicable auditing standards set forth in Government Auditing Standards, issued by the Comptroller General of the United States; Statements on Auditing Standards published by the American Institute of Certified Public Accounts; and the provisions of the U.S. Office of Management and Budget (OMB) Circular A-133 Audits of State, Local Governments and Nonprofit Organizations June 2003 and June 2007 and any amendments; and California State Controller's Office, California Local Agencies Internal Control Guidelines.

Final audits shall be completed and submitted to HCAOG and the State of California Controller's Office by December 31st of 2025, 2026, and 2027 unless a time extension is requested in writing and granted by the HCAOG Executive Director.

Copies of HCAOG's previous audits are located at <https://www.hcaog.net/funding-administration>. The Transportation Development Act Guidebook is available on the California Department of Transportation - Division of Mass Transportation website: <https://dot.ca.gov/-/media/dot-media/programs/rail-mass-transportation/documents/f0009844-tda-07-2018-all.y.pdf>

II. SCOPE OF WORK

HCAOG considers the tasks listed below to be the minimum requirements for conducting the fiscal and compliance audits.

1. Agencies, claimants, and funds to be audited

Agencies and Claimants

- City of Arcata
- City of Blue Lake
- City of Eureka-Administered by HTA
- City of Ferndale
- City of Fortuna
- City of Rio Dell
- City of Trinidad
- County of Humboldt
- HTA-Single Audit (as necessary)
- HCAOG

Fund Types

- Local Transportation Fund (LTF)
- State Transit Assistance Fund (STA) – Arcata and HTA only
- State of Good Repair (SGR) – Arcata and HTA only
- Low Carbon Transit Operations Program (LCTOP) –Arcata, Eureka, Fortuna and HTA only
- Regional Surface Transportation Program (RSTP) Fund
- Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) of 2021
- Service Authority for Freeways Emergencies-HCAOG only
- Various State and Federal grants

The Auditor shall perform sufficient examination of the financial transactions, accounts, reports, and supporting documentation of the claimants, agencies, and funds as described above, to determine whether:

- The costs incurred are fairly presented in accordance with generally accepted accounting principles and the requirements of the TDA and the California Code of Regulations, and the allocation instructions of HCAOG.
- The Local Transportation Fund and the State Transit Assistance Fund have been accounted for in accordance with the TDA, the Public Utilities Code and the California Code of Regulations.
- The State Rural Planning Assistance Funds and any state or federally funded programs have been accounted for in compliance with applicable federal and state laws and regulations relating to the use of those funds.
- The claimants and HCAOG have complied with the requirements of the TDA, the California Code of Regulations, and as applicable the requirements of Federal Circular OMB A-133 for federally funded projects.

- The Regional Surface Transportation Program have been accounted for in compliance with California Streets and Highways Code Section 182.6 and the annual Federal Apportionment Exchange Agreement between HCAOG and the State of California and is fairly presented in accordance with generally accepted accounting principles.
- The LCTOP funding has been accounted for in compliance with Senate Bill 862, Statutes of 2014 and any amendments, and allocated under the State Transit Assistance pursuant to PUC Section 99313 and/or 99314.
- The SGR funding has been accounted for in compliance with Senate Bill 1, Statutes of 2017 and any amendments, and allocated under the State Transit Assistance pursuant to PUC Section 99313 and/or 99314.
- The CRRSAA funding has been accounted for in compliance with the federal Coronavirus Response and Relief Supplemental Appropriations Act of 2021.
- The SAFE funding has been accounted for in compliance with Streets and Highways Code Division 3, Chapter 14, and any amendments.

2. TDA Auditing Procedures and Reports

As directed in Section 6664 of the California Code of Regulations: “The audit shall be conducted in accordance with generally accepted auditing standards of the claimant’s financial statements for the fiscal year which shall be prepared in accordance with generally accepted accounting principles. The audit shall also be directed toward obtaining knowledge of the claimant’s compliance or non-compliance with the Act, and the auditor shall perform the tasks specified in Section 6666 or 6667, whichever is appropriate.

The audit report shall include, with the financial statements for the fiscal year that is the subject of the audit, the corresponding amounts from the claimant’s audited financial statements for the fiscal year prior to the year that is the subject of the audit.

The audit report shall include a certification of compliance with the Act. The certification shall take the form of a statement that the funds allocated to and received by the claimant pursuant to the Act were, with any exceptions specifically noted, expended in conformance with the applicable statutes, rules and regulations of the Act and the allocation instructions and resolutions of the transportation planning agency and, where applicable, the county transportation commission or metropolitan transit development board. An unqualified negative statement (e.g., “no violation of the law was brought to our attention”) shall not be accepted. The certification may take the form of negative assurance, however, if it makes reference to the performance by the independent auditor of each of the tasks specified in Section 6666 or 6667.”

Non-Transit Claimants

As set forth in California Code of Regulations, Section 6666: “In conducting the compliance portion of the audit specified in Section 6664 for a non-transit claimant, the independent auditor shall perform at least the following tasks:

- (a) Determine whether the funds received by the claimant pursuant to the Act were expended in conformance with those sections of the Act specifying the qualifying purposes, including Public Utilities Code Section 99402 for streets and road claimants and Section 99233.3 for claimants under that section for pedestrian and bicycle facilities and bicycle safety education programs.

(b) Determine whether the funds received by the claimant pursuant to the Act were expended in conformance with the applicable rules, regulations, and procedures of the transportation planning agency and in compliance with the allocation instructions.

(c) Determine whether interest earned on funds received by the claimant pursuant to the Act were expended only for those purposes for which the funds were allocated, in accordance with Public Utilities Code Section 99301 and 99301.5.”

Transit Claimants

As set forth in California Code of Regulations, Section 6667: “In conducting the compliance portion of the audit specified in Section 6664 for an operator or transit service claimant, the independent auditor shall perform at least the following tasks:

(a) Determine whether the claimant was an entity eligible to receive the funds allocated to it. The determination should be made with reference to the section of the Act under which the funds were allocated and to the definitions in Article 1 of the Act.

(b) Determine whether the claimant is maintaining its accounts and records on an enterprise fund basis and is otherwise in compliance with the uniform system of accounts and records adopted by the State Controller pursuant to Public Utilities Code Section 99243.

(c) Determine whether the funds received by the claimant pursuant to the Act were expended in conformance with those sections of the Act specifying the qualifying purposes, including Public Utilities Code Sections 99262 and 99263 for operators receiving funds under Article 4, Sections 99275, 99275.5, and 99277 and 92278 for Article 4.5 claimants; and Section 99400 (c), (d) and (c) for Article 8 claimants for service provided under contract, and Section 99405(d) for transportation services provided by cities and counties with populations of less than 5,000.

(d) Determine whether the funds received by the claimant pursuant to the Act were expended in conformance with the applicable rules, regulations and procedures of the transportation planning agency and in compliance with the allocation and instructions and resolutions.

(e) Determine whether interest earned on funds received by the claimant pursuant to the Act were expended only for those purposes for which the funds were allocated, in accordance with Public Utilities Code Section 99301.

(f) Verify the amount of the claimant’s operating cost (as defined by Section 6611.1) for the fiscal year, the amount of fare revenues required to meet the ratios specified in Sections 6633.2, 6633.5 and 6633.9, and the amount of the sum of fare revenues and local support required to meet the ratios specified in Sections 6633.2 and 6633.9.

(g) Verify the amount of the claimant’s actual fare revenues (as defined by Section 6611.2 and by Public Utilities Code Section 99205.7) for the fiscal year.

(h) Verify the amount of the claimant’s actual local support (as defined by Section 6611.3) for the fiscal year.

(i) Verify the maximum amount the claimant was eligible to receive under the act during the fiscal year in accordance with Sections 6634 and 6649.

(j) Verify, if applicable, the amount of the operator’s expenditure limitation in accordance with Section 6633.1.

(k) In the case of an operator, determine whether the operator's employee retirement system or private pension plan is in conformance with the provisions of Public Utilities Code Sections 99271, 99272 and 99273.6.

(l) In the case of an operator, determine whether the operator has had a certification by the Department of the California Highway Patrol verifying that the operator is in compliance with section 1808.1 of the Vehicle Code, as required in Public Utilities Code Section 99251.

(m) In the case of an operator, verify, if applicable, its State Transit Assistance eligibility pursuant to Public Utilities Code Section 99314.6 or 99314.7.

(n) In the case of a claimant for community transit services, determine whether it is in compliance with Public Utilities Code Sections 99155 and 99155.5.”

Local Transportation Funds

As directed in the California Code of Regulations, Section 6661: “The financial statements shall be prepared in accordance with the generally accepted accounting principles. The statements shall include, but not be limited to, (a) a balance sheet, (b) a statement of the revenues and expenditures during the fiscal year, (c) a statement of changes in the fund balance, and (d) supplementary schedules as necessary to list or identify (1) the net amounts allocated and the net amounts disbursed during the fiscal year for each of the allocation purposes specified in the Act, (2) any amounts included in the fund balance that are allocated or payable to or receivable from the state or any claimant or other entity, and (3) any interest or other income earned by investment of the fund during the fiscal year. In the financial statements, the Local Transportation Fund shall not be commingled with State Transit Assistance Fund, nor with Planning Subventions from the Transportation Planning and Development Account, nor with any other revenues or funds of the transportation planning agency or of any city, county, or other agency.”

State Transit Assistance Fund

As set forth in the California Code of Regulations, Section 6751: “The financial statements shall be prepared in accordance with generally accepted accounting principles. The statements shall include, but not be limited to (a) a balance sheet, (b) a statement of revenues and expenditures during the fiscal year, (c) a statement of changes in the fund balance, and (d) supplemental schedules as necessary to list or identify (1) the net amounts allocated and net amounts disbursed during the fiscal year for each of the allocation purposes specified in Sections 6730 and 6731, (2) any amounts included in the fund balance that are allocated or payable to or receivable from the state or an claimant or other entity, (3) any interest or other income earned by investment of the fund during the fiscal year, (4) any amounts included in the fund balance that are apportioned to an operator pursuant to Section 6721 and (5) any amounts that have been transferred or that have been received as a result of a transfer as authorized by Section 99313.1.”

Regional Transportation Planning Agency (HCAOG)

The audit shall be performed in accordance with the Basic Audit Program and Reporting Guidelines for California Special Districts prescribed by the State Controller pursuant to Section 26909 of the Government Code and shall include a determination of compliance with the Act and the Administrative Rules and Regulations. In the financial statements of the Transportation Planning Agency, the Local Transportation Fund, the State Transit Assistance Fund, and other revenues or funds of any city, county or other agency shall not be commingled. The Consultant shall advise HCAOG regarding content of the Management Discussion and Analysis section of the Audit report based on standards and best practices.

3. Non-TDA Auditing Procedures and Reports

HTA Single Audit – Schedule of Federal Expenditures (as necessary)

1. The audit(s) shall be performed in accordance with the Single Audit Act of 1984, Public Law 98-502 (31 USC 7501-7) and delivered along with the additional reports mandated by the laws specified above.

2. The audit(s) will determine compliance with all applicable federal and state laws and regulations, including but not limited to: (A) Office of Management and Budget Circular A-87, Cost Principles for State and Local Governments; (B) 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; and (C) 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, which shall be used to determine the allowability of individual items of costs.

State of Good Repair (SGR) Fund

An audit of the State of Good Repair program received and expended is requested to determine compliance with Senate Bill 1, Chapter 5, Statutes of 2017.

Low Carbon Transit Operations Program (LCTOP)

An audit of the LCTOP funds received and expended is requested to determine compliance with Senate Bill 862.

Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA)

An audit of the CRRSAA funds received and expended is requested to determine compliance with the Coronavirus Response and Relief Supplemental Appropriations Act of 2021

Service Authority for Freeway Emergencies (SAFE)

An audit of the SAFE funds received and expended is requested to determine compliance with Streets and Highways Code Division 3, Chapter 14.

Preparation of the State Controller’s Report

As required by the California State Controller’s Office, the preparation and timely submission of the annual State Controller’s Report (“Annual Report of Financial Transactions”) is requested for HCAOG.

III. PROJECT TIMETABLE

The following dates represent HCAOG’s best estimate of the schedule that will be followed with regard to this RFP process. HCAOG hereby reserves the right, at its sole discretion, to modify this tentative schedule as it deems necessary, including, without limitation, extending the deadline for submission of Proposals.

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|--------------------------------------|---|
| • January 24, 2025 | Request for Proposals Released |
| • February 28, 2025 | Closing date for receipt of proposals |
| • March 20, 2025 | Contract award (at HCAOG Board meeting) |
| • November 30,
2025, 2026, & 2027 | Fiscal & Compliance Audit Draft Reports Delivered |

- December 31,
2025, 2026, & 2027 Fiscal & Compliance Audit Final Report Delivered
- January
2026, 2027, & 2028 Presentation to HCAOG Board of Directors

Closing Date

Complete proposals must be received no later than **5:00 p.m. Pacific Standard Time (PST) on Friday February 28, 2025**. Proposals must be received by the closing date and time. Proposals may only be submitted electronically.

All proposals received *prior to* the closing date and time specified above may be withdrawn or modified by respondent's written request. Any modification, to be considered, must be received in writing, and in the same number of copies as the original proposal, prior to the closing date for receipt of proposals. Any modifications received late shall not be considered.

Until award of the contract, the proposals shall be held in confidence and shall not be available for public review. Upon award of a contract to the Successful Proposer, all proposals shall be public records. No proposal shall be returned after the date and time set for opening thereof. All proposals, whether selected or rejected, shall become the property of the HCAOG.

V. PROPOSAL CONTENT AND ORGANIZATION

Proposals should be limited to specifically discuss the elements outlined in this RFP and must be submitted in accordance with the standards and specifications set forth in this RFP and contain all required attachments. To be considered to perform the services requested by this RFP, a respondent must meet the following criteria and submit all the following information outlined below. Submittals failing to meet any of these criteria shall be considered to be non-responsive and will not be evaluated further.

Complete proposals submitted in response to this RFP shall be submitted to HCAOG via electronic mail to: amy.eberwein@hcaog.net, with subject line: Services for Fiscal and Compliance Auditor proposal submittal.

Proposal Formatting

Each responsive proposal shall have a technical proposal (sections 1-5), cost proposal (section 6), and required attachments (sections 7). Failure to follow this format may result in the rejection of the proposal. Each Proposal shall consist of the following items:

Table of Contents

Proposals shall include a table of contents that identifies submitted material by sections 1 through 7 with sequential page numbers.

1) Cover Letter

The proposal shall be transmitted with a cover letter that describes the respondent's interest and commitment to the proposed project. The cover letter should include the name, title, address, telephone number, and email address of the individual to whom correspondence and other contacts should be directed during the consultant selection process and shall contain a statement to the effect that the proposal is a firm offer for at least a sixty (60) day period. The person authorized to negotiate a contract with HCAOG shall sign the cover letter.

Only one cover letter need be prepared to accompany the technical proposal and cost proposal. Proposals that are unsigned or signed by an individual not authorized to bind the Proposer, will be

considered nonresponsive and rejected.

2) Understanding of Project

This section shall clearly convey how the respondent understands the nature of the work, and issues related to HCAOG's RFP project.

3) Consultant Qualifications and Experience

Discuss overall qualifications of the firm and/or project team (key staff and subconsultants, as applicable).

a) Firm

Briefly describe the respondent's firm (the lead firm if you are proposing a multi-firm project team), including the year the firm was established and type of organization (partnership, corporation, etc.).

Include a detailed description of any litigation regarding the provision of services equivalent to those set forth in this RFP that have been brought by or against the Proposer, including the nature and result of such litigation, if applicable.

Include a detailed description of any fraud convictions related to public contracts, if applicable.

Include a detailed description of any current or prior debarments, suspensions or other ineligibility to participate in public contracts, if applicable.

Include a detailed description of any violations of local, state and/or federal industry or regulatory requirements, if applicable.

Include a detailed description of any controlling or financial interest the Proposer has in any other firms or organizations, or whether the Proposer's firm is owned or controlled by any other firm or organization. If the Proposer does not hold a controlling or financial interest in any other firms or organizations, that must be stated.

State the firm's qualifications for performing the consulting services requested in this RFP. Briefly describe the firm's experience with similar organizations. Briefly describe the firm's recent experience in projects and/or programs related and relevant to the services and scope of work sought for this project.

If subconsultants are proposed as part of the project team, a Subconsultant List, provided as Attachment D of this RFP, must be submitted as an attachment with the proposal (section 7).

b) Key Personnel

Describe the qualifications and experience of each professional who will participate in the project. Include, as an attachment (section 7), a résumé for each key staff member of the project team. Include a detailed summary of how each team member's qualifications and experience will help meet the objectives of the project.

Include an organizational chart which identifies all team members, and subconsultants if proposed, that will be responsible for providing services set forth in this RFP.

Include a detailed description of the expected communication channels between the project team and HCAOG to ensure that the services set forth in this RFP will be performed to HCAOG's satisfaction, including, without limitation, how potential problems will be solved.

c) References

Provide a list of at least three references. Include references from clients of similar type agencies (governmental) and projects, as applicable. References must include client name, and current address, phone number, and e-mail address. For each reference, describe the nature of the work you performed, approximate dates your firm performed the work, and your firm's professional staff who performed the work. Provide qualifications and at least two references for each subconsultant, if proposed.

4) Approach

Describe your firm's or team's proposed approach and management plan for meeting the requirements required in the scope of work. Respondents to this RFP should build on this general description by proposing a scope of work with specific subtasks as deemed appropriate. The proposer should describe the practices that would be used to assure that required services are completed on time and that the quality of the required products meet state and federal requirements. Additional tasks and work elements may be added or deleted during contract negotiations.

5) Work Plan & Schedule

The final audits are due to the state by December 31st of each year. Draft audits are due to HCAOG and claimants by November 30 of each year. The proposal shall discuss the respondent's view of the project schedule and the team members' workload and availability. The proposal shall contain a schedule of major tasks and milestones. The schedule shall also identify all internal meetings, public meetings, progress reports, and deliverables, and the estimated staff and hours to accomplish each task and deliverable.

6) Cost Proposal

Respondents shall include a fee schedule for cost of services and provide a total "not-to-exceed" amount for each fiscal year for this proposal. The cost proposal for the proposed scope of work shall be detailed by cost per activity and shall describe:

- a) both the hourly rate for all personnel to be assigned to this contract; and
- b) a summary of any related costs that are to be billed directly, including costs for attending meetings. Presentations at to the HTA and HCAOG Boards are required at a minimum.

Any consultant travel and per diem reimbursement costs must be consistent with the California Department of Transportation's Travel Guide policies for consultants, contractors, and subcontractors (non-state employees). Policies can be found at <https://dot.ca.gov/programs/accounting/travel-guide>.

7) Required Attachments

Proposals that do not contain each of the following required attachments (if applicable), may be rejected by HCAOG.

- (a) Scope of Work (Attachment A)
- (b) Staff résumés for key personnel (Attachment B).
- (c) If subconsultants are proposed, the Subconsultant List form, attached as Exhibit C, must be included as Attachment C to the proposal.

Conflict of Interest

By submitting a Proposal in response to this RFP, Proposer warrants and covenants that no official or employee of HCAOG, nor any business entity in which an official of HCAOG has an interest,

has been employed or retained to solicit or assist in procuring the final Consultant Services Agreement resulting from this RFP process, nor that any such person will be employed in the performance of such Consultant Services Agreement without immediate divulgence of such fact to HCAOG.

VI. OTHER REQUIREMENTS

A) Insurance

The selected firm(s) or project team must be prepared to comply with HCAOG's standard Consultant Services Agreement (Exhibit A) terms and must submit evidence of eligibility for all insurance required. Prior to executing a final Consultant Services Agreement, the successful proposer shall produce certificates of the required insurance, including a certified endorsement naming HCAOG as an additional insured. Additional insurance should not be purchased until a final Consultant Services Agreement has been awarded by the HCAOG Board.

HCAOG's standard requirements for insurance coverage include:

- One million dollars (\$1,000,000) General Liability Insurance
- One million dollars (\$1,000,000) Automobile Insurance
- Twenty-five thousand dollars (\$25,000) for Document
- Five-hundred thousand dollars (\$500,000) for Errors and Omissions

Exceptions to the standard insurance amounts may be considered on a case-by-case basis. Any proposer seeking any exception, must include that request as part of the proposal, listing a justification for the exception and proposed insurance coverage.

B) Disadvantaged Business Enterprise (DBE) Policy and Obligation

It is the policy of the U.S. Department of Transportation (USDOT) that minority- and women-owned business enterprises (hereby referred to as DBEs) as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds. The recipient or its subcontractor agrees to ensure that DBEs have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this contract. In this regard, all recipients or subcontractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that DBEs have the maximum opportunity to compete for and perform contracts. Recipients and their subcontractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of USDOT assisted contracts.

C) Title VI of the Civil Rights Act of 1964

The contractor agrees to comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (49 USC 2000d) and the regulations of the U.S. Department of Transportation issued there under in 49 CFR Part 21.

D) Equal Employment Opportunity

In connection with the performance of the contract, the contractor shall not discriminate against any employee or applicant for employment because of race, color, age, creed, sex or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

Each proposal, to be considered responsive, must include the following:

- (1) A copy of the consultant's affirmative action policy (applicable for firms with 50 or more employees); and

(2) Discussion of the consultant's program for use of DBEs in the performance of this work, including the following:

- The names and addresses of DBE firms that will participate
- The description of the work each named firm will perform
- The dollar amount of participation by each DBE firm.

E) Americans with Disabilities Act (ADA) Provisions

To comply with the nondiscrimination requirements of the Americans with Disabilities Act (ADA), it is the policy of HCAOG to make every effort to ensure that its programs, activities and services are available to all persons, including persons with disabilities. For persons with a disability needing a reasonable modification to participate in the procurement process, or for persons having questions regarding reasonable modifications of the procurement process, you may contact the HCAOG representative listed in this RFP.

IMPORTANT: To ensure that we can meet your need for ADA accommodations, it is best that we receive your request for reasonable modification at least 10 working days before the scheduled event (e.g., meeting, conference, workshop, etc.) or deadlines due date for procurement documents. In order to ensure the proposal is in compliance with Federal ADA guidelines, Proposers should review the Federal ADA guidelines at <http://www.ada.gov/>.

F) Format and Copies of Proposal

Complete proposals submitted in response to this RFP will only be accepted in electronic form via email. Printed hard copies are not accepted.

G) Public Record

Proposals will not be treated as confidential documents unless they are marked as such by the bidder and the bidder is able to demonstrate that the documents contain the type of information protected by law as confidential or trade secret. Until award of the contract, the proposals shall be held in confidence and shall not be available for public review. Upon award of a contract to the Successful Proposer, all proposals shall be public records. No proposal shall be returned after the date and time set for opening thereof. All proposals, whether selected or rejected, shall become the property of the Humboldt County Association of Governments.

H) Exceptions, Objections and Requested Changes

Each proposer should carefully review the terms and conditions of this RFP and the sample Consultant Services Agreement. Any exceptions, objections or requested changes to this RFP or the sample Consultant Services Agreement shall be clearly identified and explained in the Proposal. Descriptions of any exceptions, objections or requested changes should include the page and paragraph number of the referenced portion of this RFP or the sample Consultant Services Agreement. Protests based on any exception, objection or requested change shall be considered waived and invalid by HCAOG, if the exception, objection or requested change is not clearly identified and explained in the proposal.

VII. EVALUATION CRITERIA AND REVIEW PROCESS

Each proposal will be reviewed to determine if it meets the minimum proposal requirements stipulated in this RFP. Failure to meet the requirements of the RFP may be cause for HCAOG to reject the proposal. HCAOG may reject any proposal if it is conditional, incomplete, or contains irregularities. HCAOG may waive an immaterial deviation in a proposal. Waiver of an immaterial deviation shall in no way modify the RFP documents or excuse the respondent from full compliance with the contract requirements if the respondent is awarded the contract. HCAOG reserves the right to award the contract to other than the low bidder.

Proposals will not be publicly opened. All Proposals will be evaluated by an RFP Evaluation Committee made up of HCAOG and other local-jurisdiction agency staff members that have expertise or experience in the types of services set forth in this RFP. Their review and evaluation will consider the responsiveness to this RFP in order to determine whether the Proposer possesses the qualifications necessary for the satisfactory performance on the services set forth in this RFP. The top-ranked firms may be interviewed, if deemed necessary. HCAOG reserves the right to select a consultant based solely on written proposals and not convene oral interviews.

HCAOG will employ a one hundred (100) point competitive evaluation system with consideration given to the following criteria:

Criteria –	Weight
Respondent’s Understanding of the Project Objectives and Requirements <ul style="list-style-type: none"> • Completeness and clarity of responses to the specific requirements of scope of work; 15 • Demonstrated knowledge of requirements of TDA; 10 • Demonstrated knowledge of requirements of GASB 68 and GASB 75; 10 	
Approach to Services and Deliverables Requested <ul style="list-style-type: none"> • Proposed work plan and schedule, including timeline for delivery of reports; 10 • A description of requirements (documentation) needed from agencies prior to field visits; 5 • Cost effectiveness and proposed budget providing the best value of services offered 20 	
Respondent’s Qualifications & Experience <ul style="list-style-type: none"> • Inclusion of resumes of all persons assigned to work on the project; 5 • Experience with projects of similar scope and complexity; 15 • Firm’s record of performance with other government agencies; 5 • Firm’s references 5 	
Total	100

The Evaluation Committee will make a recommendation to HCAOG’s Executive Director. The Executive Director will conditionally approve or reject the recommendation based on information provided by the Evaluation Committee and other factors as deemed appropriate, including, but not limited to, qualifications, ability to meet schedule, cost of work and meeting insurance requirements. The Executive Director also may interview one or more of the firms prior to making a selection. Once the Consultant has been selected, the recommendation will be brought to the HCAOG Board at which time the Executive Director will obtain authorization to execute a contract incorporating the negotiated terms and conditions.

Approval by the Executive Director of the recommendation shall be deemed appropriate to enter into negotiations with one or more firms in the competitive range. Once negotiations are complete, a

contract incorporating the negotiated terms and conditions will be prepared for approval of award by the HCAOG Board.

VIII. GENERAL CONDITIONS

A) Limitations

This RFP does not commit HCAOG to award a contract, to pay any costs incurred in the preparation of the contract in response to this request, or to procure or contract for services or supplies. HCAOG expressly reserves the right to reject any and all proposals or to waive any irregularity or information in any proposal or in the RFP procedure and to be the sole judge of the responsibility of any respondent and of the suitability of the materials and/or services to be rendered. HCAOG reserves the right to withdraw this RFP at any time without prior notice. Further, HCAOG reserves the right to modify the RFP schedule.

B) Award

HCAOG may require RFP finalists to present oral presentations regarding their firms and any special expertise in the necessary areas. All finalists may be required to participate in negotiations and submit such price, technical, or other revisions of their proposals as may result from negotiations. HCAOG also reserves the right to award the contract without discussion, based upon the initial proposals. Accordingly, each initial proposal should be submitted on the most favorable terms from a cost and a technical viewpoint. The final award will be made by the HCAOG Board.

C) RFP Addenda

Any changes to the RFP requirements will be accomplished by issuance of an addendum at least 72 hours before proposals are due. Distribution of the addenda will be via HCAOG's website and sent to original RFP recipients. Before amending an RFP, the period of time remaining until the proposal deadline and the possible need to extend this period will be considered and, if necessary, confirmed in the addendum.

Addenda issued by HCAOG interpreting or modifying any portion of this RFP shall be incorporated in the Proposal. An Addenda Cover sheet shall be signed and dated by the Proposer and submitted to HCAOG with the Proposal. Any oral communication concerning this RFP by HCAOG personnel are not binding on HCAOG and shall in no way modify this RFP or the obligations of HCAOG or any Proposer.

D) Verbal Agreement or Conversation

No prior, current, or post award verbal conversations or agreement(s) with any officer, agent, or employee of HCAOG shall affect or modify any terms or obligations of the RFP, or any contract resulting from this RFP.

E) Pre-contractual Expense

Pre-contractual expenses are those expenses that respondents and selected consultant(s) incurred in relation to:

1. Preparing proposals in response to this RFP;
2. Submitting proposals to HCAOG;
3. Negotiating with HCAOG on any matter related to proposals; and
4. Other expenses incurred by a contractor or respondent prior to the date of award of any agreement.

HCAOG shall not be liable for any pre-contractual expenses incurred by any respondent or selected contractor. Respondents shall not include any such expenses as part of the price proposed in response to this RFP. HCAOG shall be held harmless and free from any and all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this

RFP.

F) Signature

The proposal must include name, title, address and telephone number of the individual with authority to bind the company and also who may be contacted during the period of proposal evaluation. The proposal must be signed by an official authorized to bind the consultant and shall contain a statement to the effect that the proposal is a firm offer for at least a sixty (60)- day period. This signature should be included in the cover letter to the proposal.

G) Contract

The successful consultant will be required to enter into a standard contract with HCAOG that specifies the scope of service, completion schedule, and a mutually agreed upon schedule of payment. The consultant will be required to prepare a scope of work (See Section III) to be inserted into the contract as an Attachment A. A sample copy of the HCAOG's standard agreement is included as Exhibit A. Consultants are responsible for reviewing the terms of the contract.

Upon notification of award the consultant will be sent an electronic copy of the contract for signature.

H) Contract Term

The period of the contract will be from September 2024 to no later than December 2026.

I) Conflict of Interest

By submitting a proposal in response to this RFP, the prospective contractor warrants: Consultants and consultant firms submitting proposals in response to this RFP must disclose to HCAOG any actual, apparent, or potential conflicts of interest that may exist relative to the services to be provided under Contract for consultant services to be awarded pursuant to this RFP. If the consultant or firm has no conflict of interest, a statement to that effect shall be included in the proposal.

The selected consultant shall refrain from and disclose subsequent potential conflicts during this contract. Consultant shall at all times avoid conflicts of interest, or the appearance of conflicts of interest, in the performance of this contract. Consultant shall file statements of financial interest on forms provided by AMBAG to the extent and at all times required by AMBAG's Conflict of Interest Code and applicable law.

In the event that the prospective contractor has no prior knowledge of a conflict of interest as set forth above and hereafter acquires information that indicates there may be an actual or apparent violation of any of the above, the prospective contractor shall promptly bring such information to the attention of the HCAOG Executive Director. The prospective contractor shall thereafter cooperate with HCAOG review and investigation of such information and comply with any instruction it receives from HCAOG in regard to remedying the situation.

J) Lobbying

With the exception of contacting HCAOG to ask questions regarding this RFP, any party submitting a proposal shall not contact or lobby any appointed or elected official, member, or other officer or employee of HCAOG. Any party attempting to influence any part of the proposal, submittal, or review process through ex parte contact of any HCAOG officials may have their proposal rejected.

K) Payment Schedule

The contracted consultant will be paid based on work actually performed during the preceding month. The consultant should forward a copy of all invoices for payment for work performed, and associated expenses, by the 10th day of the following month. Invoices shall be mailed or emailed

to the attention of the Executive Director. Invoices shall include the following information.

1. Date work was performed.
2. Personnel performing the work (all staff billed for must be identified in proposal or must have been approved by HCAOG).
3. Number of hours worked.
4. Hourly rate (must correspond to cost proposal).
5. Brief description of work completed.
6. Related task/scope of work.

The contracted consultant may bill no more than once monthly after submittal of completed deliverable(s). Quarterly progress reports will be required as deliverables for this project.

L) Questions

Proposers shall be responsible for meeting all of the requirements and specifications set forth in this RFP and the sample Consultant Services Agreement attached hereto. If a Proposer discovers any ambiguity, conflict, discrepancy, omission or other error in this RFP, a written request for clarification or correction should be submitted to HCAOG via email to amy.eberwein@hcaog.net.

Requests for clarification or correction and any other question pertaining to this RFP must be received by HCAOG before **5:00 p.m. PST on Monday, February 10, 2025**. All responses for clarification or correction and written questions will be posted to the HCAOG website on or before February 14, 2025.

IX. PROTEST PROCEDURES AND DISPUTE RESOLUTION PROCESS

HCAOG's Protest and Procedures and Dispute Resolution Process (Exhibit B) shall be utilized to resolve any protests or disputes to this procurement process.