

 STATE OF CALIFORNIA

DEPARTMENT OF GENERAL SERVICES

PROCUREMENT DIVISION

**Request for Proposal (RFP) 5217028**

**Payment Acceptance Devices (PAD) and
 Transit Processor Services**

June 30, 2021

# Opening

The State of California, Department of General Services Procurement Division (DGS) is conducting this Request for Proposal (RFP) to establish one or more long-term agreements for Payment Acceptance Devices (PAD) and Transit Processor Services.

The RFP process can be complex, but it includes processes to assist you. If you do not understand something, need clarification, or feel something should be changed, email the Procurement Official listed in RFP Section 1.4 immediately.

All RFP sections are critically important. Immediately read them thoroughly and then re-read them.

**DO NOT WAIT UNTIL THE LAST DAY TO SUBMIT A PROPOSAL.**

This RFP is organized as follows:

* **Table of Contents:** A quick list of all sections contained in the RFP.
* **Section 1 – Introduction and Overview:** Provides the scope of the RFP, legal authority under which the RFP is being conducted and introduces the procurement official for the RFP.
* **Section 2 – Rules Governing Competition:** Provides the rules the Bidder must follow for competing in this RFP process.
* **Section 3 – Bidding Requirements:** Identifies requirements and obligations for the Bidder.
* **Section 4 – Cost:** Explains how cost is to be presented in the Proposal.
* **Section 5 – Proposal Format:** Explains how the Bidder is to organize and submit its Proposal.
* **Section 6 – Evaluation:** Explains how the State will evaluate Proposals. Note, awards are based on highest points, so pay attention to the allocation of evaluation points.
* **Section 7 – Attachments:** Lists the relevant attachments to this RFP. Some attachments must be returned with the Proposal in order to be compliant; check RFP Section 5 to verify which ones.

Table of Contents

[1. SECTION 1 – INTRODUCTION AND OVERVIEW 6](#_Toc75446898)

[1.1 Scope of this Request for Proposal (RFP) 6](#_Toc75446899)

[1.2 Current Contract/Historical 6](#_Toc75446900)

[1.3 Authority of the RFP and Bidder Admonishment 7](#_Toc75446901)

[1.4 Procurement Official 7](#_Toc75446902)

[1.5 Key Action Dates 8](#_Toc75446903)

[1.6 Americans with Disabilities Act (ADA) 8](#_Toc75446904)

[2. SECTION 2 – RULES GOVERNING COMPETITION 9](#_Toc75446905)

[2.1 Identification and Classification of RFP Requirements 9](#_Toc75446906)

[2.1.1 Requirements 9](#_Toc75446907)

[2.1.2 Desirable Items 9](#_Toc75446908)

[2.1.3 Mandatory Requirements 9](#_Toc75446909)

[2.1.4 Non-Mandatory Requirements 9](#_Toc75446910)

[2.1.5 Scored Requirements 9](#_Toc75446911)

[2.1.6 Narrative Responses 9](#_Toc75446912)

[2.2 Bidding Requirements and Conditions 10](#_Toc75446913)

[2.2.1 General 10](#_Toc75446914)

[2.2.2 RFP Documents 10](#_Toc75446915)

[2.2.3 Examination of the Work 10](#_Toc75446916)

[2.2.4 Questions Regarding the RFP 10](#_Toc75446917)

[2.2.5 Request to Change the Requirements of the RFP 11](#_Toc75446918)

[2.2.6 Bidders’ Conference 11](#_Toc75446919)

[2.2.7 Addenda 12](#_Toc75446920)

[2.2.8 Bonds 12](#_Toc75446921)

[2.2.9 Discounts 12](#_Toc75446922)

[2.2.10 Joint Proposals 12](#_Toc75446923)

[2.2.11 Exclusion for Conflict of Interest 12](#_Toc75446924)

[2.3 Bidding Steps 12](#_Toc75446925)

[2.3.1 General 12](#_Toc75446926)

[2.3.2 Public Record 13](#_Toc75446927)

[2.3.3 Submission of Proposals 13](#_Toc75446928)

[2.3.4 Rejection of Proposals 15](#_Toc75446929)

[2.3.5 Evaluation and Selection Process 15](#_Toc75446930)

[2.3.6 Award of Contract 16](#_Toc75446931)

[2.3.7 Debriefing 17](#_Toc75446932)

[2.4 Contractual Information 17](#_Toc75446933)

[2.5 Other Information 17](#_Toc75446934)

[2.5.1 Protests 17](#_Toc75446935)

[2.5.2 Disposition of Proposals 19](#_Toc75446936)

[3. SECTION 3 – BIDDING REQUIREMENTS 19](#_Toc75446937)

[3.1 Technical Requirements 20](#_Toc75446938)

[3.1.1 Proposed Products and Services (M) 20](#_Toc75446939)

[3.1.1.1 Category A Products and Services (M – Category A only) 20](#_Toc75446940)

[3.1.1.2 Category B Proposed Services (M – if bidding Category B) 21](#_Toc75446941)

[3.1.2 Integration Mapping Update (M) 22](#_Toc75446942)

[3.1.3 Implementation (M) 22](#_Toc75446943)

[3.1.4 Technical Literature Content for Payment Acceptance Devices (M – Category A only) 22](#_Toc75446944)

[3.1.5 Proposed Agreement Terms and Conditions (M) 23](#_Toc75446945)

[3.1.6 Customer References (MS) 23](#_Toc75446946)

[3.1.7 Seller’s Permit (M – Category A only) 24](#_Toc75446947)

[3.1.8 Payee Data Record (M) 24](#_Toc75446948)

[3.1.9 Authorized Reseller (M – Category A only) 24](#_Toc75446949)

[3.1.10 Secretary of State Certification (M) 25](#_Toc75446950)

[3.1.11 California Civil Rights Laws (M) 25](#_Toc75446951)

[3.1.12 Iran Contracting Act (M) 26](#_Toc75446952)

[3.1.13 Darfur Contracting Act (M) 26](#_Toc75446953)

[3.1.14 Insurance Requirements (M) 26](#_Toc75446954)

[3.1.15 Federal Transit Administration Requirements (M) 27](#_Toc75446955)

[3.1.16 Federal Debarment, Suspension, Ineligibility, and Voluntary Exclusion (M) 27](#_Toc75446956)

[3.1.17 Subcontractors (M) 27](#_Toc75446957)

[3.1.18 DVBE Declaration Form (M) 27](#_Toc75446958)

[3.1.19 Pricing (MS) 28](#_Toc75446959)

[4. SECTION 4 – COST 28](#_Toc75446960)

[4.1 Cost Information Guidelines 28](#_Toc75446961)

[4.1.1 Quantities 28](#_Toc75446962)

[4.1.2 Pricing Format 29](#_Toc75446963)

[4.1.3 Sales Tax 29](#_Toc75446964)

[4.2 Cost Workbook Instructions 29](#_Toc75446965)

[4.3 Cost Workbook Completion 29](#_Toc75446966)

[4.4 Cost Submittal 29](#_Toc75446967)

[5. SECTION 5 – PROPOSAL FORMAT 29](#_Toc75446968)

[5.1 Proposal Delivery 30](#_Toc75446969)

[5.2 Electronic Proposal Submittal Formats 30](#_Toc75446970)

[5.3 Final Proposal Content 30](#_Toc75446971)

[5.3.1 Volume 1- Response to Requirements 31](#_Toc75446972)

[5.3.2 Volume 2 - Cost Data 31](#_Toc75446973)

[5.3.3 Final Proposal Exhibits 31](#_Toc75446974)

[6. SECTION 6 - EVALUATION 33](#_Toc75446975)

[6.1 Receipt 33](#_Toc75446976)

[6.2 Evaluation of Final Proposals 33](#_Toc75446977)

[6.2.1 Validation Against Requirements 33](#_Toc75446978)

[6.2.2 Evaluation of Requirements 34](#_Toc75446979)

[6.2.3 Cost Analysis 34](#_Toc75446980)

[6.3 Final Proposal Scoring Criteria 34](#_Toc75446981)

[6.3.1 Non-Cost Score Calculation 34](#_Toc75446982)

[6.3.2 Narrative Scoring 35](#_Toc75446983)

[6.3.3 Customer Reference Score Calculation 36](#_Toc75446984)

[6.3.4 Integration Mapping Score Calculation 37](#_Toc75446985)

[6.3.4.1 Category A 37](#_Toc75446986)

[6.3.4.2 Category B 37](#_Toc75446987)

[6.3.5 Cost Score Calculation 37](#_Toc75446988)

[6.3.5.1 Category A Cost Evaluation – PADS & Services 37](#_Toc75446989)

[6.3.5.2 Category B - Cost Evaluation – Transit Processor Services 39](#_Toc75446990)

[6.3.6 Cost Score Calculation Example 39](#_Toc75446991)

[6.3.7 Total Score 40](#_Toc75446992)

[6.4 Selection and Award 41](#_Toc75446993)

[6.5 Negotiations 41](#_Toc75446994)

[7. SECTION 7 – ATTACHMENTS 41](#_Toc75446995)

# SECTION 1 – INTRODUCTION AND OVERVIEW

The Department of General Services, Procurement Division (hereinafter referred to as “DGS” or “State”) is requesting Proposals from qualified firms to establish Master Service Agreements (hereinafter referred to as “MSA” or “Agreements”) for Payment Acceptance Devices (PAD) and Transit Processor Services for use solely by local governmental transit agencies that operate public transportation services (hereinafter referred to as “Transit Agency”).

## Scope of this Request for Proposal (RFP)

The Scope of this RFP includes the following categories as described in Attachment 7 - Proposed Agreement, Exhibit A - Statement of Work:

* Category A - Payment Acceptance Devices (PAD)
* Category B - Transit Processor Services.

Bidders may bid on either one or both categories. Awards will be made by category as described in Section 6, Evaluation. Each category has potential for multiple awards.

The term of the MSAs resulting from this RFP will be for a five (5) year period. The MSA will contain options to extend the agreement for two (2) additional two (2) year periods or portion thereof at the same rates, terms, and conditions.

The MSAs shall be available for use by Transit Agencies only. Awarded Bidders shall also allow Transit Agencies outside of California to participate under the resulting Agreements. Each Transit Agency shall determine whether use of the MSAs is consistent with its procurement policies and regulations.

Financial support of this project may be provided through financial assistance grants from the Federal Transit Administration (FTA), and/or the State of California, California Department of Transportation (Caltrans) and other sources of local and state public funding.

## Current Contract/Historical

There are no current MSAs for PAD and Transit Processor Services; therefore, there is no historical spend information. MSAs are zero-dollar agreements. Expenditure is at the Transit Agency level.

The State seeks to enable Transit Agencies to transition to a contactless EMV fare payment system. This RFP includes Payment Acceptance Devices (i.e., validators), including supporting services, and Transit Processor services, which together provide the backbone of a contactless EMV fare payment system. To be able to operate a contactless fare payment system, Transit Agencies need to have a contractor for payment processing services as well, which Transit Agencies can separately procure using California Electronic Payment Acceptance Services (EPAY) Master Service Agreement (MSA) 5-10-99-01 or 5-10-99-02 (or their successors).

Within the State of California, there are over 300 transit agencies which together in 2019 recorded over 1.2 billion unlinked passenger trips and collected approximately $1.8 billion in fare revenue across transportation modes. Collectively, the market in California includes over 8,500 buses providing fixed-route public transportation service and over 19,000 total revenue vehicles, including light rail, Bus Rapid Transit, vanpool, and demand-responsive service. In addition, the market includes commuter and long-distance train operators with over 300 rail cars serving at least 75 stations statewide.

Many transit agencies in California have expressed interest to procure off the MSAs resulting from this RFP effort. In addition, agencies outside of California have expressed interest in the outcome of this RFP and may seek to utilize the resulting MSAs, including but not limited to, members of the Oregon Cooperative Procurement Program (ORCPP) and the Washington State Purchasing Cooperative (WSPC).

## Authority of the RFP and Bidder Admonishment

This RFP is being conducted under the policies developed by the Department of General Services, Procurement Division (DGS-PD) as provided under Public Contract Code 10298, 10299, et seq, Government Code (GC) 6162, PCC sections 12102, et seq, PCC sections 10300, and et seq and 12125, et seq. This RFP contains the instructions governing the requirements for a Proposal to be submitted by interested Bidders. The format in which Proposal information is to be submitted, and the material to be included therein. This RFP also addresses the requirements that Bidders must meet to be eligible for consideration, as well as addressing Bidders' responsibilities.

If a bidder expects to be afforded the benefits of the steps included in this RFP, the bidder must take the responsibility to:

* Carefully read the entire RFP.
* Ask appropriate questions in a timely manner if clarification is necessary.
* Submit all required responses, complete to the best of the bidder’s ability, by the required dates and times.
* Make sure that all procedures and requirements of the RFP are accurately followed and appropriately addressed.
* Carefully reread the entire RFP before submitting the Proposal.

## Procurement Official

The Procurement Official contact information for this RFP is listed below:

Adriana Barajas

Procurement Division

Department of General Services

707 Third Street, 2nd Floor

West Sacramento, CA 95605

Telephone: (916) 376-2922

Facsimile: (916) 375-4613

E-mail: Adriana.Barajas@dgs.ca.gov

All inquiries, questions, and copies of protests must be directed to only this person, unless otherwise identified in this RFP or changed by addendum to this RFP. The Procurement Official shall be the single point of contact for information related to this RFP. Oral communications directly with procurement officers and employees concerning this RFP are discouraged and shall not be binding to the State. Bidders should only rely on written statements issued by the Procurement Official.

Emailed Proposal submittals shall be sent per RFP Section 5 to the Proposal Submission E-mail address identified below.

Proposal Submission E-mail: Masters@dgs.ca.gov.

Do not send RFP questions to the email for Proposal Submission. The Proposal Submission email is for the electronic submission of Proposals only.

## Key Action Dates

The important dates and times by which actions must be taken or completed are identified in Attachment 1 – Key Action Dates. If the State finds it necessary to change any of these dates, it will be accomplished by an addendum to this RFP. All dates after the Final Proposal submissions are approximate and may be adjusted as conditions indicate without addendum to the RFP.

Unless otherwise indicated, Bidder submissions shall be due by 5:00 p.m. (PT) on the date indicated in Attachment 1 – Key Action Dates.

## Americans with Disabilities Act (ADA)

To meet and carry out compliance with the nondiscrimination requirements of Title II Americans with Disabilities Act (ADA), it is the policy of the State to make every effort to ensure that its programs, activities, employment opportunities, and services are available to all persons, including persons with disabilities.

For persons with a disability needing reasonable accommodation to participate in the procurement process, or for persons having questions regarding reasonable accommodation for the procurement process, please contact the Procurement Division at 916-375-4400 (main office). Procurement Division's TTY/TDD (telephone device for the deaf) and California Relay Service numbers are listed below. You may also directly contact the Procurement Official for this procurement.

IMPORTANT: To ensure that the State can meet your accommodation, it is best that requests are received at least ten (10) business days before the scheduled event (e.g., Bidder conference) or deadline due date for procurement documents.

The Procurement Division TTY telephone number is:

* Sacramento Office: (916) 376-1891

The California Relay Service Telephone Numbers are:

* Voice: 1-800-735-2922 or 1-888-877-5379
* TTY: 1-800-735-2929 or 1-888-877-5378
* Speech to Speech: 1-800-854-7784

# SECTION 2 – RULES GOVERNING COMPETITION

This section provides the instructions Bidders must follow in the competition process. Specific guidelines for the submission of this RFP response are found in Section 5, Proposal Format.

## Identification and Classification of RFP Requirements

### Requirements

The State has established certain requirements with respect to Proposals to be submitted by prospective contractors. The use of "shall," "must," or "will" (except to indicate simple futurity) in the RFP indicates a requirement or condition which is mandatory. A deviation, if not material, may be waived by the State. A deviation from a requirement is material if the deficient response is not in substantial accord with the RFP requirements, provides an advantage to one Bidder over other Bidders, or has a potentially significant effect on the delivery, quantity or quality of items bid, amount paid to the supplier, or on the cost to the State. Material deviations cannot be waived.

### Desirable Items

The words "should" or "may" in the RFP indicate desirable attributes or conditions but are non-mandatory in nature. Deviation from, or omission of, such a desirable feature, even if material, will not in itself cause rejection of the Proposal.

### Mandatory Requirements

All items within this RFP labeled mandatory (M) are non-negotiable. A Pass/Fail evaluation will be utilized for all mandatory requirements in this RFP. Bidder’s signature on the form in RFP Section 2.3.3.5, Agreement Cover Letter, and submission of Proposal response will be considered as Bidder’s agreement to all mandatory RFP requirements.

### Non-Mandatory Requirements

This RFP may include both preference programs and product/contract performance items identified as non-mandatory (NM) requirements. Bidders are not required to comply with these requirements in order to be compliant with the RFP. However, if a Bidder applies for a preference, the Bidder must meet the applicable preference requirements and provide the requested preference documentation as outlined within the section requirement.

### Scored Requirements

This RFP includes both mandatory scored (MS) and non-mandatory scored (NMS) requirements. Mandatory scored requirements are non-negotiable and will achieve points as identified RFP Section 6, Evaluation if the requirement is met.

### Narrative Responses

This RFP includes a narrative response for the technical Proposal. Those items have been identified in RFP Section 3, Requirements, if necessary, Bidders may add supporting documents to the required attachments to further explain their response. Bidders shall not input narrative responses within the Proposal document nor should narrative responses be included for items the State did not list.

## Bidding Requirements and Conditions

### General

This RFP, the evaluation of responses, and the award of any resultant agreements shall be made in conformance with current competitive bidding procedures as they relate to the procurement of Information Technology goods and services by public bodies in the State of California. A Bidder's Final Proposal is an irrevocable offer for one hundred twenty (120) days following the scheduled date for Submission of Final Proposals in Attachment 1 – Key Action Dates. A Bidder may extend the offer in the event of a delay of agreement award.

### RFP Documents

This RFP includes an explanation of the State's needs which must be met, instructions which prescribe the format and content of Proposals to be submitted and the model of the agreement to be executed between the State and the successful Bidder.

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Bidder shall immediately notify the Procurement Official listed in RFP Section 1.4, Procurement Official, of such error in writing and request clarification or modification of the document. If applicable, modifications will be made by addenda issued pursuant to RFP Section 2.2.7, Addenda.

If the RFP contains an error known to the Bidder, or an error that reasonably should have been known, the Bidder shall bid at its own risk. If the Bidder fails to notify the State of the error prior to the date fixed for submission of Proposals, and is awarded the contract, the Bidder shall not be entitled to additional compensation or time by reason of the error or its later correction.

### Examination of the Work

The Bidder should carefully examine the entire RFP and any addenda.

### Questions Regarding the RFP

Bidders requiring clarification of the intent or content of this RFP or on procedural matters regarding the competitive bid process may request clarification by submitting questions, in an email clearly referencing subject solicitation, to the Procurement Official listed in RFP Section 1.4, Procurement Official. To ensure a response, questions must be received via email by the scheduled date given in Attachment 1 – Key Action Dates.

Question and answer sets will be provided to all Bidders without identifying the submitters. Any questions submitted should be crafted without revealing the name of the requestor. At the sole discretion of the State, questions may be paraphrased by the State for clarity. Oral answers shall not be binding on the State.

A Bidder who desires clarification or further information on the content of the RFP, but whose questions relate to the proprietary aspect of that Bidder's Proposal and which, if disclosed to other Bidders, would expose that Bidder's Proposal, may submit such questions in the same manner as above, but also marked "CONFIDENTIAL," and not later than the scheduled date specified in Attachment 1 – Key Action Dates, to ensure a response. The Bidder must explain why any questions are sensitive in nature.

If the State concurs that the disclosure of the question or answer would expose the proprietary nature of the Proposal, the question will be answered, and both the question and answer will be kept in confidence. If the State does not concur with the proprietary aspect of the question, the question will not be answered in this manner and the Bidder will be notified.

Bidders should be aware that marking a question "confidential" will not keep that question from being released after notice of intent to award as part of the public record per RFP Section 2.3.2.

### Request to Change the Requirements of the RFP

If the Bidder believes that one or more of the RFP requirements is onerous, unfair, or imposes unnecessary constraints to the Bidder in proposing less costly or alternate solutions, the Bidder may request a change to the RFP by submitting, in writing, the recommended change and the facts substantiating this belief and reasons for making the recommended change. Such request must be submitted to the Procurement Official by the date specified in Attachment 1 - Key Action Dates.

Failure by any Bidder to raise any concern related to the solicitation requirements or a failure of a referenced internet link by the relevant Key Action Date will be deemed a waiver of any claim regarding the contract award relating to the solicitation requirements.

### Bidders’ Conference

A Bidders' Conference will be held, during which interested parties will be afforded the opportunity to listen to State personnel explain the content of the RFP and the procurement process. Bidders are highly encouraged to attend the Bidders’ Conference.

In order to meet all social-distancing guidelines, a virtual conference will be held.

Bidders who want to participate in the Bidder’s Conference may access the conference here:

**Date**: July 12, 2021

**Time**: 10:00AM PST

[**Web Link to attend Live Conference:**](https://teams.microsoft.com/l/meetup-join/19%3Ameeting_MmNjOTI1ZTItNDE5ZS00NzEyLWJhNmEtZTYxMDhiODg1NmNk%40thread.v2/0?context=%7b%22Tid%22%3a%22ea45f7b1-07d7-49a8-b8f5-37136ec9382d%22%2c%22Oid%22%3a%2215597d4b-0f83-46b0-8a6d-f857f355980a%22%2c%22IsBroadcastMeeting%22%3atrue%7d)[**Join live event**](https://teams.microsoft.com/l/meetup-join/19%3Ameeting_N2E5MTg1ZGQtNWEyYy00Y2RmLWE0NTUtNDhhN2NiNDkwYmY4%40thread.v2/0?context=%7b%22Tid%22%3a%22ea45f7b1-07d7-49a8-b8f5-37136ec9382d%22%2c%22Oid%22%3a%2204befe8b-2188-4e94-b693-f40547b149e1%22%2c%22IsBroadcastMeeting%22%3atrue%7d)

Call in phone number: +1 916-245-8850

Conference ID: 377 910 144#

Bidders can click the link provided or copy and paste the URL into a web browser. Bidders should get set up for Microsoft Teams access ahead of time. The meeting will start promptly at its scheduled time.

### Addenda

The State may modify the RFP prior to the date fixed for Contract Award by issuance of an addendum. Addenda will be numbered consecutively. The Bidder is required to meet all requirements of the most current addendum, including using any updated forms. If any supplier determines that an addendum unnecessarily restricts its ability to bid, the supplier is allowed five (5) business days to ask a question or request a change of requirements according to the instructions contained in RFP Section 2.5.1.1, Requirements Protest.

### Bonds

Not Applicable.

### Discounts

Not Applicable.

### Joint Proposals

Joint Proposals are not acceptable for this solicitation.

### Exclusion for Conflict of Interest

No consultant shall be paid out of State funds for developing recommendations on the acquisition of information technology (IT) products or services or assisting in the preparation of a feasibility study if that consultant is to be a source of such acquisition or could otherwise directly and/or materially benefit from State adoption of such recommendations or the course of action recommended in the feasibility study. Further, no consultant shall be paid out of State funds for developing recommendations on the disposal of State surplus IT products if that consultant would directly and/or materially benefit from State adoption of such recommendations.

## Bidding Steps

### General

The procurement process to be used in this acquisition consists of a Final Proposal.

#### Final Proposal

The Final Proposal must be complete, including all cost information, required signatures, forms and documentation as identified in RFP Section 5, Proposal Format.

#### Draft Proposal

Should the State declare Final Proposals to be Draft Proposals as described in RFP Section 2.3.5.3, Errors in the Final Proposals, the State may conduct confidential discussions with the Bidders who wish to continue in the bidding process. Notifying the Bidder of defects is intended to minimize the risk that the Final Proposal will be deemed non-compliant; however, the State will not provide any warranty that all defects in the Draft Proposal have been detected. Notification of defects in the Draft Proposal will not preclude rejection of the Final Proposal if undiscovered defects contained in the declared Draft Proposal are later found in the Final Proposal. Oral statements made by either party during confidential discussions shall not be binding.

### Public Record

Final Proposals are public upon posting of Notice of Intent to Award. All documents submitted in response to this RFP will become the property of the State of California and will be regarded as public records under the California Public Records Act (Government Code section 6250 et seq.) and subject to review by the public. The state cannot prevent the disclosure of public documents. However, the contents of all Proposals, draft Proposals, correspondence, agenda, memoranda, working papers, or any other medium which discloses any aspect of a Bidder's Proposal, shall be held in the strictest confidence until the “Notice of Intent to Award” is posted.

Bidders should be aware that marking a document "confidential" or "proprietary" in a Final Proposal may exclude it from consideration for award and will not prevent that document from being released after notice of intent to award as part of the public record. Bidders are encouraged to register the copyright for any proprietary material submitted.

### Submission of Proposals

The instructions contained herein apply to the Final Proposal.

#### Preparation

Proposals are to be prepared in such a way as to provide a straightforward and concise delineation of capabilities to satisfy the requirements of this RFP. Expensive bindings, colored displays, promotional materials, etc., are not necessary or desired. Emphasis should be concentrated on conformance to the RFP instructions, responsiveness to the RFP requirements, and on completeness and clarity of content.

Before submitting each document, the Bidder should carefully proof it for errors and adherence to the RFP requirements.

#### Bidder’s Cost

Costs for developing Proposals are entirely the responsibility of the Bidder and shall not be chargeable to the State.

#### Completion of Proposals

Proposals must be complete in all respects in accordance with RFP Section 5, Proposal Format. A Final Proposal may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. A Final Proposal must be rejected if any such defect or irregularity constitutes a material deviation from the RFP requirements. The Final Proposal must contain all costs required by the RFP in accordance with RFP Section 4, Cost, and Section 5, Proposal Format. If required in Section 5, Proposal Format, cost data must be submitted under separate cover.

#### False or Misleading Statements

Proposals which contain false or misleading statements, or which provide references which do not support an attribute or condition claimed by the Bidder, may be rejected. If, in the opinion of the State, such information was intended to mislead the State in its evaluation of the Proposal, and the attribute, condition, or capability is a requirement of this RFP, it will be the basis for rejection of the Proposal.

#### Signature of Proposal

All Bidders must complete the [Agreement Cover Letter](https://www.dgs.ca.gov/-/media/1DCB49CFFD9642C4ADD9FCEDAB5C1D95.ashx) (https://www.dgs.ca.gov/-/media/1DCB49CFFD9642C4ADD9FCEDAB5C1D95.ashx) and include it with the Proposal. The Agreement Cover Letter (which shall be considered an integral part of the Final Proposal) shall be signed by an individual who is authorized to bind the bidding firm contractually. An unsigned Final Proposal shall be rejected.

#### Delivery of Proposals

Final Proposals must be submitted no later than the date and time specified in Attachment 1 - Key Action Dates. Proposals must be received by the Department of General Services on or before the specified date and time. Bidders are required to deliver Proposals to the Proposal Submission Email listed in RFP Section 1.4. Bidders should also set up their email to receive a delivered receipt when submitting an electronic Proposal. Delivery of Proposals is done at the Bidder’s own risk of untimely delivery, lost mail, etc.

All documents in electronic submittals must be identified clearly in the naming convention. Cost must still be a separate document.

Bidders should be aware that marking the Final Proposal “confidential” or “proprietary” may exclude it from consideration for award. Final Proposals not received by the date and time specified in Attachment 1 - Key Action Dates will be rejected.

Per RFP Section 5, Proposal Format, cost data must be in a separate attachment and clearly labeled. If cost data is not submitted in this manner, the Proposal may be rejected. Proposals submitted under improperly labeled documents may be rejected.

#### Withdrawal and Resubmission/Modification of Proposals

A Bidder may withdraw its Final Proposal at any time prior to the Proposal submission date and time specified in accordance with Attachment 1 – Key Action Dates, by submitting a written notification of withdrawal signed by the Bidder authorized in accordance with RFP Section 2.3.3.5, Signature of Proposal. The Bidder may thereafter submit a new or modified Proposal prior to such Proposal submission date and time. Modification offered in any other manner, oral or written, will not be considered. Other than as allowed by law, Final Proposals cannot be changed or withdrawn after the date and time designated for receipt, except as provided in accordance with RFP Section 2.3.5.3, Errors in the Final Proposals.

### Rejection of Proposals

The State may reject any or all Proposals and may waive any immaterial deviation or defect in a Proposal. The State's waiver of any immaterial deviation or defect shall in no way modify the RFP documents or excuse the Bidder from full compliance with the RFP specifications if awarded the contract.

### Evaluation and Selection Process

#### General

Proposals will be evaluated in accordance with RFP Section 6, Evaluation. Special instructions and procedures apply to Draft Proposals.

#### Evaluation Questions

During the evaluation and selection process, the State may desire the presence of a Bidder's representative for answering specific questions, orally and/or in writing. During the evaluation of Final Proposals, the State may ask the Bidder to clarify their submitted information but will not allow the Bidder to change their Proposal.

#### Errors in the Final Proposals

An error in the Final Proposal may cause the rejection of that Proposal; however, the State may at its sole option retain the Proposal and make certain corrections.

In determining if a correction will be made, the State will consider the conformance of the Proposal to the format and content required by the RFP, and any unusual complexity of the format and content required by the RFP.

If the Bidder's intent is clearly established based on review of the complete Final Proposal submittal, the State may at its sole option correct an error based on that established intent.

The State may at its sole option correct obvious clerical errors.

The State may at its sole option correct discrepancy and arithmetic errors on the basis that if intent is not clearly established by the complete Proposal submittal, the Master Copy shall have priority over additional copies, the Proposal narrative shall have priority over the Proposal, the Proposal shall have priority over the cost sheets, and within each of these, the lowest level of detail will prevail. If necessary, the extensions and summary will be recomputed accordingly, even if the lowest level of detail is obviously misstated. The total price of unit-price items will be the product of the unit price and the quantity of the item.

If the unit price is ambiguous, unintelligible, uncertain for any cause, or is omitted, it shall be the amount obtained by dividing the total price by the quantity of the item.

The State may at its sole option correct errors of omission, and in the following four (4) situations, the State will take the indicated actions if the Bidder's intent is not clearly established by the complete Proposal.

1. If an item is described in the narrative and omitted from the contract and cost data provided in the Proposal for evaluation purposes, it will be interpreted to mean that the item will be provided by the Bidder at no cost.
2. If a minor item is not mentioned at all in the Final Proposal and is essential to satisfactory performance, the Proposal will be interpreted to mean that the item will be provided at no cost.
3. If a major item is not mentioned at all in the Final Proposal, the Proposal will be interpreted to mean that the Bidder does not intend to supply that item.
4. If a major item is omitted, and the omission is not discovered until after contract award, the Bidder shall be required to supply that item at no cost.

The determination of whether an item is minor or major is the responsibility of the State.

If a Bidder does not follow the instructions for computing costs not related to the contract (e.g., State personnel costs), the State may reject the Proposal, or at its sole option, re-compute such costs based on instructions contained in the RFP.

If the re-computations or interpretations, as applied in accordance with this section, result in significant changes in the amount of money to be paid to the Bidder (if awarded the contract) or in a requirement of the Bidder to supply a major item at no cost, the Bidder will be given the opportunity to promptly establish the grounds legally justifying relief from its Proposal.

IT IS ABSOLUTELY ESSENTIAL THAT BIDDERS CAREFULLY REVIEW THE COST ELEMENTS IN THEIR FINAL PROPOSAL, SINCE THEY WILL NOT HAVE THE OPTION TO CORRECT ERRORS AFTER THE TIME FOR SUBMITTAL.

At the State’s sole discretion, it may declare the Final Proposal to be a Draft Proposal in the event that the State determines that Final Proposals from all Bidders contain material deviations. Bidders may not protest the State’s determination that all Proposals have material deviations. If all Proposals are declared noncompliant, the State may issue an addendum to the RFP. Should this occur, confidential discussions will be held with Bidders who are interested in continuing to be considered. Each Bidder will be notified of the due date for the submission of a new Final Proposal to the State. This submission must conform to the requirements of the original RFP as amended by any subsequent addenda. The new Final Proposals will be evaluated in accordance with RFP Section 6, Evaluation.

### Award of Contract

Award of contract, if made, will be in accordance with RFP Section 6, Evaluation, to a responsible Bidder whose Final Proposal complies with all the requirements of the RFP documents and any addenda thereto, except for such immaterial defects as may be waived by the State.

The State reserves the right to determine the successful Bidder either on the basis of individual items or on the basis of all items included in its RFP, unless otherwise expressly provided in the State's RFP. The State reserves the right to modify or cancel in whole or in part its RFP.

### Debriefing

A debriefing may be held after contract award at the request of any Bidder for the purpose of receiving specific information concerning the evaluation. The discussion will be based primarily on the administrative, technical, and cost evaluations of the Bidder's Final Proposal. A debriefing is not the forum to challenge the RFP specifications or requirements.

## Contractual Information

The MSAs to be awarded is included in the solicitation document in its final form as Attachment 7 – Proposed Form of Agreement, and any alteration by a Bidder will result in rejection of its Proposal.

## Other Information

### Protests

Before a protest is submitted regarding any issue other than selection of the "successful Bidder," the Bidder must make full and timely use of the procedures in accordance with RFP Section 2.2.4, Questions Regarding the RFP, and RFP Section 2.2.5, Request to Change the Requirements of the RFP, to resolve any outstanding issues between the Bidder and the State. This procurement procedure is designed to give the Bidder and the State adequate opportunity to submit questions and discuss the requirements before the Final Proposal is due. The protest procedure is made available in the event that a Bidder cannot reach a fair agreement with the State after exhausting these procedures.

There are two (2) types of protests:

1. Requirement protests
2. Award protest

A protest shall be submitted according to the procedure below.

#### Requirements Protest

Protests regarding any issue other than selection of the "successful Bidder" are requirements protests and will be heard and resolved by the Deputy Director of the DGS-PD, whose decision will be final.

All protests must be made in writing via email, signed by an individual authorized under RFP Section 2.3.3.5, Signature of Proposals, and contain a statement of the reason for protest; citing the law, rule, regulation, or procedures on which the protest is based. The protester must provide facts and evidence to support the claim.

Requirements Protests must be emailed to the Procurement Official identified in RFP Section 1.4, Procurement Official.

All protests to the RFP requirements or procedures must be received by the Deputy Director of the Procurement Division as promptly as possible, but not later than the respective time and date specified in Exhibit 2, Key Action Dates.

#### Award Protest

This solicitation/acquisition is being conducted under the provisions of the Alternative Protest Process (Public Contract Code Section 12125, et seq.) By submitting a Proposal to this solicitation, the bidder consents to participation in the Alternative Protest Process and agrees that all protests of the proposed award shall be resolved by binding arbitration pursuant to the California Code of Regulations, Title 1, Division 2, Chapter 5. Link to the Alternative Protest Process regulations:

<https://www.dgs.ca.gov/OAH/Case-Types/General-Jurisdiction/Resources/Page-Content/General-Jurisdiction-Resources-List-Folder/Laws-and-Regulations/Bid-Protest-Regulations>

A Notice of Intent to Award for this solicitation will be publicly posted on the Department of General Services Procurement Division webpage and sent via facsimile to any bidder who submits a written request for notice and provided a facsimile number.

DGS/PD webpage link:

<https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/Award-Notifications>

During the protest period, any participating bidder may protest the proposed award on the following grounds:

1. For major information technology acquisitions – that there was a violation of the solicitation procedure(s) and that the protesting Bidder’s Proposal should have been selected; or
2. For any other acquisition – that the protesting Bidder’s Proposal should have been selected in accordance with the selection criteria in the solicitation document.

A written Notice of Intent to Protest the proposed award of this solicitation must be received (facsimile acceptable) by the Coordinator before the close of business 5 p.m. PST/PDT on the 2nd business day after issuing the notice of intent, as specified in the solicitation. Failure to submit a timely, written Notice of Intent to Protest waives bidder’s right to protest.

Bidder is to send the notice of protest to:

Alternative Protest Process Coordinator/Dispute Resolution

Department of General Services

Procurement Division

Purchasing Authority Management Section

707 Third Street, 2nd Floor South

West Sacramento, CA 95605

Fax: 916 / 376-6226

Within seven (7) business days after the last day to submit a Notice of Intent to Protest, the Coordinator must receive from the protesting bidder the complete protest filing including the signed, written detailed statement of protest including exhibits, filing fee and deposit or small business certification as applicable. Untimely submission of the complete protest filing waives the bidder’s right to protest.

Protest bond requirement: bond amount for this Alternative Protest Process shall be 10 percent of the contract amount as specified in the solicitation. See California Code of Regulations, Title 1, Section 1418.

### Disposition of Proposals

All materials submitted in response to this RFP will become the property of the State of California and will be returned only at the State's option and at the Bidder's expense. At a minimum, the Master Copy of the Final Proposal shall be retained for official files and will become a public record after the Notification of Intent to Award as specified in Attachment 1, Key Action Dates.

# SECTION 3 – BIDDING REQUIREMENTS

This section contains the bidding requirements pertaining to this RFP and will be applicable to the resulting awarded MSA. Bidder’s Proposal shall meet the State’s needs as defined in this RFP.

This RFP requires Bidders to submit a Proposal for Category A - Payment Acceptance Devices and/or Category B - Transit Processor Services. All requirements listed within RFP Section 3, Bidding Requirements, shall apply to Category A and Category B unless otherwise noted.

Attachment 3A – Category A Narrative Response and Attachment 3B – Category B Narrative Response lists the items to which the DGS requires a narrative response.  Bidders are not to include narratives within this section or for items where a narrative is not requested.

Prior to award of the Master Agreement, the State must be assured that the Bidder selected has all the resources to successfully perform under the agreement. These include, but are not limited to, personnel in the numbers and with the skills required, equipment of appropriate type and in enough quantity, financial resources sufficient to complete performance under the contract, and experience in similar endeavors. If, during the evaluation process, the State is unable to assure itself of the Bidder's ability to perform under the contract, if awarded, the State has the option of requesting from the Bidder any information that the State deems necessary to determine the Bidder’s responsibility. If such information is required, the Bidder will be so notified and will be permitted approximately five (5) business days to submit the information requested.

## Technical Requirements

### Proposed Products and Services (M)

Bidders shall propose solutions for Category A - Payment Acceptance Devices and/or Category B - Transit Processor Services which meet the requirements outlined in the following:

* Exhibit A - Scope of Work
* Exhibit A1 - Performance Measures
* Exhibit A2 - PAD Specifications (Category A only)

Bidders are not required to bid on both categories but are required to offer all mandatory (M) products and services within the category they are submitting a Proposal for as listed in RFP Sections 3.1.1.1 and 3.1.1.2 below.

### Category A Products and Services (M – Category A only)

If bidding Category A, Bidder must provide the mandatory (M) Category A products and services listed in the table below in accordance with Attachment 7 – Proposed Form of Agreement, Exhibit A – Scope of Work.

Bidders may also propose solutions for non-mandatory (NM) Category A products and services. Bidders are not required to bid on NM products and services identified below but Bidders are required to meet the minimum specifications and requirements in order for the products and services to be included in the final award. Inclusion of NM products and services within the MSA will be at the discretion of the State.

|  |  |  |
| --- | --- | --- |
| **Category A Product/Service** | **Exhibit A Reference** | **Mandatory (M)/** **Non-Mandatory (NM)** |
| Standalone Validators | 6 | M |
| Mounting Poles | 6 | M |
| Embedded Validators | 6 | NM |
| Mobile Fare Inspection Devices | 6 | NM |
| PAD Implementation Services  | 6.1.1 | M |
| PAD Operations and Maintenance Services | 6.1.2 | M |
| PAD Interface and Integration Services | 6.1.3 | M |
| PAD Value Added Implementation Services | 6.1.4 | M |
| PAD Value Added Operations and Maintenance Services: - Extended Hardware Warranty - Premium customer support | 6.1.5 | M |
| PAD Value Added Operations and Maintenance Services: - Mobile communications - Mobile router | 6.1.5 | NM |

Bidders must complete and submit the following attachments with their Proposal for Category A proposed products and services:

* **Attachment 3A – Category A Narrative Response (MS):** Bidder must complete Attachment 3A and provide narrative responses describing qualifications, experience and proposed solution meeting the needs of the State. Detailed instructions can be found in the Attachment. Narrative responses will be evaluated in accordance with RFP Section 6, Evaluation.
* **Attachment 4A – Category A Technical Questionnaire (M)**: Bidder must complete Attachment 4A to identify all proposed products, indicate how each product meets the minimum specifications outlined in Exhibit A.2 – PAD Specifications and to provide key specifications of the devices. Refer to the Attachment for detailed instructions.
* **Attachment 5A – Category A Integration Mapping (MS):**  Bidder must complete Attachment 5A to identify all established integrations with transit processors, payment processors and CAD-AVL systems. Refer to the Attachment for detailed instructions. Attachment 5A will be evaluated in accordance with RFP Section 6, Evaluation.

### Category B Proposed Services (M – if bidding Category B)

If bidding Category B, Bidder must provide the mandatory Category B services listed in the table below in accordance with Attachment 7 – Proposed Form of Agreement, Exhibit A – Scope of Work.

Bidders may also propose solutions for non-mandatory (NM) Category B services. Bidders are not required to bid on NM services identified below but Bidders are required to meet the minimum specifications and requirements in order for the products and services to be included in the final award. Inclusion of NM services within the MSA will be at the discretion of the State.

| **Category B Service** | **Exhibit A Reference** | **Mandatory (M)/** **Non-Mandatory (NM)** |
| --- | --- | --- |
| Transit Processor Implementation Services | 7.1 | M |
| Transit Processor Operations and Maintenance Services | 7.2 | M |
| Transit Processor Interface and Integration Services | 7.3 | M |
| Transit Processor Value-Added Implementation Services - Supporting EMV L3 Certification | 7.4 | M |
| Transit Processor Value-Added Implementation Services - Custom Development Work | 7.4 | NM |
| Transit Processor Value-Added Operations Services | 7.5 | NM |

Bidder must complete and submit the following attachments with their Proposal for Category B proposed services:

* **Attachment 3B – Category B Narrative Response (MS):** Bidder must complete Attachment 3B and provide narrative responses describing qualifications, experience and proposed solution meeting the needs of the State. Detailed instructions can be found in the Attachment. Narrative responses will be evaluated in accordance with RFP Section 6, Evaluation.
* **Attachment 4B – Category B Technical Questionnaire (M):** Bidder must complete Attachment 4B to identify all proposed products and to indicate how each product meets the minimum specifications outlined in Exhibit A. Refer to the Attachment for detailed instructions.
* **Attachment 5B – Category B Integration Mapping (MS)**: Bidder must complete Attachment 5B to identify all established integrations with PAD providers and payment processors. Refer to the Attachment for detailed instructions. Attachment 5B will be evaluated in accordance with RFP Section 6, Evaluation.

### Integration Mapping Update (M)

Prior to award, a Bidder to be awarded an MSA for Category A shall furnish an updated Attachment 5A – Category A Integration Mapping and a Bidder to be awarded an MSA for Category B shall furnish an updated Attachment 5B – Category B Integration Mapping, within five (5) business days of the State’s written request.

### Implementation (M)

Prior to award, a Bidder to be awarded an MSA shall provide its Contract Manager’s name, email, phone, and fax contact information to the State Contract Administrator, per Section 3 of Exhibit A – Scope of Work. In addition, the Bidder shall provide a contact person’s name and e-mail for Transit Agencies desiring to initiate services, as per Section 4 of Exhibit A – Scope of Work. Contact information must be supplied within (5) business days of the State’s written request.

### Technical Literature Content for Payment Acceptance Devices (M – Category A only)

Bidder shall provide technical literature confirming the State's requirements within five (5) business days of written request by the State. The Bidder confirms that statements contained in the technical literature such as "technical literature and references are subject to change without notice" are not intended to limit the Bidder's commitment to meeting the needs and requirements of this RFP.

### Proposed Agreement Terms and Conditions (M)

By signing the Agreement Cover Letter and submitting a Proposal, Bidder is agreeing to accept all terms and conditions outlined within Attachment 7 – Proposed Form of Agreement. Any alteration of Attachment 7 by a Bidder will result in rejection of its Proposal.

Bidder also agrees to comply with all applicable statues, rules, regulations and orders of the United States, the State of California and local governments.

### Customer References (MS)

Customer references demonstrate to the State that the Bidder can provide products and services and is capable of handling local governmental transit agency sectors.

Bidders shall submit contact information (including company/agency name, contact person, phone number, and email address) for three (3) customer references from three (3) different customers for each Category bid within five (5) business days of written request from the State. Failure to submit a minimum of three (3) customer reference contacts meeting the minimum requirements will result in the Proposal being considered non-responsive.

Each customer reference must be for:

* + - Work performed within the last five (5) years prior to Final Proposal Submission date, preferably for a public sector entity; and
		- Similar products and/or services to that being proposed in response to this RFP.

References must be for the Bidder. Customers are defined as end-users of the product represented in the Customer Reference. References from a contractor for subcontractor work that was performed by the Bidder is not acceptable.

The State intends to contact customer references to ensure they meet the minimum customer reference requirements and to rate the following questions:

1. How would you rate the Bidder's ability to manage the project and associated staff to meet project goals and objectives?
2. How would you rate the Bidder's turnaround time when contacted to provide customer support or address project issues?
3. How would you rate the Bidder's ability to meet all requirements for product and service delivery in a timely manner?
4. How would you rate Bidder's understanding of your business objectives and Bidder's cooperation to achieve these objectives?
5. How would you rate the quality of Bidder's products and services?
6. How would you rate your company's overall satisfaction with the Bidder?

A rating scale of one (1) to five (5) below will be used

* Exceptional (5) - Best-in-class performance. Performance met all contract requirements and exceeded several to the customer’s benefit. No issues were encountered.
* Very Good (4) - Performance met all contract requirements and exceeded some to the customer’s benefit. There were a few minor issues, which were negligible.
* Satisfactory (3) - Performance met contract requirements. There were some minor issues, and corrective actions taken by the contractor were acceptable.
* Marginal (2) - Performance did not meet the contractual requirements. There were issues, some of a serious nature, for which corrective action was only somewhat effective.
* Unsatisfactory (1) - Performance did not meet contractual requirements. There were serious issues and the contractor’s corrective actions were ineffective.

The average score for each customer reference must be three (3) or higher. If the average score on any reference is less than three (3) the Proposal will be considered non-responsive. Any question not scored will receive zero (0) points toward the average.

The DGS reserves the right to contact the customer references via phone or email. It is the responsibility of the Bidder to notify their customer references that DGS will be contacting them for verification. Bidders should only submit references that can be contacted and will respond to the DGS within five (5) business days.

The customer reference contacts will be given five (5) business days after request from the State to respond. Customer References will be scored as specified in RFP Section 6, Evaluation.

### Seller’s Permit (M – Category A only)

This RFP and any resulting agreement are subject to all requirements set forth in sections 6452, 6487, 7101 and 18510 of the Revenue and Taxation Code, and section 10295 of the Public Contract Code (PCC), requiring suppliers to provide a copy of their retailer’s seller’s permit or certification of registration, and, if applicable, the permit or certification of all participating affiliates issued by the California Department of Tax and Fee Administration (CDTFA).

A copy of the Bidder’s seller’s permit shall be submitted within five (5) business days of the State’s written request.

### Payee Data Record (M)

Prior to award, Bidder must complete and submit a [Payee Data Record (STD 204)](http://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf) (http://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf) within five (5) business days of the State’s written request.

### Authorized Reseller (M – Category A only)

If the Bidder is not the Original Equipment Manufacturer (OEM) of the product being proposed, the Bidder must provide, on OEM company letterhead and signed by an authorized OEM representative, documentation identifying the Bidder as an authorized OEM reseller. The State has the option to follow-up and verify any Authorized Reseller letter.

### Secretary of State Certification (M)

A Corporation, Limited Liability Company (LLC), Limited Liability Partnership (LLP), or a Limited Partnership (LP), must be registered with the [California Secretary of State (SOS)](http://www.sos.ca.gov/) to be awarded a Master Agreement. Bidder shall indicate entity type and current SOS certification status information on Attachments 3A and 3B – Narrative Response.

SOS certification must be approved and in “Active” status prior to Master Agreement execution.

In the event of discrepancies between Bidder’s name on the submitted RFP response and SOS certification, Bidder’s business name as filed with the SOS shall take precedence. If Bidder is “doing business as" (dba), whereas the name under which they operate their business differs from its legal, registered name, Bidders must provide a Fictitious Business Name (FBN) filing, or proof that the filing is in process, with the Proposal. Bidder must provide a valid fictitious business name filing prior to Master Agreement award to be eligible for award under a name that differs from its legal, registered name. If dba is listed on the SOS certification, no FBN is needed.  The DGS reserves the right to request clarification.

### California Civil Rights Laws (M)

Pursuant to Public Contract Code section 2010, any Bidder entering into or renewing a contract over $100,000 on or after January 1, 2017, shall certify all the following:

* That they are in compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code).
* That they are in compliance with the California Fair Employment and Housing Act (Chapter 7 (commencing with Section 12960) of Part 2.8 of Division 3 of Title 2 of the Government Code).

(a) That any policy that they have against any sovereign nation or peoples recognized by the government of the United States, including, but not limited to, the nation and people of Israel, is not used to discriminate in violation of the Unruh Civil Rights Act (Section 51 of the Civil Code) or the California Fair Employment and Housing Act (Chapter 7 (commencing with Section 12960) of Part 2.8 of Division 3 of Title 2 of the Government Code).

(b) Any policy adopted by a person or actions taken thereunder that are reasonably necessary to comply with federal or state sanctions or laws affecting sovereign nations, or their nationals shall not be construed as unlawful discrimination in violation of the Unruh Civil Rights Act (Section 51 of the Civil Code) or the California Fair Employment and Housing Act (Chapter 7 (commencing with Section 12960) of Part 2.8 of Division 3 of Title 2 of the Government Code.

Bidders are required to submit a signed [California Civil Rights Laws Certification](https://www.dgs.ca.gov/-/media/divisions/pd/acquisitions/solicitation%20document%20attachments/california%20civil%20rights%20law.pdf) (https://www.dgs.ca.gov/-/media/divisions/pd/acquisitions/solicitation document attachments/california civil rights law.pdf) with their Proposal.

Failure to submit this completed form with the Proposal will result in the Proposal being considered non-responsive.

### Iran Contracting Act (M)

Pursuant to the Iran Contracting Act of 2010 (Public Contract Code sections 2200 through 2208 are “the Act”), vendors are ineligible to bid on, submit a Proposal for, enter into, or renew any contract with the state for goods or services of one million dollars ($1,000,000) or more if the vendor engages in investment activities in Iran, as defined in the Act. Prior to submitting a bid or Proposal and prior to executing any state contract or renewal for goods or services of one million dollars ($1,000,000) or more, a vendor must complete and return the attached IRAN Contract Act Certification form with their Proposal certifying that it is not on the list of ineligible vendors prohibited from doing business with the State of California.

Bidders are required to submit the [Iran Contracting Act Certification](http://www.documents.dgs.ca.gov/dgs/FMC/GS/PD/PD_3.pdf) (http://www.documents.dgs.ca.gov/dgs/FMC/GS/PD/PD\_3.pdf) with their Proposal.

Failure to submit this completed form with the Proposal will result in the Proposal being considered non-responsive.

### Darfur Contracting Act (M)

Public Contract Code sections 10475 -10481 applies to any company that currently or within the previous three (3) years has had business activities or other operations outside of the United States. For such a company to bid on or submit a Proposal for a State of California contract, the company must certify that it is either a) not a scrutinized company; or b) a scrutinized company that has been granted permission by the Department of General Services (DGS) to submit a Proposal.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a Proposal for a contract with a State agency for goods or services (Public Contract Code (PCC) section 10477(a)), unless written permission from the Director of DGS to bid on this procurement has been granted (PCC section 10477(b)).

A Bidder is required to submit a completed the [Darfur Contracting Act form](http://www.documents.dgs.ca.gov/dgs/FMC/GS/PD/PD_1.pdf)  (http://www.documents.dgs.ca.gov/dgs/FMC/GS/PD/PD\_1.pdf) if their company currently or within the previous three (3) years has had business activities or other operations outside of the United States. If a Bidder has not conducted business outside of the United States in the last three (3) years, this section does not apply.

Bidder shall indicate if Bidder has conducted business outside of the United States within the previous three (3) years on Attachments 3A and 3B – Narrative Response. Upon request from the State, Bidders are required to submit the completed Darfur Contracting Act form.

### Insurance Requirements (M)

A successful Bidder awarded a MSA must maintain in force applicable insurance in accordance with Exhibit E - Insurance Provisions. Prior to MSA award, the successful Bidder shall furnish an insurance certificate evidencing required insurance coverage acceptable to the State within five (5) business days of request.

### Federal Transit Administration Requirements (M)

The Bidder shall agree to comply with Exhibit F - Federal Transit Administration (FTA) Clauses when FTA funds are being utilized to acquire goods or services under the MSA. Bidder shall submit Attachment 6 - Federal Certification Forms with their Proposal.

Failure to submit this form with the Proposal will result in the Proposal being considered non-responsive.

### Federal Debarment, Suspension, Ineligibility, and Voluntary Exclusion (M)

Expenditures from the MSAs resulting from this RFP may involve Federal funds. Bidders must submit the [Federal Debarment Certification form](http://www.documents.dgs.ca.gov/dgs/FMC/GS/PD/PD_2.pdf) (http://www.documents.dgs.ca.gov/dgs/FMC/GS/PD/PD\_2.pdf) with the Proposal. Failure to submit this form will result in the Proposal being considered non-responsive.

### Subcontractors (M)

If utilizing subcontractors, Bidders must:

* Indicate subcontractors will be used on Attachment 3A and 3B - Narrative Response: and
* Submit a completed [Bidder Declaration Form](http://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/gspd05-105.pdf) (GSPD-05-105) (http://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/gspd05-105.pdf) with the Proposal.

When completing the declaration, Bidders must identify all subcontractors proposed for participation in the MSA. Bidders awarded a MSA are contractually obligated to use the subcontractors for the corresponding work identified unless the State agrees to a substitution and it is incorporated by amendment to the MSA.

If a Bidder proposes the use of a subcontractor for a portion of the contract, the Bidder agrees that all requirements will be adhered to and that requirements will apply to subcontractors even if subcontractor concurrence is not specifically defined. All subcontractors must comply fully with the administrative and technical requirements that are applicable with the portion of the work being delegated to the subcontractor.

Upon award to a successful Bidder, notice shall be given by the State to the subcontractors listed in the Bidder Declaration Form of their participation in the MSA. Notification to the subcontractor by the prime Contractor is encouraged immediately after award of an RFP.

Use of subcontractors will be addressed under each Transit Agency’s User Agreement.

### DVBE Declaration Form (M)

Bidders and/or subcontractors who have been certified by California as a DVBE (or who are bidding rental equipment and have obtained the participation of subcontractors certified by California as a DVBE) must submit a completed [Disabled Veteran Business Enterprise Declaration Form DGS PD 843](http://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/pd_843.pdf) (http://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/pd\_843.pdf). All disabled veteran owners and disabled veteran managers of the DVBE(s) must sign the form. The completed form should be included with the Proposal.

### Pricing (MS)

Pricing and fees proposed in the Cost Workbook will be evaluated and scored in accordance with RFP Section 6, Evaluation. Only the pricing submitted in the Proposal response shall be included in the awarded Master Agreement. Refer to RFP Section 4, Cost, for how cost is to be presented in the Proposal.

# SECTION 4 – COST

Cost evaluation will be based on the points earned as calculated according to the methodology outlined in RFP Section 6, Evaluation.

The State’s intent is to structure the pricing format to facilitate a straightforward comparison among all Bidders and foster competition to obtain the best market pricing. Consequently, the State requires that each Bidder’s Proposal be in the format outlined in this section. Therefore, Bidders are advised that failure to comply with the instructions listed in this section, such as submission of incomplete offers or use of alternative pricing structures or different formats than the one requested, may result in the rejection of their Proposals for non‑responsiveness.

It is imperative that no cost information be included in the body of the Proposal. Cost information shall only be submitted in the Final Proposal, Volume 2 in accordance with RFP Section 5, Proposal Format.

## Cost Information Guidelines

Bidders shall use the following attachments to enter cost information for each Category proposed:

* Attachment 2A – Category A Cost Workbook
* Attachment 2B – Category B Cost Workbook

Bidder is not required to bid on both Categories; however, all mandatory items within a Category must be proposed. Modifying the structure of the Cost Workbooks will disqualify the Bidder. All worksheets must be filled out completely in accordance with the instructions provided within the Attachment or the Proposal will be rejected.

### Quantities

Quantities shown in the Cost Proposal Evaluation tabs are representative and used for evaluation purposes only. Actual purchases may vary from this pattern. The State has no estimate of the anticipated MSA purchase pattern. The State will not guarantee any quantities or dollar value for any MSAs resulting from this RFP.

### Pricing Format

All dollar and percentage figures must be entered to no more than four (4) decimal places (e.g., $150.7525, 15.23%).

### Sales Tax

Sales tax is not to be included in the pricing on the Cost Workbooks. If awarded the MSA, sales tax should be added at time of invoicing, if applicable. The sales tax rate applied should be based on the rate of the area where the product is to be delivered.

## Cost Workbook Instructions

Bidder must:

* Download the appropriate Cost Workbook for the category proposed (Attachment 2A or Attachment 2B), from [Cal eProcure](https://www.caleprocure.ca.gov/pages/Events-BS3/event-search.aspx) (CSCR) website (https://www.caleprocure.ca.gov/pages/Events-BS3/event-search.aspx).
* Rename the file as instructed in RFP Section 5, Proposal Format and save.
* Complete the worksheets as defined in the Cost Workbook “Instructions” tab.
* Submit the applicable appropriate Cost Workbook for the category proposed (Attachment 2A or Attachment 2B), as specified in RFP Section 5, Proposal Format.

## Cost Workbook Completion

Bidder must complete the worksheets as instructed in the Cost Workbook “Instructions” tab. Bidder is not required to bid on all Categories; however, all mandatory items within a Category must be proposed.

Detailed instructions for completing the Cost Proposal are included on the Instructions Tab in the Cost Workbook. The Cost Proposal Workbook has been provided to Bidders in a Microsoft Excel Workbook as a separate package with the RFP posting to facilitate completion of the forms electronically. Bidder must complete and submit a copy of their Cost Proposal using the provided Cost Proposal Workbook in Microsoft Excel format.

Note: All products/services bid in the Cost Workbook must mirror the corresponding offered product/service information (e.g., Brand, Model, SKU) provided in the Technical Questionnaire.

## Cost Submittal

Attachment 2A – Category A Cost Workbook and Attachment 2B – Category A Cost Workbook must be submitted separately as specified in RFP Section 5, Proposal Format.

# SECTION 5 – PROPOSAL FORMAT

This section describes the required Proposal format and the approach for the development and presentation of Proposal data. Format instructions must be adhered to, all requirements and questions in the RFP must be responded to, and all requested data must be supplied. Each Bidder is responsible for providing sufficient information and documentation for their Proposal to be thoroughly evaluated. Failure to do so may result in rejection of the Proposal.

All documentation submitted for the Proposal must be in English.

## Proposal Delivery

Proposals must be submitted via email as follows:

* Bidder must submit a separate Proposal for each Category bid.
* Emailed Proposals must be sent to Masters@dgs.ca.gov
* Proposals must not be sent to any other mailbox.
* Only Proposal submissions must be sent to this mailbox.
* Emailed Proposals should clearly identify in the Subject Line “Proposal Response for RFP 5217028 – <*Insert Category #*>”
* Emailed submissions should not exceed 10 megabytes (MB). The State’s mail server may automatically reject excessively large emails.

Proposals must be received by the date and time specified in Attachment 1 – Key Action Dates. Proposals received after this date and time will not be considered. It is the responsibility of the Bidder to make sure their Proposal is received on time.

## Electronic Proposal Submittal Formats

It is the Bidder’s responsibility to ensure that electronically submitted documents are readable by DGS-PD. Typically, required documents should be submitted in Microsoft Word, Microsoft Excel, or Adobe. To ensure electronically submitted documents are readable, Bidders should submit electronic documents that meet the following standards:

* Microsoft – Office Suite Standard 2010 (Word, Excel, Power Point)
* Microsoft – Office Professional Plus 2010 (Word, Excel, Power Point, Access, OneNote, Publisher)
* Adobe Pro DC

Electronic submissions not compatible with these standards and unable to be read may result in the Proposal being rejected.

## Final Proposal Content

Final Proposals must include separate attachments for the following:

* Volume 1: Response to Requirements
* Volume 2: Cost Data

Volume 1: Response to Requirements

All files submitted for Volume 1 must contain “Volume 1” in the file name. (Example: “Volume 1 – Attachment 4A – Category A Technical Questionnaire”). Cost information must not be included in any attachments for Volume 1: Response to Requirements.

Volume 2: Cost Data

The Volume 2 file must contain “Volume 2” in the file name. (Example: “Volume 2 – Attachment 2A – Cat A Cost Workbook”).

Zip Files are discouraged. Refer to RFP Section 5.2, Electronic Document Formats for preferred document types.

### Volume 1- Response to Requirements

This volume must contain all responses to the bidding requirements of the RFP including any technical literature. All applicable forms, except cost data, must be completed and included in this volume.

No cost information should be contained in this volume. Bidder should leave blank or put “XXX” in place of any cost figures and percentages related to costs.

### Volume 2 - Cost Data

This volume must contain the completed Cost Workbook (Attachment 2A or Attachment 2B) only. Bidders must submit this volume under a separate attachment and clearly labeled as “Volume 2 – Attachment 2A – Category A Cost Workbook” or “Volume 2 – Attachment 2B – Category B Cost Workbook”

The Cost Workbook must be provided in Microsoft Excel format.

### Final Proposal Exhibits

Bidders must include the following documents in the Final Proposal, or as required in the RFP:

**Response to Requirements, Volume 1:**

 **Required with Proposal** *(If Bidding Category A)*

| **Description** | **RFP Section** |
| --- | --- |
| Agreement Cover Letter | 2.3.3.5 |
| Attachment 3A – Category A Narrative Response | 3.1.1.1 |
| Attachment 4A – Category A Technical Questionnaire | 3.1.1.1 |
| Attachment 5A – Category A Integration Mapping | 3.1.1.1 |
| California Civil Rights Laws Certification | 3.1.11 |
| Iran Contracting Act | 3.1.12 |
| Attachment 6 – Federal Certification Forms | 3.1.15 |

**Required with Proposal** *(If Bidding Category B)*

| **Description** | **RFP Section** |
| --- | --- |
| Agreement Cover Letter | 2.3.3.5 |
| Attachment 3B – Category B Narrative Response | 3.1.1.2 |
| Attachment 4B – Category B Technical Questionnaire | 3.1.1.2 |
| Attachment 5B – Category B Integration Mapping | 3.1.1.2 |
| California Civil Rights Laws Certification | 3.1.11 |
| Iran Contracting Act | 3.1.12 |
| Attachment 6 Federal Certification Forms | 3.1.15 |

**Required within five (5) after notification from the State,
prior to Award** *(If Bidding Category A or B)*

| **Description** | **RFP Section** |
| --- | --- |
| Integration Mapping Update | 3.1.2 |
| Contract Manager Contact Information | 3.1.3 |
| Technical Literature Content for PADs | 3.1.4 |
| Customer Reference Contact Information  | 3.1.6 |
| Copy of Seller’s Permit (Category A only) | 3.1.7 |
| [Payee Data Record (STD 204)](http://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf) | 3.1.8 |
| Copy of Insurance Certificate | 3.1.14 |
| Federal Debarment Certification Form | 3.1.16 |
| [Disabled Veteran Business Enterprise Declaration Form DGS PD 843](http://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/pd_843.pdf) | 3.1.18 |

**Cost Data, Volume 2:**

**Required with the Proposal** *(Category A only)*

| **Description** | **Section** |
| --- | --- |
| Attachment 2A – Category A Cost Workbook | 4 |

**Required with the Proposal** *(if Bidding Category B)*

| **Description** | **Section** |
| --- | --- |
| Attachment 2B – Category B Cost Workbook | 4 |

The State makes no warranty that the list of applicable documents and exhibits is a full and comprehensive listing of every requirement specified in the RFP. Checking off the items on the list does not establish the Bidder’s intent nor does it constitute responsiveness to the requirements. The list is only a tool to assist participating Bidders in compiling their final Proposal response. Bidders are encouraged to carefully read the entire RFP. The need to verify all documentation and responses prior to the submission of final Proposals cannot be over emphasized.

The State requests that Bidders do not submit unnecessary documentation to the final Proposal. The State expects only documentation which pertains to the requested/required information to be submitted as outlined in the RFP. Additional information not specific to the requirements of this RFP should not be submitted (e.g., company literature, product pamphlets).

# SECTION 6 - EVALUATION

This section describes how the State plans to evaluate the responding Proposals and identify the Proposals that meet the RFP’s objectives. It is the State’s intent to conduct a comprehensive, impartial evaluation of all Proposals received.

## Receipt

Each Proposal will be date and time marked as it is received and verified that all responses are properly identified. Emails will not be opened by the Procurement Official until the required Proposal submission due date and time.

## Evaluation of Final Proposals

### Validation Against Requirements

The State’s Proposal evaluation team (Team) will check each Proposal’s Volume 1: Response to Requirements in detail to determine its compliance to the RFP requirements. If a Proposal fails to meet an RFP requirement, the Team will determine if the deviation is material as defined in RFP Section 2.1.1, Requirements. A material deviation will be cause for rejection of the Proposal. If a deviation is determined to be immaterial, it will be processed as if no deviation had occurred.

The Team will evaluate administrative and technical requirements first. Only those Proposals that are administratively and technically compliant will proceed to the cost evaluation.

Volume 2: Cost Data shall remain unopened until the evaluation of all technical and administrative requirements is completed. Cost files will only be opened for responsive Proposals from responsible Bidders. All participating Bidders and interested parties shall be notified as to the date and time when a public opening of Proposal costs will be conducted**.**

**NOTE: Cost opening will be held through a Microsoft Teams Meeting online.** The State will email an invitation to the live conference event once the Cost Opening date is known. The State will notify every Bidder who submits a Proposal of the time, date, and link to the Cost Opening. If an entity does not submit a Proposal but still wishes to attend the Live Cost Opening, they must email the Procurement Official listed in RFP Section 1.4 making an official request to attend.

### Evaluation of Requirements

For evaluation purposes, certain requirements have been designated as scored requirements and will be scored in accordance with the criteria contained herein. All remaining mandatory requirements are not scored and will be evaluated on a pass/fail basis. A material deviation on a mandatory requirement whether or not it is scored will result in disqualification of the Proposal.

### Cost Analysis

The required cost forms will be checked for mathematical accuracy. Errors and inconsistencies will be dealt with according to procedures contained in RFP Section 2.3.5.3, Errors in the Final Proposals

## Final Proposal Scoring Criteria

The Team will evaluate and score the responses of each Bidder’s Final Proposal to determine a Total Score per category. The maximum points are 1000 per category. The Total Score includes a Non-Cost and Cost Score as follows:

| **Scoring Items** | **Category A Total Available Points**  | **Category B Total Available Points** |
| --- | --- | --- |
| Non-Cost Score | 400 | 400 |
| Cost Score | 600 | 600 |
| **Total Score** | **1000** | **1000** |

The Team will determine the Total Score per Category by aggregating the Non-Cost Score and the Cost Score for each Bidder. Total Scores will be rounded to two (2) decimal places. Scores will be calculated as described within this section.

### Non-Cost Score Calculation

The Non-Cost Score represents 40 percent of the total points available. The following tables summarize the items that will be used by the Team to calculate the Non-Cost Score for each Bidder.

The Category A scored items are as follows:

| **Category A Scoring Criteria** | **Maximum Points Received**  |
| --- | --- |
| Narrative Responses (Attachment 3A)* Qualifications (20 points)
* Experience (40 points)
* Solution Description (40 points)
* Solution Qualities (30 points)
* PCI Compliance Plan (30 points)
* Inspection Use Case (10 points)
* Inspection Solution (10 points)
* Capacity Plan (20 points)
* Integration Plan (60 points)
 | **260** |
| Integration Mapping (Attachment 4A) | 50 |
| Customer References (RFP Section 3.1.6) | 90 |
| **Total Non-Cost Points available for Category A** | **400** |

The Category B scored items are as follows:

| **Category B Scoring Criteria** | **Maximum Points Received**  |
| --- | --- |
| Narrative Responses (Attachment 3B)* Qualifications (20 points)
* Experience (40 points)
* Solution Description (20 points)
* Solution Qualities (30 points)
* Solution Architecture (20 points)
* PCI Compliance Plan (30 points)
* Inspection Solution (20 points)
* Capacity Plan (20 points)
* PAD Integration Plan (40 points)
* Payment Processor Integration Plan (20 points)
 | **260** |
| Integration Mapping (Attachment 4B) | 50 |
| Customer References (RFP Section 3.1.6) | 90 |
| **Total Non-Cost Points available for Category B** | **400** |

The point structure for each desirable is as follows:

### Narrative Scoring

Narrative Responses identified in the Scoring Criteria tables outlined in RFP Section 6.3.1 will be rated by the Team using the rating table below.

| **Rating** | **Description** |
| --- | --- |
| **0** | **Very Poor.** The Bidder fails to address the criterion or cannot be assessed due to missing or incomplete information. Bidder has not demonstrated sufficient knowledge of the subject matter or has failed to explain how the requirement(s) is met. |
| **1** | **Poor.** The criterion is inadequately addressed. Response demonstrates only a slight ability to comply, or there are serious inherent weaknesses. |
| **2** | **Fair.** The Bidder broadly addresses the criterion, but there are significant weaknesses. Response may have one or more deficiencies, or Bidder has not adequately explained how its services fit the requirement. |
| **3** | **Good.** The Bidder addresses the criterion well and meets the requirement. Response demonstrates knowledge and understanding of the subject matter, with no deficiencies noted regarding technical approach. |
| **4** | **Very Good.** The Bidder addresses the criterion very well, highly comprehensive. Response occasionally goes above and beyond the minimum requirements and indicates a high degree of ability to meet the needs of the State. No deficiencies noted. |
| **5** | **Excellent.** The Bidder successfully addresses all relevant aspects of the criterion. Excellent reply that goes beyond the requirements listed in the RFP to provide added value. The response may cover areas not originally addressed within the RFP and/or include additional information and recommendations that would prove both valuable and beneficial to the department. The response includes a full, clear, detailed explanation of how the requirement(s) are met. No errors in technical writing. |

Criteria Scores will be assigned to Bidder for each evaluation criteria utilizing the following formula:

(Rating Received divided by Highest Rating Possible) X Points Possible for Criteria = Non-Cost Criteria Score

Example: Review of Qualifications leads Team to providing a rating of 4 out of 5. The rating of 4 is divided by the total rating possible (5) to get .80 (80%) and that number is multiplied by the points possible for the criteria (20) to get a final Technical Criteria Score for Qualifications of 16.

### Customer Reference Score Calculation

The maximum number of points for Customer References is 90 points.

Each Customer Reference will be asked the six (6) questions listed in RFP Section 3.1.6, and each question will be rated by the customer by providing a rating of 1 to 5.

The maximum points possible for each question is five (5) (e.g., a question rated 5 will receive 5 points; a question rated 4 will receive 4 points). Each customer reference has possible maximum score of 30 points. The maximum number of points for Customer References is 90 points.

Failure to submit three (3) customer reference contacts meeting the requirements described in Section 3.1.6, Customer References will result in the Proposal being considered non-responsive. It is not necessary to submit more than three reference contacts.

### Integration Mapping Score Calculation

### Category A

The Team will review Attachment 5A and award points according to:

1. the number of integrations with unique transit processors (regardless of the number of PAD types)
2. the number of EMV Level 3 certified integrations with unique transit processors
3. the number of Payment Schemes supported by EMV Level 3 integrations

Each integration of one (1) or more PADs or back office with a different transit processor shall be awarded five (5) points, up to a maximum of twenty-five (25) points, provided that the transit processor is not the Bidder or a subsidiary of the Bidder.

For each EMV Level 3 certified integration of one or more PADs with a transit processor for two (2) or three (3) Payment Schemes, shall be awarded two (2) points with a maximum of ten (10) points. For each EMV Level 3 certified integration of one (1) or more PADS with a transit processor for four (4) Payment Schemes, shall be awarded five (5) points with a maximum of fifteen (15) points.

### Category B

The Team will review Attachment 5B and award points according to:

1. the number of integrations with unique PAD vendors (regardless of the number of PAD types) with at least one (1) PAD EMV Level 3 certified
2. the number of unique integrations with Payment Processors.

Each integration with a different PAD vendor shall be awarded five (5) points, up to a maximum of thirty (35) points, provided that the PAD vendor is not the Bidder or a subsidiary of the Bidder. Each integration with a Payment Processor shall be awarded five (5) points, up to a maximum of fifteen (15) points.

### Cost Score Calculation

The Cost Score represents the majority of the total points available. Cost Workbooks (Attachment 2A and Attachment 2B) will be used to determine the Cost Score for the Category bid. The Cost Score for each Category will be calculated based on the following components outlined below.

### Category A Cost Evaluation – PADS & Services

To evaluate cost, the State has developed three (3) representative Transit Agencies representing a Small, Medium and Large Transit Agency to use in calculating total cost.

Cost for each representative Transit Agency will be calculated separately and added together to develop an “Evaluated Bid Price”. The State will calculate a total cost for each Proposal based on the following cost Proposal elements:

1. The lowest cost Standalone Validator Device that meets minimum specifications will be used for pricing of devices based on the number of PAD devices detailed for each representative Transit Agency. Bidders shall provide the lowest cost Standalone Validator Device and the lowest cost Mounting Pole in accordance with the instructions outlined in Attachment 2A - Cost Workbook.
2. All pricing for required services on Worksheets A through J will be evaluated based on the unit of measure and the number of units detailed for each representative Transit Agency.
	1. PAD Implementation Services will be calculated as a lump-sum per implementation and the fee depends on the number of PAD devices for each representative Transit Agency.
	2. PAD Operations & Maintenance services will be calculated for Standalone Validator Devices only. Recurring monthly costs will be evaluated for five (5) years/sixty (60) months.
	3. PAD Value Added Interface and Integration Services will be calculated based on the number of integration units detailed for each representative Transit Agency.
	4. PAD Value Added Implementation Services will be calculated based on the number of PAD devices detailed for each representative Transit Agency.
	5. The recuring costs for PAD Value Added Operations & Maintenance Services will be calculated based on the number of PAD devices detailed for each representative Transit Agency and the number of months that these fees will be charged.
	6. The hourly rates for project management, custom solution development and training will be calculated based on a number of hours for each representative Transit Agency.
3. Non-mandatory devices or services will not be calculated or evaluated.
4. The Total Cost calculated is the “Evaluated Bid Price” in the corresponding Worksheet that takes a weighted average of the total costs for each of the representative agencies.

The “Evaluated Bid Price” from the Attachment 2A – Cost Workbook will be used to determine the Category A Cost Score for each Bidder in accordance with RFP Section 6.3.8, Cost Score Calculation Example.

### Category B - Cost Evaluation – Transit Processor Services

To evaluate cost, the State has developed a reasonable implementation scenario to use in calculating total cost. Using metrics from this scenario detailed in the Cost Workbook, cost of the Transit Processor’s services will be calculated separately and costs for each added together to develop a total cost. The State will calculate a total cost for each Proposal based on the following cost Proposal elements:

1. Transit Processing Services will be calculated over a sixty (60) month period of operations. The fee, as a rate of Total Processed Revenue, is calculated as a weighted average of the rates for each breakpoint, with pre-set weighting. The total processing fees are calculated as the product of the total revenue processed per month as detailed in the Cost Workbook and the average fee.
2. Transit Processing Implementation Services will be calculated based on the number of implementation units detailed in the Cost Workbook.
3. Interface and Integration Services will be calculated based on the number of integration units detailed in the Cost Workbook.
4. Required Implementation Services (Value Added) will be calculated based on the revenue for each representative Transit Agency detailed in the Cost Workbook.
5. Recurring monthly costs will be evaluated for five (5) years/60 months.
6. Non-mandatory services will not be evaluated.
7. The Total Cost calculated is the “Evaluated Bid Price” in the corresponding Worksheet.

The “Evaluated Bid Price” from the Attachment 2B – Cost Workbook will be used to determine the Category B Cost Score for each Bidder in accordance with RFP Section 6.3.8, Cost Score Calculation Example.

### Cost Score Calculation Example

Step One: Total Cost - Determine the lowest “Evaluated Bid Price” cost for the Category for all Bidders. The maximum Total Cost Score is 600 points.

Example:

|  |  |
| --- | --- |
| **Bidder** | **Total for all Categories** |
| Bidder 1 | $275.00 |
| Bidder 2 | $300.00 |
| Bidder 3 | $255.00 |
| Bidder 4 | $350.00 |

Bidder 3 is lowest total

Step Two**:** For each Bidder’s Total Cost, use the lowest Total Cost as the NUMERATOR and the respective Bidder’s Total Cost as the DENOMINATOR.

Example for Total Cost

| **Bidder** | **Lowest Total Cost (NUMERATOR) divided by** **Respective Bidder Total Cost (DENOMINATOR)** | **Cost Factor** |
| --- | --- | --- |
| Bidder 1 | $255.00 divided by 275.00 | = 0.9272 |
| Bidder 2 | $255.00 divided by $300.00 | = 0.8500 |
| Bidder 3 | $255.00 divided by $255.00 | = 1.0000 |
| Bidder 4 | $255.00 divided by $350.00 | = 0.7285 |

These results are referred to as the Cost Factor.

Step Three: Multiply each Bidder’s Cost Factor by the points available to obtain the Bidder’s Cost Score.

Example for Total Cost:

| **Bidder** | **Cost Factor for Total Cost**(a) | **Total Cost Maximum** **Points Available**(b) | **Score for Item**(a multiplied by b) |
| --- | --- | --- | --- |
| Bidder 1  | 0.9272 | 600 | 556.32 |
| Bidder 2 | 0.8500 | 600 | 510 |
| Bidder 3 | 1.0000 | 600 | 600 |
| Bidder 4 | 0.7285 | 600 | 437.1 |

### Total Score

The Total Score will be calculated by aggregating the Non-Cost and the Cost Score for the Bidder for the Category.

Example:

| **Bidder** | **Category A** **Non-Cost Score**(a) | **Category A Cost Score****(b)** | **Category A Total Score**(a + b) |
| --- | --- | --- | --- |
| Bidder 1  | 130 | 516.32 | 646.32 |
| Bidder 2 | 125 | 410 | 535 |
| Bidder 3 | 140 | 346.66 | 486.66 |
| Bidder 4 | 150 | 410.42 | 560.42 |

## Selection and Award

MSAs will be awarded as follows:

* Category A – Responsive and responsible Bidders with the top seven (7) highest Total Scores.
* Category B – Responsive and responsible Bidders with the top four (4) highest Total Scores.

## Negotiations

The State may elect to enter into negotiations pursuant to Public Contract Code §6611, if conditions exist.

# SECTION 7 – ATTACHMENTS

The following list identifies the applicable Attachments for this solicitation:

* Attachment 1 – Key Action Dates
* Attachment 2A – Category A Cost Workbook
* Attachment 2B – Category B Cost Workbook
* Attachment 3A – Category A Narrative Response
* Attachment 3B – Category B Narrative Response
* Attachment 4A – Category A Technical Questionnaire
* Attachment 4B – Category B Technical Questionnaire
* Attachment 5A – Category A Integration Mapping
* Attachment 5B – Category B Integration Mapping
* Attachment 6 – Federal Certification Forms
* Attachment 7 – Proposed Form of Agreement, which includes:
	+ Exhibit A - Scope of Work
	+ Exhibit A.1 - Performance Measures
	+ Exhibit A.2 - Payment Acceptance Device (PAD) Specifications (if awarded Category A)
	+ Exhibit B - Payment and Budget Provisions
	+ Exhibit B.1 - Rate Sheet
	+ Exhibit B.2 - Equipment List (if awarded Category A)
	+ Exhibit C - Information Technology General Provisions (GSPD- 401IT), Effective 9/5/2014
	+ Exhibit D - Cloud Computing - Software as a Service (SaaS), Effective 6/7/2019
	+ Exhibit D.1 - Cloud Computing Special Provisions for Software as a Service (SaaS), Effective 03/01/18
	+ Exhibit E - Insurance Provisions
	+ Exhibit F - Federal Transportation Administration (FTA) Clauses
	+ Exhibit G - Definitions