



PLACER COUNTY
TRANSPORTATION
PLANNING AGENCY

KEITH NESBITT
City of Auburn
SUZANNE ROBERTS
City of Colfax
TOM COSGROVE
City of Lincoln
MIGUEL UCOVICH
Town of Loomis
KATHY LUND
City of Rocklin
GINA GARBOLINO
City of Roseville
JIM HOLMES
KIRK UHLER
Placer County
RON McINTYRE
Citizen Representative
CELIA MCADAM
Executive Director

THE PLACER COUNTY TRANSPORTATION
PLANNING AGENCY,

THE SOUTH PLACER REGIONAL
TRANSPORTATION AUTHORITY,

AND THE WESTERN PLACER CONSOLIDATED
TRANSPORTATION SERVICES AGENCY

REQUEST FOR PROPOSALS
FOR
FISCAL & COMPLIANCE AUDIT SERVICES
FOR FISCAL YEARS 2009/10, 2010/11, 2011/12, 2012/13 & 2013/14

FEBRUARY 3, 2010

The Placer County Transportation Planning Agency (PCTPA), the South Placer Regional Transportation Authority and the Western Placer Consolidated Transportation Service Agency are seeking proposals from individuals or auditing firms that are qualified to perform fiscal and compliance audits for the five (5) fiscal years 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14 and to prepare an annual report of the financial transactions in accordance with PUC Sections 99406, 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 Regulations, and as applicable, the requirements of Federal Circular OMB A-133 for federally funded projects.

Prospective consultants should provide three (3) copies of their proposal by 4:00 pm on March 12, 2010 to:

Placer County Transportation Planning Agency
299 Nevada Street
Auburn, CA 95603

PCTPA reserves the right to negotiate on all aspects of the proposed work with consultant(s) or to reject all proposals and to reissue the RFP to others. PCTPA is an equal opportunity employer, and women and minority owned businesses (DBEs, UDBEs) are encouraged to apply.

Inquires about this RFP should be addressed to:

Shirley LeBlanc, Fiscal/Administrative Officer
Placer County Transportation Planning Agency
Agency Phone No. (530) 823-4030
E-mail Address: sleblanc@pctpa.net

PLACER COUNTY TRANSPORTATION PLANNING AGENCY
THE SOUTH PLACER REGIONAL TRANSPORTATION AUTHORITY, AND
THE WESTERN PLACER CONSOLIDATED TRANSPORTATION
SERVICES AGENCY

REQUEST FOR PROPOSALS
FOR
FISCAL & COMPLIANCE AUDIT CONSULTING SERVICES
FOR FISCAL YEARS 2009/10, 2010/11, 2011/12, 2012/13 & 2013/14

I. PURPOSE OF REQUEST FOR PROPOSAL

PLACER COUNTY TRANSPORTATION PLANNING AGENCY

The Placer County Transportation Planning Agency (PCTPA) is the designated Regional Transportation Planning Agency (RTPA) for the western slope of Placer County, located in the Sierra Nevada foothills between Sacramento and the Lake Tahoe area. The Agency is also the designated Congestion Management Agency (CMA) for all of Placer County, and the Airport Land Use Commission (ALUC). The Sacramento Area Council of Governments (SACOG) is the Metropolitan Planning Organization (MPO) for the area.

PCTPA is responsible to ensure that an annual fiscal and compliance audit is made for all claimants who receive an allocation of funds pursuant to the Transportation Development Act Statutes and California Code of Regulations for 2009. In accordance with generally accepted accounting principles, it is the PCTPA's desire that claimants of funds from federal, state, and local sources shall be audited annually.

Audits will be completed for fiscal years 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14. These audits shall be completed and submitted to PCTPA and the State of California Controller's Office by December 31, 2010, 2011, 2012, 2013 and 2014 respectively of each applicable year or earlier if indicated by statutes. PCTPA will require auditing services for the claimants, funds and agencies listed in the Scope of Audits, below.

The objective of the audits is to meet and/or exceed the requirements of Section 99245 of the Public Utilities Code and Sections 6661, 6662, 6663, 6664, 6666, 6667, and 6751 of the California Code of Regulations (Title 21, Chapter 3, 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 OMB Circular A-133 Audits of States, Local Governments and Nonprofit Organizations June 1997 and any amendments.

SOUTH PLACER REGIONAL TRANSPORTATION AUTHORITY

PCTPA adopted a Regional Transportation Funding Strategy in August 2000 which included the development of a regional transportation impact fee program. PCTPA staff worked with the jurisdictions of South Placer County, as well as the development community, environmentalists, and community groups to develop a program and mechanism to implement this impact fee. The South Placer Regional Transportation Authority (SPRTA), formed in January 2002, is the result of those efforts and is comprised by the City of Lincoln, the City of Rocklin, the City of Roseville, and Placer County. Under the Joint Powers Agreement that formed SPRTA, PCTPA is designated as the entity to provide administrative, accounting, and staffing support for the Authority.

Audits will be completed for fiscal years 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14. These audits shall be completed and submitted to PCTPA and the State of California Controller's Office by December 31, 2010, 2011, 2012, 2013 and 2014 respectively of each applicable year or earlier if indicated by statutes.

WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY

The Western Placer Consolidated Transportation Service Agency (WPCTSA) designation was created by California law as a means of strengthening and coordinating the social service transportation programs of nonprofit organizations and, where appropriate, to serve as the focus for consolidation of functional elements of these programs, including the provision of transportation services. For Placer County, the CTSA designation was been held by Pride Industries from 1997 until they resigned effective December 31, 2007.

When no other suitable candidate was found to undertake the role, the seven jurisdictions of Placer County formed a Joint Powers Authority to take on the role of the CTSA. The result was the Western Placer CTSA JPA, which was created on October 13, 2008 by Placer County and the cities of Auburn, Colfax, Lincoln, Rocklin, and Roseville, and the Town of Loomis to provide CTSA services. Under the terms of the JPA, PCTPA provides administrative accounting, and staffing support for the JPA.

Audits will be completed for fiscal years 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14. These audits shall be completed and submitted to PCTPA and the State of California Controller's Office by December 31, 2010, 2011, 2012, 2013 and 2014 respectively of each applicable year or earlier if indicated by statutes.

II. SERVICES REQUESTED

PCTPA is seeking a firm or individual to provide the required fiscal and compliance audits for the agencies, funds, and claimants as indicated in the Scope of Audits, below.

The successful firm or individual shall also prepare an annual report of the financial transactions of PCTPA, SPRTA and WPCTSA in accordance with PUC Sections 99406, California Code of Regulations Section 6660, and notifications from the State Controller's office.

The agencies expect that the firm will be available throughout the year to respond to financial questions that could possibly impact the audit, without incurring additional charges. The firm should be able to utilize electronic data to prepare for the audit and financial statements prior to arriving on site so as to spend less time at the site using up staff time and resources.

The contract amount for the Fiscal and Compliance Audits for the year ending June 30, 2009 was as follows:

PCTPA	\$29,000
SPRTA	\$ 6,000
WPCTSA	\$ 5,000

If the prospective consultant determines that the work called for in the Request for Proposals cannot be carried out according to prior contracted amounts, the consultant is nonetheless encouraged to submit a proposal specifying clearly the reasons why the prior funding level should be exceeded. The consultant is requested to provide a breakdown of the cost for fiscal and compliance audits for each of the five (5) fiscal years as well as a breakdown by agency included in the proposal.

III. SCOPE OF AUDITS

A. The following agencies, funds, and claimants shall be audited:

1. Transit and Non-Transit Claimants
 - City of Auburn
 - City of Colfax
 - City of Lincoln
 - Town of Loomis
 - City of Rocklin
 - City of Roseville
 - Placer County
2. Agencies
 - PCTPA
 - WPCTSA
 - SPRTA
3. Claimant Funds
 - Local Transportation Fund
 - State Transit Assistance Fund
 - Regional Surface Transportation Fund
 - Public Transportation Modernization, Improvement, and Service
 - Enhancement Account Fund (Proposition 1B Fund)

B. 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:

1. The costs incurred are fairly presented in accordance with generally accepted accounting principles and the requirements of the Transportation Development Act (Act) and the California Code of Regulations, and the allocation instructions of the RTPA (PCTPA).
2. The Local Transportation Fund and the State Transit Assistance Fund have been accounted for in accordance with the Transportation Development Act and the California Code of Regulations.
3. The State Rural Planning Assistance Funds and any federally funded programs have been accounted for in compliance with applicable federal and state laws and regulations relating to the use of those funds.
4. The claimants and PCTPA have complied with the requirements of the Transportation Development Act (Act), the California Code of Regulations, and as applicable the requirements of Federal Circular OMB A-133 for federally funded projects.
5. The SPRTA Fee Program has been accounted for in compliance with California Government Code Chapter 5, Fees for Development Projects, Section 66000 et.seq. and applicable agreements, resolutions, and ordinances, and are fairly presented in accordance with generally accepted accounting principles.
6. The Regional Surface Transportation Program has been accounted for in compliance with California Streets and Highways Code Section 182.6 and the annual Federal Apportionment Exchange Agreement between PCTPA and the State of California, and is fairly presented in accordance with generally accepted accounting principles.

7. The Public Transportation Modernization, Improvement, and Service Enhancement Account Fund (Proposition 1B Fund) has been accounted for in compliance with Senate Bill 88, Statutes of 2007 and any amendments, and allocated under the State Transit Assistance pursuant to PUC Section 99313 and/or 99314.

IV. 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 99278 for Article 4.5 claimants; and Section 99400 (c), (d) and (e) 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.
- (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 principals. 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

An audit report of PCTPA's fiscal and accounting records is requested for fiscal years 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14.

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, County Transportation Commission and Metropolitan Transit District Development Board, 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.

CONSOLIDATED TRANSPORTATION SERVICES AGENCY

An audit report of WPCTSA'S fiscal and accounting records is requested for fiscal years 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14.

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.

FEDERAL FUNDS

1. The audits shall be performed in accordance with the Single Audit Act of 1984, Public Law 98-502 (31 USC 7501-7). In past years no single audit has been required (federal expenditures in excess of \$500,000) and none are anticipated at this time, but if federal expenditures exceeds \$500,000, the provisions of the Single Audit would apply.
2. The audits 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.

V. NON-TDA AUDITS AND REPORTS

THE SOUTH PLACER REGIONAL TRANSPORTATION AUTHORITY

An audit report of WPCTSA’S fiscal and accounting records is requested for fiscal years 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14.

1. California Government Code Chapter 5, Fees for Development Projects, Section 66000 Et. Seq.
2. The Joint Powers Agreement between the PCTPA and the City of Lincoln, the City of Rocklin, the City of Roseville, and Placer County.

REGIONAL SURFACE TRANSPORTATION PROGRAM

An audit of the Regional Surface Transportation Program is requested to determine compliance with:

1. California Streets and Highways Code Section 182.6.
2. Annual Federal Apportionment Exchange Agreement between the NCTC and the State of California.

PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT, AND SERVICE ENHANCEMENT ACCOUNT FUND (PROPOSITION 1B FUND)

An audit of the PTMISEA is requested to determine compliance with Senate Bill 88, Statues of 2007.

PREPARATION OF THE ANNUAL STATE CONTROLLER’S REPORT

As required by the California State Controller’s Office, the preparation and submission of the annual State Controller’s Report is requested for PCTPA, WPCTSA and SPRTA.

VI. PROJECT TIMETABLE

Listed below are specific and estimated dates and times of actions related to this RFP and schedule for scope of services:

RFP Issued	February 3, 2010
Deadline for Receipt of Proposals	March 12, 2010
Finalists contacted for interviews (if needed)	March 17, 2010
Interviews (if needed)	March 23, 2010
Notification of Selection of Proposer	March 31, 2010
Execute Contract and Letter of Task Agreement	June 23, 2010
Begin field work	September 1, 2010
End field work	October 15, 2010
Draft audit reports completed	November 12, 2010
Final audit reports delivered	December 3, 2010

Dates for field work and the preparation and delivery of audit reports and annual State Controller's Reports as noted above are estimates, and should be completed within the parameters of stated TDA and State Controller Office deadlines.

VII. PROPOSAL FORMAT

The intent of this RFP is to encourage responses which meet the state requirements and which propose the best methods to accomplish this work. Proposals should be limited to specific discussion of the elements outlined in this RFP and must address all of the following points, in the order shown below:

1. A transmittal letter which include the name, title, contact information, and signature of an individual with authority to negotiate on behalf of and to contractually bind the consultant firm, and who may be contacted during the period of proposal evaluation. Include a brief description of the consultant's firm, including the year the firm was established, type of organization of firm (partnership, corporation, etc.), and size variation in the last five years, along with a statement of the firm's qualifications for performing the subject audit service.
2. A brief summary of the firm's experience with similar projects.
3. The firm's proposed technical approach, including a detailed work plan and time schedule.
4. An organizational chart depicting the project team proposed by the firm and time allowed by each team member. A brief summary of the qualifications and experience of each member proposed to work on the study.
5. The cost proposal should describe both the hour rate for principal(s) and employees to be assigned to this contract and a total "not-to-exceed" amount for this proposal. The consultant is requested to provide a breakdown of the cost for the three (3) agency entities and for each of the five (5) fiscal years included in the proposal.
6. A list of client references for similar projects. References should include client contact names, addresses, phone numbers, descriptions of the type of work performed, approximate dates on which the work was completed, and professional staff who performed the work.

VIII. PROPOSAL SUBMITTAL

The Proposer shall submit three (3) copies of its proposal in a sealed envelope, addressed as noted above, bearing the Proposer's name and address clearly marked "FISCAL & COMPLIANCE AUDIT CONSULTING SERVICES" and should be submitted to:

Placer County Transportation Planning Agency
299 Nevada Street
Auburn, CA 95603

Proposals must be received no later than 4:00 p.m. on Friday, March 12, 2010. All proposals received after that time will be rejected. Postmarks and late proposals will not be accepted.

All proposals, whether selected or rejected, shall become the property of PCTPA. All proposals received prior to the date and time specified above for receipt may be withdrawn or modified by written request of the proposer.

IX. REVIEW AND SELECTION PROCESS

PCTPA staff will evaluate the proposals provided in response to this RFP based on the following criteria:

- Quality and completeness of proposal;
- Proposer's experience, including the experience of staff to be assigned to the project, the engagements of similar scope and complexity;
- Cost to PCTPA, SPRTA and WPCTSA;
- Proposer's time-line for delivery of report;
- Proposer's prior record of performance with other governmental agencies.

Accepted proposals will be reviewed and scored against the stated criteria.

Selected Proposers may be required to make an oral presentation if requested by PCTPA. Failure of a Proposer to conduct a presentation to PCTPA on the date scheduled may result in rejection of the Proposer's proposal.

The top qualified firm will then be recommended to the PCTPA Board. The Agency reserves the right to award the contract to the best qualified firm.

Rights of PCTPA

This RFP does not commit PCTPA to enter into a contract, nor does it obligate PCTPA to pay for any costs incurred in preparation and submission of proposals or in anticipation of a contract. PCTPA reserves the right to:

- Make the selection based on its sole discretion;
- Reject any and all proposals;
- Issue subsequent Requests for Proposals;
- Postpone opening for its own convenience;
- Remedy technical errors in the Request for Proposals process;
- Accept other than the lowest offer;
- Waive informalities and irregularities in the Proposals and/or
- Enter into an agreement with another Proposer in the event the originally selected Proposer defaults or fails to execute an agreement with the City.

An agreement shall not be binding or valid with PCTPA and until it is executed by authorized representatives of PCTPA and of the Proposer.

X. CONFLICT OF INTEREST

Proposer warrants and covenants that no official or employee of the Agency, nor any business entity in which an official of the Agency has interest, has been employed or retained to solicit or aid in the procuring of the resulting contract, nor that any such person will be employed in the performance of such contract without immediate divulgence of such fact to the Agency. Proposer also warrants and covenants to disclose to the Agency any actual or potential conflict of interest of the bidder in representing the Agency versus the interests of the Proposer's other clients.

XI. FISCAL OUT CLAUSE

The Agreement may be terminated at the end of any fiscal year, June 30th, without further liability other than payment incurred during such fiscal year, should funds not be appropriated by its governing body to continue services for which the agreement was intended.

XII. INDEMNIFICATION

Contractor agrees to hold harmless and to indemnify the Agency from every claim or demand which may be made for any injury or death or damage to property caused by Contractor in the performance of this contract. Such duty shall be irrespective of the date upon which the claim or demand is asserted.

If any judgment is rendered against the Agency for any injury, death or damage caused by the contractor in the performance of this contract, the Contractor shall, at his own expense, satisfy and discharge any judgment.

None of the foregoing paragraphs shall be applicable if the injury, death or damage is caused solely by the Agency's negligence.

Contractor agrees that it shall immediately notify Agency and Contractor's insurance carriers of any incident occurring during performance of this contract which may result in a claim of liability.

As used above, the term "Agency" means the Placer County Transportation Planning Agency and its officers, agents or employees.

As used above, the term "Contractor" includes Contractor and Contractor's officers, agents or employees.

XIII. INSURANCE

The selected Proposer(s), at Proposer's sole cost and expense and for the full term of the Agreement or any extension thereof, shall obtain and maintain, at a minimum all of the insurance requirements as outlined below:

Workers Compensation Insurance:

- Minimum limits of liability as statutorily required.

Commercial General Liability and Property Damage Insurance:

- General Liability and Property Damage Combined.
- Minimum limits of liability: \$1,000,000 per occurrence including comprehensive form, person injury, broad form personal damage, contractual and premises/operation, all on an occurrence basis. If an aggregate limit exists it shall apply separately or be no less than two (2) times the occurrence limit.
- Prior to commencement of services, insurance coverage must be evidenced by a properly executed certificate of insurance and it shall name "Placer County Transportation Planning Agency, its elective and appointed officers, employees, and volunteers, as additional insureds."

Errors and Omissions Insurance:

- Minimum limits of liability: \$1,000,000 per claim.

In order for the contract to be executed, the selected Proposer shall provide the evidence of insurance coverage to the following address:

Placer County Transportation Planning Agency
299 Nevada Street
Auburn, California 95603

XIV. EQUAL OPPORTUNITY

PCTPA will not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract on the basis of race, religion, creed, medical condition, color, marital status, ancestry, sex, age, national origin, or disability. In addition, PCTPA requires that any consultant(s) hired to perform any work activity does not discriminate against any employee or applicant for employment because of race, religion, creed, medical condition, color, marital status, ancestry, sex, age, national origin, or disability. The consultant(s) and PCTPA shall comply with the nondiscrimination program requirements of Title VI of the Civil Rights Act of 1964 as amended and the regulations of the U.S. Department of Transportation issued thereunder in 49 CFR Part 21. Any subcontract entered into as a result of the contract shall contain all of the provisions of this section.

XV. QUESTIONS

Please direct any questions regarding this RFP to:

Shirley LeBlanc, Fiscal/Administrative Officer
Placer County Transportation Planning Agency
299 Nevada Street
Auburn, California 95603
Agency Phone No. (530) 823-4030
E-mail Address: sleblanc@pctpa.net