



## **TRANSBAY JOINT POWERS AUTHORITY**

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT  
CALIFORNIA DEPARTMENT OF TRANSPORTATION  
CALIFORNIA HIGH-SPEED RAIL AUTHORITY  
CITY AND COUNTY OF SAN FRANCISCO, BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO, MAYOR'S OFFICE  
PENINSULA CORRIDOR JOINT POWERS BOARD  
SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY

**Executive Director: Adam Van de Water**

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### **REQUEST FOR PROPOSALS No. 25-01**

### **INDEPENDENT AUDITING SERVICES**

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#### **Key RFP Dates**

RFP Issued:	February 6, 2025	
Deadline for Submission of Questions:	February 14, 2025	by 2 p.m. PT
Answers to Written Questions Posted:	February 21, 2025	
Proposals Due:	March 7, 2025	by 2 p.m. PT
Interviews (if required) (Week of):	March 24, 2025	
Contract Recommended for TJPA Approval:	Friday, March 28, 2025	

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**ATTACHMENTS**

Attachment 1: RFP General Conditions

Attachment 2: Model Professional Services Agreement

Attachment 3: Federal Transit Administration Requirements and Certifications Required to be Submitted with Proposal

- Fly America Certification
- New Restrictions on Lobbying Certification
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters

Attachment 4: Disadvantaged & Small Business Enterprise (DBE/SBE) Program Information and Forms:

- Bidders/Proposers Information Request Form (*Required to be submitted with Proposal*)
- Good Faith Efforts Form (*Required to be submitted with Proposal if the SBE utilization goal is not being met*)
- Progress Payment Report
- Subcontractor Payment Declaration
- Final Expenditure Report

## **1 INTRODUCTION**

The Transbay Joint Powers Authority (TJPA) issues this Request for Proposals (RFP) for Independent Auditing Services (Services) for the Transbay Program (Program) from qualified Certified Public Accounting firms (Respondents) with qualifications and expertise in independent auditing of financial statements. Respondents to this RFP must have demonstrated ability in auditing governmental financial statements including Single Audits and capital project accounting.

The TJPA plans to enter into a contract for the services described in Section 3, Scope of Services (Services). Based on its evaluation of the proposals received in response to this RFP (Proposals), the TJPA may select a Respondent to enter into exclusive negotiations for an agreement substantially similar to Attachment 2, Model Professional Services Agreement (Agreement). The TJPA anticipates that the Agreement will be for a five (5) year base term.

Proposals must be received by the TJPA no later than **2:00 p.m. Pacific Time on March 7, 2025**. Proposals submitted electronically shall be in Adobe PDF (Portable Document Format) and sent via email or file sharing link to [RFP@tjpa.org](mailto:RFP@tjpa.org).

Proposals that are not received by the time and date specified, do not contain all the required information and completed forms, or do not meet all minimum qualifications shall be deemed non-responsive and rejected without consideration.

Respondents may obtain copies of this RFP, including the forms to be submitted in the proposal package, by downloading the document from the TJPA [website](#) or by contacting the TJPA by email: [RFP@tjpa.org](mailto:RFP@tjpa.org).

The RFP General Conditions (Attachment 1) supplement the provisions of this RFP.

The selection of any Respondent for exclusive negotiations shall not imply the TJPA's acceptance of all terms of Respondent's submittal; terms may be subject to further negotiation. The TJPA shall have no obligation unless and until a final agreement is entered into by the parties following approval by the TJPA's Board of Directors (TJPA Board). There is no guarantee that the TJPA will issue any notices to proceed (NTPs), and the TJPA may terminate the agreement at any time.

## **2 BACKGROUND**

### **2.1 Transbay Joint Powers Authority**

In April 2001, the City and County of San Francisco (City), the Alameda-Contra Costa Transit District (AC Transit), and the Peninsula Corridor Joint Powers Board (PCJPB) executed a Joint Exercise of Powers Agreement under California law creating the TJPA. The Joint Exercise of Powers Agreement was amended in November 2017 to include the California High-Speed Rail Authority (CHSRA).

The purpose of the TJPA is to design, build, develop, operate, and maintain a new transportation terminal and associated facilities in San Francisco, known as the Transbay Program. The member agencies of the TJPA have granted to the TJPA most of their jointly held powers, including the authority to buy and sell property, enter into contracts, and accept and spend grants of cash and property. The TJPA's management functions include contract oversight, policy direction, financing, and investment supervision.

The TJPA coordinates and collaborates with, among others, the following governmental entities: U.S. Department of Transportation and its operating administrations—Federal Railroad Administration, Federal Transit Administration, and Federal Highway Administration; the California Department of Transportation (Caltrans); the California High-Speed Rail Authority; the City; AC Transit; PCJPB (Caltrain); San Mateo County Transit District; and the Golden Gate Bridge, Highway and Transportation District.

The TJPA Board of Directors is composed of directors appointed by each of the following agencies:

- Alameda-Contra Costa Transit District
- City and County of San Francisco, Board of Supervisors (2)
- City and County of San Francisco, Mayor's Office
- Peninsula Corridor Joint Powers Board
- San Francisco's Municipal Transportation Agency
- California High-Speed Rail Authority
- California Department of Transportation, Ex Officio (non-voting)

Subject to such supervisory powers as may be given by the Board to the Chair of the Board, and except as otherwise provided in the Bylaws, the TJPA Executive Director generally supervises, directs, and controls the business and the employees of the TJPA.

## **2.2 Transbay Program**

The Transbay Program is a major infrastructure investment that replaced the former Transbay Terminal at First and Mission streets in San Francisco with a modern regional transit station that connects the Bay Area and ultimately the State of California through eleven transit systems: AC Transit, BART (Bay Area Rapid Transit), Caltrain, Golden Gate Transit, Greyhound, Muni (San Francisco municipal bus lines), SamTrans (San Mateo County Transit), WestCAT (Western Contra Costa Transit) Lynx, Paratransit, and high-speed rail from San Francisco to Southern California.

The Program is being constructed in two phases. Phase 1, which has been delivered, includes design and construction of the above-grade portion of the Transit Center, including a 5.4-acre rooftop park, retail areas, and a public art program; the core and shell of the two below-grade levels of the train station; a bus ramp; a bus storage facility; and a temporary bus terminal. The Transit Center is now open to the public, and bus services have commenced operations.

The TJPA directly programs, leases, and manages the Transit Center’s commercial space, oversees a maintenance program for all spaces associated with the Transit Center, and operates a high-impact digital signage program. The TJPA entered into an agreement with salesforce.com, providing salesforce.com, among other benefits, the right to name the Transit Center, the rooftop park, and the amphitheater; these facilities are called the “Salesforce Transit Center,” “Salesforce Park,” and “Salesforce Amphitheater,” respectively.

Phase 2 of the Transbay Program is a 2.2-mile extension of the existing 77-mile Caltrain Peninsula Corridor rail alignment to include the design and construction of the Downtown Rail Extension (DTX) tunnel, rebranded as “The Portal”, which includes construction of a new underground station at Fourth and Townsend streets and fit-out of the already built below-ground mezzanine and platform levels of the Transit Center to accommodate commuter rail and future high speed rail service. Phase 2 is currently in the engineering and preconstruction phase. The TJPA’s [website](#) contains further information about the Program.

### **3 SCOPE OF SERVICES**

#### **Scope of the Engagement**

The selected Respondent shall provide the Services annually for each fiscal year covered by the Agreement for the TJPA’s Basic Financial Statements, Management’s Discussion and Analysis, and the Single Audit.

The TJPA reports as an enterprise fund and issues the following Basic Financial Statements according to the financial reporting requirements of the Governmental Accounting Standards Board Statement No. 34:

- Statement of Net Position
- Statement of Revenues, Expenses and Changes in Fund Net Position
- Statement of Cash Flows
- Notes to the Basic Financial Statements

TJPA’s Required Supplementary Information consists of:

- Schedule of Proportionate Share of Net Pension Liability
- Schedule of Pension Contributions
- Schedule of Changes in Net OPEB Liability and Related Ratios
- Schedule of OPEB Contributions
- Schedule of Expenditures of Federal Awards
- Notes to Schedule of Expenditures of Federal Awards
- Auditing Financial Statement including GASB Reports

The TJPA Financial Statements are posted on the TJPA website at [https://www.tjpa.org/about-tjpa/documents?combine=&field\\_category\\_target\\_id=20&page=0](https://www.tjpa.org/about-tjpa/documents?combine=&field_category_target_id=20&page=0)

The Auditor shall conduct an audit of the Basic Financial Statements of the TJPA for each fiscal year of the term for the purpose of expressing an opinion on these financial statements and issuing an independent auditor's report. The audits are to be performed in accordance with all applicable Generally Accepted Auditing Standards (GAAS), including but not limited to auditing standards set forth by the American Institute of Certified Public Accountants (AICPA), the standards for financial audits set forth in the U.S. Government Accountability Office's *Government Auditing Standards*, the provisions of the *Single Audit Act of 1984* and amendments, and the provisions of the U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and applicable State of California audit guidelines.

The Auditor will, in planning and performing their audit, consider the TJPA's internal control over financial reporting in order to determine their auditing procedures for the purpose of expressing their opinion on the financial statements. Also, the Auditor, as part of obtaining reasonable assurance about whether the TJPA's financial statements are free of material misstatement, will perform tests of the TJPA's compliance with certain provisions of laws, regulations, contracts, and grant agreements. The Auditor will issue an independent report on internal control over financial reporting and on compliance and other matters based on their audit of the financial statements performed in accordance with the *Government Auditing Standards*. The purpose of this report will be to describe the scope of the Auditor's testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance.

The Auditor will apply certain limited procedures to Management's Discussion and Analysis (MD&A) supplementary information regarding the methods of measurement and presentation.

If applicable for the year, the Auditor will perform a Single Audit of TJPA's expenditures of federal grants, and audit the compliance of the TJPA with the types of compliance requirements described in the Circular A-133 Compliance Supplement that are applicable to each of its major federal programs identified in the Schedule of Expenditures of Federal Awards for the purpose of expressing an opinion as to whether the TJPA complied, in all material respects, with the requirements referred to above that are applicable to each of its major Federal programs. The supplemental Schedule of Expenditures of Federal Awards is to be subjected to the auditing procedures applied in the audit of the Basic Financial Statements to determine if the Schedule is fairly stated, in all material respects, in relation to the Basic Financial Statements taken as a whole.

Final audited financial reports must be presented to the TJPA Board at its December meeting following the close of the fiscal year. (Please note that TJPA Board meetings are regularly scheduled for the second Thursday of each month). Changes to this date are subject to mutual agreement of the Auditor and the TJPA.

- Deliverables:**
- 10 bound copies of independent auditor’s reports, MD&A, Basic Financial Statements and other supplementary information, including the Single Audit Report (Financial Report)
  - Secured and unsecured electronic copies of the Financial Report. Submission of the Single Audit Report electronically to the Federal Audit Clearinghouse.

**Audit Plan**

The Auditor shall hold an entrance conference with all key finance personnel. The purpose of this meeting is to discuss prior audit issues or concerns and to coordinate the efforts of the Auditor, TJPA staff, and the TJPA financial consultant. The Auditor will be asked to present a detailed audit plan and to present a list of all schedules to be prepared by the TJPA. The detailed audit plan shall include the audit of the TJPA’s MD&A, Basic Financial Statements, Schedule of Federal Expenditures, and internal control procedures and identify key preliminary interim and final audit, deliverable, and status meeting dates. Throughout the engagement, the TJPA proposes to make appropriate staff available to provide assistance to the audit team. Such assistance includes coordinating the audit field work, identifying locations of required records and documentation, preparing and/or obtaining listings of account balances/transactions, providing reasonable detailed analysis and reconciliation of various accounts being audited, and other such tasks which will serve to speed the conduct of the engagement. The TJPA will arrange for appropriate office space.

- Deliverables:**
- Detailed Audit Plan
  - List of required schedules to be prepared by TJPA

**Management Letter**

The Auditor shall issue reports to management (management letters), which discuss required communications and reportable conditions or material weaknesses related to the TJPA in accordance with GAAS and the *Government Auditing Standards*. The management letter shall address the systems of internal control, accounting and financial systems, functions, procedures, and processes, especially with regard to cost effectiveness, and compliance with laws, regulations, contracts, and grants. The Auditor shall discuss all findings and recommendations with the TJPA’s Executive Director, Chief Financial Officer, and Accounting Supervisor prior to inclusion in its report. In addition to communicating reportable conditions and material weaknesses in accounting and administrative controls, the primary objective of the management letter shall be to provide suggestions for improvements to fiscal operations.

The final management letter shall include the following:

1. Findings and recommendations of improvements in internal controls and accounting systems based upon the review of the internal control structure and assessment of control risk performed as part of the audit
2. Findings of noncompliance with laws, rules, regulations, and charter requirements that came to the Auditor’s attention during the course of the audit

3. Any other material items in the course of the audit that the Auditor feels should be brought to the attention of management and the TJPA’s Board of Directors
4. Recommendations for improvements in administrative efficiency
5. If requested by the Chief Financial Officer and/or Accounting Supervisor , a summary listing of nonmaterial items that were communicated to management
6. Status of all management letter comments from prior years
7. Management’s response to findings and recommendations

- Deliverables:**
- 10 bound copies of the management letter
  - Secured and unsecured electronic copies of the management letter

**Additional Requirements**

**Communication and Presentations**

The Auditor shall meet with the TJPA’s Chief Financial Officer and/or Accounting Supervisor on a regular basis to report the progress of its audit and any preliminary findings. Upon completion and issuance of both the financial statements and the management letter, the Auditor will make a presentation to the TJPA’s Board of Directors. Content of the presentation must be approved by the TJPA’s Chief Financial Officer and/or Accounting Supervisor and Executive Director prior to the Board meeting date.

**Perform Procedures for Public Debt Issuance**

The Auditor shall follow procedures necessary to ensure that the TJPA may use the Auditor’s opinion on the TJPA’s financial statements in connection with any official statements (OS) for public debt issuance. The TJPA will have the right to reproduce the audited financial statements with the related auditor’s report and include such report in an Official Statement without the Auditor’s involvement or association as defined by the professional auditing standards.

**Update on New Accounting & Auditing Requirements**

During the period under contract, the TJPA may be required to implement new accounting standards, comply with additional auditing requirements, or new federal or state legislation and rules. The Auditor shall keep the TJPA informed of such requirements.

**Working Paper Retention and Access to Working Papers**

All working papers and reports must be retained, at the Auditor’s expense, for a minimum of seven (7) years after the ending date of the fiscal year audited, unless the Auditor is notified to extend the retention period. The Auditor will be required to make working papers available, upon request, to the TJPA and its funding agencies. In addition, the Auditor shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance.

**4 MINIMUM REQUIRED SKILLS AND EXPERIENCE**

Proposers must provide documentation that clearly demonstrates each Minimum Qualification (MQ) listed below has been met. Minimum Qualification documentation should be clearly marked as “MQ1”, MQ2”, etc.... to indicate which MQ it supports. Each Proposal will be reviewed for



initial determination on whether Proposer meets the MQs referenced in this section. **This screening is a pass or fail determination and a Proposal that fails to meet the Minimum Qualifications will not be eligible for further consideration in the evaluation process.** The TJPA reserves the right to request clarifications from Proposers prior to rejecting a Proposal for failure to meet the Minimum Qualifications.

**Firm Minimum Qualifications**

<b>MQ #</b>	<b>Description</b>
<b>MQ # 1</b>	Evidence that Proposer has five (5) years of experience within the last ten (10) years with auditing the construction phase of a large capital project and the ensuing operational phase of the facilities.
<b>MQ #2</b>	Evidence that Proposer has five (5) years of experience within the last ten (10) years with auditing agencies that receive federal, state, and local funding and debt financing.
<b>MQ #3</b>	Evidence that Proposer has five (5) years of experience within the last ten (10) years with auditing real estate transactions.
<b>MQ #4</b>	Evidence that Proposer has five (5) years of experience within the last ten (10) years with auditing transportation projects.

**Audit Partner and Audit Manager Minimum Qualifications**

<b>MQ #</b>	<b>Description</b>
<b>MQ # 1</b>	Evidence that Proposer has five (5) years of experience within the last ten (10) years in auditing governmental agencies.
<b>MQ #2</b>	Evidence that Proposer is a Certified Public Accountant in good standing with California Board of Accountancy.
<b>MQ #3</b>	Evidence that Proposer has five (5) years of knowledge and experience within the last ten (10) years with generally accepted accounting principles.
<b>MQ #4</b>	Evidence that Proposer has five (5) years of knowledge and experience within the last ten (10) years with generally accepted auditing standards and Government Auditing Standards.
<b>MQ #5</b>	Evidence that Proposer has five (5) years of knowledge and experience within the last ten (10) years with provisions of the Single Audit Act.

**5 PROPOSAL REQUIREMENTS**

Proposals shall adhere to the format and page limitations described below in Section 5.1.1, 5.1.2, and 5.1.3. Documents required by Sections 5.1.4, 5.2, and 5.3 (such as Sample Financial Report and Fee Proposal) are not subject to page limitations. Proposals shall be submitted electronically in 8½ x 11-inch format; typeface shall be no smaller than 11 point, and margins shall be no less than 1 inch. Elaborate brochures or other presentation materials are not desired and will not be considered in evaluating Proposals.

Proposals shall be organized in the following sequence:

## **5.1 Written Submittal**

### **5.1.1 Introduction and Executive Summary (5 page limit)**

Submit a letter of introduction and an executive summary of the Proposal. The introductory letter must be signed by a person or persons authorized to obligate the firm (or firms if a joint venture) to honor the commitments set forth in the Proposal and to verify the accuracy of the information included in the Proposal. Submission of the introductory letter will constitute a representation by the firm or joint venture that it is willing and able to successfully perform the Services, and that all information contained in the Proposal is true, correct, and not misleading.

### **5.1.2 Management Approach (15 page limit)**

Provide a detailed description of how Respondent would approach the work, analyze, and solve the problems, and assure that its solutions would be effective. Respondent should outline its anticipated approach for each element of work identified in the Services. The approach should be consistent with the objectives and requirements set forth in the RFP and should address how Respondent will provide the Services immediately upon execution of a contract. Respondents' description of their company business plan and management approach should be a narrative. The TJPA expects Respondents to tailor their services to meet the needs of the TJPA

The response should include at least the following:

- A. Organizational chart showing Respondent's overall staffing approach for completing the required work.
- B. Provide a general statement of the firm's total size, as well as staff size of the local or regional office proposing to perform the Services.
- C. Description of the proposed staff that would provide the Services. Identify the Respondent firm's representatives designated as the Audit Partner and Audit Manager, and other key team members such as associates; describe the role each will play in providing the Services; clearly show the extent and nature of the involvement of the key individuals who would provide the Services.
- D. Declaration of Respondent's ability and willingness to commit and maintain staffing, both number and level, to successfully conclude the engagement being proposed. Identified key individuals may not be substituted with other personnel or reassigned to another project without the TJPA's prior approval.
- E. Description of Respondent's approach to providing the Services. Respondents should demonstrate an understanding of the engagement requirements, approach to the work specifically addressing the requirements of the Single Audit as presented in Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), and approach to analyzing account balances and transactions. Provide a statement of any special areas of expertise or special audit approaches that are planned for use on the proposed engagement. Describe how the Respondent would tailor its services to meet the needs of the TJPA by summarizing the estimated audit hours for the contract term by staff level (e.g., partner, manager, senior). Include the firm's approach to avoiding conflicts of interest and prioritizing client interests.

**5.1.3 Relevant Experience and Past Performance (15 page limit)**

Provide a narrative description of Respondent's company history, experience, and qualifications in providing auditing services to a governmental organization similar to the TJPA. The narrative should clearly describe how Respondent meets each of the minimum qualifications specified in Section 4.

Provide a list of local governmental agencies and relevant industry clients of the local or regional office from the past five years. Indicate each organization's name and address, contact person, phone number, email address, nature of services provided, dates of engagement, and the names of the Respondent firm's staff who worked on these engagements. Describe the firm's abilities to manage and coordinate the entire audit group and to provide sufficient staff resources to examine a substantial percentage of the total assets, liabilities, revenues, and expenses of the TJPA.

The experience and qualifications of the key personnel who directly provide Services will be evaluated. Provide key staff names, titles, business addresses, phone numbers, email addresses, and brief resumes describing the relevant qualifications and work experience. (The length of resumes must be shortened if necessary, to avoid exceeding the maximum page limit established for this section.) Include experience in auditing in general and experience in auditing governmental entities, large capital projects, real estate transactions, and transportation entities. Also include each key individual's education and attendance at required training programs.

Include any additional information that demonstrates Respondent's qualifications to perform the Services and successful completion of similar services for other public agencies.

**5.1.4 References (No page limit)**

Provide references for five (5) recent clients (preferably other public agencies) of Respondent and/or any assigned key individuals; include the client name and addresses, contact persons, telephone numbers, email addresses, and specific projects with dates of engagement.

**Respondent must provide current email for all contacts**

**5.2 External Quality Control Review**

Submit a copy of the Respondent firm's most recent external quality control review letter.

**5.3 Sample Financial Report**

Provide a copy of a financial report that the firm has completed. The financial report provided should closely represent the firm's experience with a project similar to the Transbay Program.

**5.4 Fee Proposal**

Respondents must propose a fixed fee structure. The TJPA will select the proposal that represents the best value to the TJPA, balancing qualifications, approach to providing services, and price.

Submit a fee proposal including a total proposed budget (or not to exceed amount) for performing the Services for each fiscal year of the five-year term contract. Submitting a fixed fee

structure, the fee proposal shall provide a fee for the annual audit and single audit separately for completion of the task and deliverables stated in the Scope of Services.

The fee proposal should clearly identify any anticipated out of pocket costs or reimbursable expenses; such costs should be identified in the total proposed budget.

Respondents should identify any assumptions or limiting conditions in the fee proposal and budget.

**5.5 Other Required Documents**

Respondents shall complete the forms described below and submit them as part of the Proposal:

- A. Fly America Certification, New Restrictions on Lobbying Certification, Certification Regarding Debarment, Suspension, and Other Responsibility Matters
- B. Disadvantaged/Small Business Enterprise Program Requirements – Bidders/Proposers Information Request Form (Attachment 4)
- C. Good Faith Efforts Form (if the SBE utilization goal is not being met) (refer to Section 11.3)
- D. Respondent’s nondiscrimination program or equal employment opportunity policy statement

**6 RESPONDENT EVALUATION PROCESS**

The TJPA’s selection committee will review and evaluate the Proposals. The selection committee will ensure that the Proposal meets all of the requirements identified in this RFP. The selection committee will score the Proposals in accordance with the criteria and methodology described in this RFP. The Respondent that receives the highest score in the selection process will be selected to negotiate an Agreement with the TJPA; the TJPA Board must approve the Agreement in its sole discretion.

**Step One: Written Proposal**

**Satisfaction of Minimum Requirements**

Proposals will be evaluated to ensure that Respondent has demonstrated compliance with each of the requirements described in Section 4, Minimum Required Skills and Experience. Any Proposal that does not meet the minimum requirements will be automatically rejected, and the selection committee will not evaluate the remainder of the Proposal.

**Proposal Evaluation and Ranking**

Proposals that satisfy the minimum requirements will be scored as follows:

Qualifications and Experience of Respondent Firm	maximum 50 points
Qualifications and Experience of Project Staff	maximum 50 points
Audit Approach and Work Plan	maximum 50 points
Quality and Content of Sample Financial Report	maximum 25 points

Cost

maximum 25 points

The maximum total score possible on the written proposal is 200 points. Respondent Proposals will be ranked according to total score. The selection committee may shortlist those Proposals that meet a minimum score, as determined by the selection committee (Finalist Respondents). Finalist Respondents may be invited to participate in a final selection process. The final selection process may include the submission of additional information and/or participation in an oral interview.

### **Step Two: Oral Interview**

The TJPA may invite the Finalist Respondents to participate in oral interviews at a specified time, date, and location to be determined at a later date. The TJPA shall impose a time limit for each oral interview. During the oral interview, the Finalist Respondents may be required to deliver a brief presentation, and may be required to respond to questions from the selection committee, including questions concerning the Respondent's Proposal and presentation. The proposed key individuals of the Finalist Respondent's team will be expected to actively participate in the interviews and to respond to the selection committee's questions. The selection committee will assign points to each Finalist Respondents based on the oral interview up to a maximum of 200 points.

At the conclusion of the oral interviews, the selection committee will combine the scores for the Proposal and oral interview for each of the Finalist Respondents. The highest-ranking Finalist Respondent will be selected to negotiate an agreement with the TJPA. In the event of a tie, the TJPA may elect, in its absolute and sole discretion, to break the tie by conducting a tiebreaker between the tied Finalist Respondents.

In the event that agreement cannot be reached with the highest-ranking Finalist Respondent as determined by the TJPA staff in its sole discretion, then negotiations may be entered into with other Finalist Respondents in the order of their ranking. There shall be no binding agreement with any Finalist Respondent unless and until approved by the TJPA Board, at its sole discretion.

## **7 SUBMITTAL PROCEDURES**

Proposal must be received by the TJPA no later than **2:00 p.m. Pacific Time on Friday, March 7, 2025**. Proposals submitted electronically shall be in Adobe PDF (Portable Document Format) and sent via email or file sharing link to [RFP@tjpa.org](mailto:RFP@tjpa.org).

Proposals that are not received by the time and date specified herein, do not contain all the required information and completed forms, or do not meet the minimum qualifications may be deemed non-responsive and rejected.

Beginning on the date this RFP is issued and made available to prospective Respondents, there will be no communications concerning this RFP between members of the TJPA Board, TJPA staff, other consultants already engaged by the TJPA or members of the selection committee and prospective Respondents and their employees or agents, except as provided herein. Any violations of the above restriction will result in the immediate disqualification of the Respondent making said contact from further participation in the Transbay Program. This restriction will end when TJPA issues a notice of intent to award/notice of proposed award of a contract (or cancels the procurement).

Questions about the RFP may be directed in writing to:

Transbay Joint Powers Authority  
425 Mission Street Suite 250  
San Francisco, CA 94105  
Email: [RFP@tjpa.org](mailto:RFP@tjpa.org)

All questions received by the time and date noted in the RFP schedule as the deadline for submission of questions will be responded to in writing.

Respondents are to promptly notify [RFP@tjpa.org](mailto:RFP@tjpa.org) if Respondent discovers any ambiguity, discrepancy, omission, or other error in this RFP (see Attachment 1, RFP General Conditions, Item C.)

As set forth in Attachment 1, Item D, Respondents may telephone the TJPA at (415) 597-4620 before submitting a Proposal to determine if the Respondent has received all addenda.

## **8 SCHEDULE AND ADDENDA**

See the key RFP dates listed on the title sheet of this RFP.

The TJPA may modify this RFP prior to the date Proposals are due by issuing written addenda. Addenda will be posted on the TJPA's [website](#). For parties who requested a hard copy of the RFP by regular mail, addenda may be sent to them via regular, first class U.S. mail. For firms registered on the TJPA's website to receive notice of addenda, the TJPA will make reasonable efforts to notify potential Respondents via email in a timely manner of the posting of addenda on the website. In either case, the last known address of each firm listed with the TJPA will be used. All parties, regardless of how they obtained the RFP, are solely responsible for ensuring the receipt of any and all addenda, and should therefore check the website before submitting their Proposals to ensure receipt of all addenda, and to ensure their Proposals respond to any such addenda.

**9 STANDARD AGREEMENT PROVISIONS**

Following negotiations, the selected Respondent will be expected to enter into a professional services agreement substantially in the form of the Model Professional Services Agreement (Attachment 2). Failure to timely execute the Agreement, or to furnish any and all insurance certificates and other materials required in the Agreement, will be deemed an abandonment of Respondent's contract offer.

Respondents are urged to pay special attention to the requirements of the Minimum Compensation Ordinance and the Health Care Accountability Ordinance. The Minimum Ordinance (MCO), as set forth in S.F. Labor and Employment Code Article 111, requires contractors to provide employees covered by the Ordinance who do work funded under the Contract with hourly gross compensation and paid and unpaid time-off that meet certain minimum requirements. The Health Care Accountability Ordinance (HCAO), as set forth in S.F. Labor and Employment Code Article 121, requires contractors to provide health care coverage to certain employees or pay amounts in lieu thereof. Contractors should consult the San Francisco Labor and Employment Code to determine their compliance obligations under this chapter. Additional information regarding the MCO and HCAO is available at <https://sfgov.org/olse>.

TJPA will not negotiate different terms in the Model Professional Services Agreement if exceptions are not clearly noted within the Respondent's Proposal.

**10 AUTHORIZATION OF CONSULTANT'S WORK**

Once the Agreement is executed, any resulting work will be assigned to the selected Respondent (Consultant) by the TJPA through NTPs. It is anticipated that the first NTP will be issued in May 2025.

**11 DISADVANTAGED BUSINESS ENTERPRISE (DBE) / SMALL BUSINESS ENTERPRISE (SBE)**

It is the policy of the TJPA to ensure nondiscrimination on the basis of race, color, sex or national origin in the award and administration of Department of Transportation (DOT)-assisted contracts. It is the intention of the TJPA to create a level playing field on which DBEs can compete fairly for contracts and subcontracts relating to the TJPA's construction, procurement and professional services activities.

Pursuant to 49 CFR Section 26.13, the TJPA is required to make the following assurance in every DOT-assisted contract and subcontract:

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-

assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the TJPA deems appropriate.

The TJPA recommends that Respondents review the TJPA's DBE Program and SBE Programs, available on the TJPA [website](#).

Pursuant to the monitoring requirements outlined in both the DBE Program and the SBE Program, each Respondent will be required to complete and submit the TJPA's Bidders/Proposers Information Request Form with its Proposal, regardless of DBE/SBE participation. Upon award of the contract, Respondent will be required to submit the TJPA's Progress Payment Report with every invoice request, the Subcontractor Payment Declaration as proof of payment to any subcontractors, and the Final Expenditure Report with the completion of the contract. These forms are attached to this RFP and are available on the TJPA [website](#).

### **Equal Employment Opportunity**

The TJPA encourages Respondents to actively recruit minorities and women for their respective workforces. The TJPA requests copies of any nondiscrimination or equal opportunity plans that the Respondents have in place.

### **DBE Participation**

The TJPA has a race-neutral DBE Program and there is no DBE goal on this contract; however, Respondents are encouraged to obtain DBE participation and should refer to the section below for information about any mandatory SBE utilization goal.

### **SBE Utilization Goal**

The TJPA has not established an SBE utilization goal for this contract. However, Respondents are encouraged to obtain SBE participation for this contract. TJPA accepts certifications from the following as SBEs: any state's Unified Certification Program, California Department of General Services, and the San Francisco Contract Monitoring Division.

### **Questions Regarding DBE/SBE**

Written questions concerning DBE/SBE/nondiscrimination requirements should be addressed to:

Ms. Annyse Acevedo  
Transbay Joint Powers Authority  
425 Mission Street, Suite 250  
San Francisco, CA 94105  
(415) 597-4615 fax  
Email: [RFP@tjpa.org](mailto:RFP@tjpa.org)



**12 LEVINE ACT**

The Levine Act (Government Code § 84308) is part of the Fair Political Practices Act that applies to elected or appointed officers of an agency, and their alternates.

The Levine Act generally provides that while a proceeding involving a contract is pending, and for 12 months following the date a final decision is rendered in the proceeding, Board members (including Board member alternates) and officers may not accept, solicit, or direct a campaign contribution of more than \$500 from an applicant for the contract or their agents, if the Board member or officer knows or has reason to know that the applicant has a financial interest.

The Levine Act also generally requires Board members and officers who have received from an applicant for a contract or their agents a campaign contribution of more than \$500 in the preceding 12 months to disclose the contribution on the record of the proceeding in which a contract is being considered before the decision on the contract is rendered, and to refrain from making, participate in making, or in any way attempt to use their official position to influence the decision on the contract if the officer has willfully or knowingly received the contribution. The Levine Act provides certain opportunities to cure.

Each Respondent must disclose any campaign contributions of more than \$500 the Respondent or its agents have made to a TJPA Board member or officer within the 12-month period preceding the submission of its Proposal. This requirement applies to the Respondent, as well as to any member firm or individuals on the Respondent's team, subsidiaries, parent companies, other firms associated with the Respondent and agents of the Respondent. If such a contribution has been made, Respondent must provide to the TJPA's Contracting Officer a written statement setting forth the date and amount of said campaign contribution(s). The Contracting Officer must receive this information at the same time the Proposal is received. Respondents must provide prompt written notice to the Contracting Officer of any qualifying contributions made after the Proposal is submitted but before the date of the proceeding in which the contract is being considered.

Members of the [TJPA Board of Directors](#) are:

Jeff Gee, Chair	No Alternate
Rafael Mandelman, Vice Chair	Tilly Chang, Alternate
Elaine Forbes	No Alternate
Vacant, BOS	Tilly Chang, Alternate
Boris Lipkin	Morgan Galli, Alternate
Chris Andrichak	Jean Walsh, Alternate
Vacant, SFMTA	Jonathan Rewers, Alternate
Dina El-Tawansy, <i>Ex Officio</i>	David Ambuehl, Alternate

**13 PROTEST PROCEDURES**

For the full Protest Policy is available on the TJPA website at <https://www.tjpa.org/about-tjpa/board-directors> > Board Policy No. 002 Protest