

**TAHOE REGIONAL PLANNING AGENCY
LONG RANGE AND TRANSPORTATION PLANNING
REQUEST FOR PROPOSALS (RFP)**

Transportation Development Act Triennial Performance Audits
FY 2019/2020, FY 2020/2021, and FY 2021/2022 of Transit Providers and TRPA
RFP 230001

Announcement: November 7, 2022

Project Description: The Tahoe Regional Planning Agency (TRPA), acting as the Regional Transportation Planning Agency, is seeking a consultant or team of consultants to conduct the Transportation Development Act (TDA) performance audits of the RTPA and of the two transit operators under TRPA’s jurisdiction. TRPA is statutorily required by Section 99246 of the California Public Utilities Code to designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities and the activities of each operator to whom it allocates funds. The intent of the RFP is to procure performance audits of the South Shore Transit system, operated by the Tahoe Transportation District (TTD), Tahoe Truckee Area Regional Transit (TART) system, operated by Placer County, and the TRPA, acting as the Regional Transportation Planning Agency for fiscal years 2019-2020, 2020-2021, and 2021-2022. The performance audits are scheduled for completion by June 30, 2023.

The audits must be conducted during fiscal year 2023 and must be conducted in compliance with the relevant sections of the Transportation Development Act. TRPA further expects that the performance audits will be conducted consistent with the “Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities” issued by the California Department of Transportation (Caltrans).

Evaluation: Bids will be evaluated based on consultant qualifications, ability to adhere to the proposed timeline, proposed budget, scope of work, references, and sample products. Bids will be evaluated by a selection committee. TRPA reserves the right to select a consultant based solely on the written proposals and not convene oral interviews. If oral interviews are needed, the qualifying consulting firms will be invited to make a presentation to the selection committee. TRPA is not required to contract with a consultant and may choose not to select any of the submitted consultants.

Questions: All questions should be submitted in writing to the RFP Coordinator:

Kira Smith
Tahoe Regional Planning Agency
PO Box 5310
128 Market Street
Stateline, NV 89449
775-589-5236
ksmith@trpa.gov

1. Agency Background

TRPA Background Information:

TRPA was created when the governors and lawmakers in California and Nevada approved a bi-state compact that created a regional planning agency to oversee development at Lake Tahoe. In 1969, the United States Congress ratified the agreement and created the Tahoe Regional Planning Agency. The Agency is authorized under California law (California Government Code sections 66800 through 66801), Nevada law (NRS 277.190 through 227.200), and Federal law (PL 96-551).

TRPA is located on the border of the states of California and Nevada, between the Sierra Crest and the Carson Range. Approximately two-thirds of the region is in California, with one-third within the State of Nevada. The Tahoe Region contains an area of about 501 square miles, of which approximately 191 square miles comprise the surface waters of Lake Tahoe. Overlapping jurisdictions in California include the City of South Lake Tahoe, El Dorado County and Placer County. Overlapping jurisdictions in Nevada include Washoe County, Douglas County and Carson City. Tourism is the economic heartbeat of the region and visitors to the area far outnumber the year-round resident population of just over 55,000 people.

The mission of the TRPA is to “lead the cooperative effort to preserve, restore, and enhance the unique, natural, and human environment of the Lake Tahoe Region.” The Agency is the leading partner for plans and actions to preserve the environment of the Tahoe region. The Agency establishes transportation and land use policy. It works with local, regional, state, and federal organizations and governments to facilitate a cooperative approach in implementing these plans and programs.

TRPA is governed by a 15-member Board. California and Nevada each have seven members comprised of elected officials and governmental appointees. In addition, a non-voting member is appointed by the President of the United States of America. Further information can be obtained at the Agency’s website at www.trpa.gov.

2. Project Description

Overview of Project

The scope of work listed below reflects anticipated tasks required for completion of the TDA audits. The consultant will be required to determine compliance of the agencies with statutory and regulatory requirements, analyze compliance with prior performance audit findings, verify performance indicators, and review operator functions.

Term of Engagement

It is the intent of the Agency to contract for services presented herein for a term of one year .

Scope of Work:

1. OPERATOR PERFORMANCE AUDITS:

Determine Compliance with Statutory and Regulatory Requirements

The consultant will be required to review and determine the operator's compliance with the Transportation Development Act and related sections of the California Code of Regulations. At a minimum, the Code Sections for which compliance is to be verified are those specified within the "Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities", published by Caltrans. Should the consultant identify instances of non-compliance, a finding regarding the non-compliance should be made in the audit report.

Follow-Up on Prior Performance Audit Recommendations

The consultant will review the most recent performance audit for the operator and assess the operator's implementation of audit recommendations. The auditor will need to make determinations as to whether recommendations which have not been implemented are (a) no longer applicable, (b) infeasible, or (c) should still be implemented. If a prior audit recommendation has not been implemented, but still has merit, the consultant will include the prior audit recommendation in the current audit report. The consultant will evaluate recommendations which have been implemented or are being implemented. For these recommendations, the consultant should assess the benefits provided (or likely to be provided) by the recommendation. Significant accomplishments in implementing prior recommendations should be recognized.

Verify Performance Indicators

As part of the performance audit, Section 99246 of the Public Utilities Code requires verification of five performance indicators: (1) operating cost per passenger; (2) operating cost per vehicle service hour; (3) passengers per vehicle service hour; (4) passengers per vehicle service mile; (5) and vehicle service hours per employee. The consultant will review and validate the operator's collection of basic data needed to calculate these indicators for each fiscal year in the triennium. The consultant will be expected to analyze performance indicators with the intent of identifying potential issues or concerns that may need further examination during the functional review. As part of the functional review described below, the consultant will be expected to select, calculate, and analyze additional performance indicators which are appropriate to identify, quantify, and/or resolve performance problems and potential areas of improvement.

Review Operator Functions

The consultant will review each operator function, consistent with the "Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities". The functional review is expected to include interviews with the operators' management, staff, and governing board, as well as with selected RTPA staff. Concerns over inefficient or ineffective operator performance may be raised by:

- Operator and RTPA interviews concerning operator functions;
- Documents, such as productivity committee reports, user surveys, or short range transit plans; Review and analysis of TDA-required performance indicators;
- Follow up of prior performance audits; and
- Review of operator compliance with statutory and regulatory requirements.

Such concerns of inefficient or ineffective performance should lead to further investigation, which may include the verification and calculation of additional performance indicators. The detailed investigation of functional concerns, problems, and potential improvements should make up the basis of most findings in the audit report.

2. REGIONAL TRANSPORTATION PLANNING AGENCY PERFORMANCE AUDIT:

Determine Compliance with Legal and Regulatory Requirements

The consultant will be required to review and determine the RTPA's compliance with the Transportation Development Act and related sections of the California Administrative Code. The specific Code Sections for which compliance is to be verified are those specified within the "Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities." Should the consultant identify instances of non-compliance, a finding regarding the non-compliance should be made in the audit report.

Follow-Up on Prior Performance Audit Recommendations

The consultant will review the most recent prior performance audit for the RTPA and assess the RTPA's implementation of audit recommendations. The auditor will need to make determinations as to whether recommendations which have not been implemented are (a) no longer applicable, (b) infeasible, or (c) should still be implemented. If a prior audit recommendation has not been implemented, but still has merit, the consultant will include the prior audit recommendation in the current audit report. The consultant will evaluate recommendations which have been implemented or are being implemented. For these recommendations, the consultant should assess the benefits provided (or likely to be provided) by the recommendation. Significant accomplishments in implementing prior recommendations should be recognized.

Review RTPA Functions

The consultant will review the RTPA TDA-related function, consistent with the "Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities". The functional review is expected to include interviews with the RTPA's management, staff, and governing board, as well as with operators under the RTPA's jurisdiction. Supplemental interviews with other regional State, or federal agencies may be appropriate to gather more detailed information about areas of concern. Concerns over inefficient or ineffective RTPA performance may be raised by:

- RTPA and operator interviews concerning RTPA functions;
- Documents, such as the Regional Transportation Plan and adopted policies and procedures for evaluating TDA claims;
- Follow-up of prior performance audits; and
- Review of RTPA compliance with legal and regulatory requirements.

Required Deliverables:

The consultant must provide **one (1) reproducible electronic copy** (e.g., Adobe PDF, MS Word) and **one (1) hard copy of all draft reports** to TRPA for review and comment prior to finalization. After TRPA and the operator review and comment upon the draft, the consultant must deliver **one reproducible electronic copy and three (3) bound copies each of the final reports** according to the schedule listed in the PROJECT TIMETABLE above. The report must address each of the performance audit project requirements outlined above. As well, the consultant should be prepared to make oral

presentations of the reports to TRPA, the Tahoe Transportation Commission, and the TRPA Governing Board. If presentations are needed TRPA will work with the consultant to schedule at a suitable time.

3. RFP Schedule & Submission Process

Public Records

The documents submitted in response to this RFP should be considered public information and subject to FOIA disclosure. Restrictions on any information submitted will render a bid non-responsive.

TRPA assumes no contractual obligation to enforce any exemption on behalf of a respondent to the RFP.

RFP Coordinator:

Upon release of this RFP, all communications concerning this proposal request should be directed to the RFP Coordinator listed below. All written questions and requests for clarification must be received by the deadline on the RFP schedule listed below. Email shall have the subject stating: “**RFP INQUIRY – RFP #230001 TDA Triennial Performance Audits.**” Responses will be posted to the website <https://www.trpa.gov/contact/request-for-proposals/> in accordance with the RFP schedule listed below. The respondent should rely only on written statements issued by the RFP Coordinator.

Kira Smith
Tahoe Regional Planning Agency
PO Box 5310
128 Market Street, Suite 3A
Stateline, NV 89449
775-589-5236
ksmith@trpa.gov

Request for Proposal & Project Schedule:

TRPA anticipates the following schedule, which is subject to change:

Date of Announcement:	November 7, 2022
Proposing Firms’ Questions Due:	November 14, 2022
Questions and Answers posted to www.trpa.gov	November 17, 2022
Deadline for Proposal Submissions:	December 2, 2022
Sealed Proposals Opened:	December 5, 2022
Selection of Consultants for Interviews (if necessary):	December 9, 2022
Consultant Interviews (if necessary):	December 12-16, 2022
Anticipated Award of Contract:	December 21, 2022
Commencement of Work:	February 1, 2023
Draft Performance Audits to TRPA staff:	May 1, 2023
Monthly Progress Reports:	the 10 th of the month following month end date
Final Performance Audits to TRPA staff:	June 30, 2023

Late proposal submissions will not be considered and will be returned unopened to the sender.

Proposal Submission:

Electronic submission of proposals via email, file transfer, or other method is preferred. RFP and cost proposals are submitted separately, and cost proposal is only opened for proposals that meet format requirements. Send electronic submittals to bids@trpa.gov with the subject line **“DO NOT OPEN – RFP 230001 TDA Triennial Performance Audits RFP Response [lead firm name]”** and **“DO NOT OPEN – RFP 230001 TDA Triennial Performance Audits RFP Cost Proposal [lead firm name]”**.

Address written proposals to: Tahoe Regional Planning Agency
Attention: Kira Smith
128 Market Street, Suite 3A
PO Box 5310
Stateline, NV 89449-5310
Subject line:
“DO NOT OPEN – RFP 230001 TDA Triennial Performance Audits RFP Response [lead firm name]” and
“DO NOT OPEN – RFP 230001 TDA Triennial Performance Audits RFP Cost Proposal [lead firm name]”.

All opened proposals and accompanying documentation become the property of TRPA and will not be returned. Any late proposals will be returned unopened.

Terms and Conditions:

- TRPA reserves the right to amend the RFP schedule or issue amendments to the RFP at any time. TRPA also reserves the right to cancel or reissue the RFP, to reject any or all proposals, to waive any irregularities or informalities in the selection process, and to accept or reject any item or combination of items. TRPA reserves the right to request clarification of information from any bidder or to request supplemental material deemed necessary to assist in the evaluation of the proposal. TRPA reserves the right to accept any agreement deemed by the agency to be in its best interest. This RFP does not obligate the TRPA to accept or contract for any expressed or implied services.
- In the event that the bidder to whom any services are awarded does not execute a contract within thirty (30) calendar days after TRPA approval, TRPA may give notice to such bidder of intent to award the contract to the next most qualified bidder or to call for new proposals and may proceed to act accordingly.
- TRPA will not reimburse any bidder for any of the costs involved in the preparation and submission of responses to this RFP or in the preparation for and attendance at subsequent interviews.
- Selected consultant(s) will be expected to sign the TRPA Consultant Services Agreement listed on <https://www.trpa.gov/contact/request-for-proposals/>. Any desired edits to this agreement should be included in the Contractor’s proposal. Desired edits may not be accepted by TRPA.
- Bidder shall thoroughly examine and be familiar with these terms and conditions of the TRPA Consultant Services Agreement. The failure or omission of any bidder to receive or examine this document shall in no way relieve any bidder of obligations with respect to this proposal or the subsequent contract.

- The Consultant or its employees may be subject to the provisions of Article III (a)(5) of the Tahoe Regional Planning Compact (P.L. 96-551, 94 Stat. 3233, Cal. Gov't Code Section 66801, N.R.S. 277.200), which requires disclosure of any defined economic interest and prohibits such persons from attempting to influence Agency decisions affecting certain economic interests.
- Bidder must certify to the best of its knowledge and belief that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency. TRPA will verify bidders' status by checking the SAM system.
- All subcontractors, if any, used by the selected consultant will require prior written consent of TRPA and will be subject to all provisions stipulated in the TRPA Consultant Services Agreement.
- This contract will be funded by federal and state grant awards and is subject to federal and state grant award requirements including, but not limited to, cost principles and administrative regulations including but not limited to travel and per diem rates, mileage rates, and allowable cost requirements.

4. Minimum Required Proposal Contents

Minimum Required Proposal Contents:

All proposal responses should address the following matters:

Main Proposal – Max Page Limit: 6

- Definition of the Project: Indicate your understanding of the Project objectives.
- Project approach: Describe how the Project will be managed, implemented, and evaluated to accomplish the objectives and requirements outlined in this request.
- Team Organization: Describe how the project team will be organized to facilitate effective management, implementation, and evaluation.
- Qualifications and Experience: Provide a summary of company and project team qualifications related to TDA triennial performance audits and, transit analysis, or other audits of transit agencies.
- References: Provide a minimum of two (2) client references of similar sized and/or governmental accounts which the bidder has served in a similar capacity over the past two years and/or is currently serving. Provide a contact person, telephone number, and email address for each reference customer.

Cost Proposal – Max Page Limit: 2

- Schedule and Cost: The initial term of this contract shall be for one year. Provide an itemized cost estimate based on the Tasks described in Scope of Work section. Cost estimates should be based on hourly rates and/or milestones and deliverables.

5. Notification and Selection Process

Review of Proposals

After the deadline date the Agency shall review and evaluate all proposals for responsiveness to the RFP to determine whether the Proposer possesses the professional qualifications necessary for the satisfactory performance of the services required. The Agency shall also investigate qualifications of all Proposers to whom the award is contemplated, and the Agency may request clarifications of proposals directly from one or more Proposers. In reviewing the proposals, the Agency may consider the following:

1. The experience and past performance of the Proposer and its agents, employees, and sub-consultants in completing projects of a similar type, size, and complexity.
2. The Agency may consider Proposer's timely and accurate completion of similar projects within budget.
3. The specific recent experience of the Proposer and its agents, employees, and sub-consultants in auditing governmental entities and especially transportation entities.
4. The feasibility of the proposal based upon the performance and cost schedules, and the methodology to be used by the Proposer.
5. Proposer's understanding of the work to be completed based upon the clarity of the proposal and responsiveness to this RFP.
6. Proposer's proposed language for the Professional Services Agreement.
7. TRPA agrees to make a good faith effort to contract with small, minority, disabled, and women owned business enterprises. Accordingly, the TRPA strongly encourages small, minority, disabled, and women owned businesses to reply to this RFP and submit Small Business Enterprise (SBE), Disadvantaged Business Enterprise (DBE), Women Business Enterprise (WBE), Disabled Veteran Business Enterprise (DVBE), or similar certifications as an attachment to this RFP.

Award of Agreement

Upon completion of the review period, the Agency shall notify those respondents whose proposals will be considered for further evaluation and negotiation. All notified respondents may be required to make presentations and negotiate in good faith in accordance with direction from the Agency. Any delay caused by respondent's failure to respond to direction from the Agency may lead to a rejection of the proposal.

If the Agency determines, after further evaluation and negotiation, to award the Agreement, the Standard TRPA Two-Party Contract Agreement shall be sent to the successful respondent for the respondent's signature. No proposal shall be binding upon the Agency until after the Agreement is signed by duly authorized representatives of both the Auditor and the Agency.

TRPA agrees to make a good faith effort to contract with small, minority, and women owned business enterprises. Accordingly, the TRPA strongly encourages small, minority, and women owned businesses to reply to this RFP and submit DBEWE Certification as an attachment to this RFP.

Should the selected applicant and TRPA be unable to agree to the terms of a contract within thirty (30) calendar days after TRPA approval, TRPA will reserve the right to disqualify the consultant and select another qualified applicant. Should this process not result in the hiring of a consultant, the RFP may be reissued.

The Agency reserves the right to reject any or all proposals, and to waive any irregularity. The award of the Agreement, if made by the Agency, will be based upon a total review and analysis of each proposal and projected costs.

TRPA will contract with the party that will best accomplish the project objectives for the best value and in the best interests of the Agency.