



December 16, 2019

**AMERICANS WITH DISABILITIES ACT (ADA)
COMPLEMENTARY PARATRANSIT
ELIGIBILITY CERTIFICATION SERVICES
REQUEST FOR PROPOSALS (RFP)**

**PROPOSALS ARE DUE AT THE VCTC OFFICE
LOCATED AT 950 COUNTY SQUARE DRIVE, SUITE 207
VENTURA, CA 93003
ON TUESDAY, FEBRUARY 3, 2020
NO LATER THAN 4:00 PM PDT**

**A PRE-PROPOSAL CONFERENCE WILL BE HELD IN SUITE 108 OF THE VCTC OFFICE
ON TUESDAY, JANUARY 7, 2020 AT 10:00 AM**

**(For more information, please contact Martin Erickson, VCTC, at (805) 642-1591 ext. 110
or email to: merickson@goventura.org)**

A. INTRODUCTION

Ventura County is a diverse coastal county with a population of approximately 850,000, encompassing both urban and rural areas. The Ventura County Transportation Commission (VCTC) is a regional transportation planning agency committed to keeping Ventura County moving. By working in close partnership with each of the cities and the County, the VCTC is ever mindful of maintaining the character of Ventura County while prioritizing transportation investments.

The VCTC is responsible for countywide transportation planning, programming transportation funds, managing and providing transportation programs and services, delivering transportation projects, and setting transportation priorities. In addition, VCTC provides commuter bus service connecting the various urbanized areas, as well as local bus service under the brand name "Valley Express" in the cities of Santa Paula and Fillmore and the adjacent unincorporated area.

B. BACKGROUND

The Americans with Disabilities Act (ADA) requires that all public transportation systems that deliver fixed route service to the general public must also make accommodations to ensure that people with disabilities can use and access the service. The ADA recognizes that even with these accommodations some individuals will not be able to access the available fixed route service. To bridge this gap, the ADA therefore mandates that public transportation systems with fixed route service provide complementary paratransit service for individuals whose disability prevents them from accessing fixed route service.

The ADA requires that each public transit agency operating conventional fixed-route local bus service establish a certification process for determining eligibility for ADA complementary paratransit service. By agreement among the Ventura County transit agencies, VCTC administers on a countywide basis the certification program on behalf of each of these agencies, to provide economies of scale. The local bus service operators in Ventura County are as follows:

Camarillo Area Transit (CAT),
Gold Coast Transit District (GCTD),
Kanan Shuttle (operated by Ventura County)
Moorpark City Transit (MCT),
Ojai Trolley (located entirely within the GCTD service area),
Simi Valley Transit (SVT),
Thousand Oaks Transit (TOT),
Valley Express (operated by VCTC).

During the most recently-completed fiscal year, VCTC received 1,477 applications for ADA certification, and issued 1,410 determinations. The following table provides some background on VCTC's certification data.

	July 2019 – October 2019	July 2018 – June 2019	July 2017 – June 2018
Applications Received	525	1,477	1,419
New Applicant	279	883	778
Recertification	246	594	641
Determinations	490	1,410	1,310
New Applicant	304	898	831
Recertification	186	512	479
Interviews Scheduled	117	285	333
Completed	105	226	295
No Shows	12	38	38

This certification service has been provided through a contract managed by VCTC, and that contract is scheduled to expire June 30, 2020. Accordingly, VCTC seeks a qualified firm to provide ADA certification services on a countywide basis starting July 1, 2020.

The ADA requires that paratransit eligibility be based on one's functional ability to use and navigate fixed route service, not a medical diagnosis. Therefore, the existence of a disability alone will not necessarily qualify an applicant for certification to use complementary paratransit services. For instance, an individual who uses a wheelchair or other mobility device may be

able to access fixed route services and is not necessarily a paratransit-dependent passenger. In order to ensure an applicant's eligibility is based on the ability to use and navigate fixed route service where appropriate, VCTC's process is to provide two levels of review as necessary to determine eligibility. First, a written application is submitted and if possible, a professional evaluation is obtained. (VCTC's ADA certification application, which is to be used for the Contractor, is provided in Appendix A.) This written documentation is reviewed for completeness. A determination is made of what further information is required to complete an eligibility review.

For new applicants an in-person interview will often be required if eligibility cannot be determined from the application or professional evaluation, while for recertification applicants an in-person interview will sometimes be required, but typically not. This is referred to as the second level of review. The in-person eligibility process may include physical and cognitive tests. The objective of these tests is to gather data about one's functional ability to safely use and navigate fixed route services. During these tests there may also be conclusions regarding the ability to safely use paratransit. Should the applicant be determined as eligible this data would be passed on the paratransit operator serving the applicant's area, as part of the rider profile. It might be necessary to contact the physician or other licensed professional who assisted with the application to obtain additional information. After all of the required information for the second level of review is obtained, including an in-person interview if required, the application is considered complete. The contractor is expected to notify the applicant within 21 calendar days to provide the ADA eligibility decision.

A responsive Proposal will respond to the certification process as outlined in this RFP. In addition, the VCTC welcomes and encourages proposers to demonstrate their expertise in certification programs by submitting proposals for any type of ADA eligibility process, including in-person, telephone, online or any combination of proposed evaluations that best meet the needs of Ventura County. However, any proposed alternate eligibility process must be in addition to a complete proposal for conducting the ADA certification process as described herein. VCTC reserves the right to award this contract to any proposer based on either the certification process specified in the RFP, or to a proposer based on an alternative approach contained as an option in its proposal.

C. SCOPE OF SERVICES

1. MANAGEMENT OF OPERATIONS

Project Manager

The Contractor shall provide a Project Manager who shall be responsible for and oversee day-to-day operations of the ADA certification program under direction of VCTC. The Project Manager shall not be replaced without prior permission from VCTC.

The Project Manager shall maintain consistent and sufficient contact with VCTC's Programming Director (VCTC). The Project Manager must be knowledgeable about ADA rules, regulations, and compliance regarding eligibility and certification. The Project Manager is responsible for the recruitment, hiring, and training of appropriate staff to satisfy the requirements of this Scope of Services. The Project Manager may recommend to VCTC and the operators improvements to the ADA eligibility certification process as determined to be advisable. VCTC intends that this communication shall establish a working partnership to ensure that VCTC's ADA eligibility

certification process works effectively and efficiently to the benefit of the ADA applicants and from the perspective of VCTC, the transit operators, and the Contractor.

The Project Manager shall demonstrate, by decision and action, competency in all aspects of VCTC's ADA eligibility certification process. The Project Manager shall function as line supervisor of all Contractor staff assigned to VCTC's project. The responsibilities of the Project Manager include, but are not limited to, the following:

- Availability of decision-making authority during normal business hours;
- Supervision of personnel assigned to perform the tasks specified in this Scope of Work;
- Administration of the eligibility certification process;
- Attendance at monthly meetings that VCTC may require;
- Collaboration with VCTC staff and local transit operators to finesse the ADA eligibility certification process as determined appropriate;
- Certification of accurate Monthly Reports including invoicing and certification data submitted to VCTC; other reports as requested by VCTC; and,
- Other duties as appropriate for successful compliance of Agreement.

Reporting

On a monthly basis, the Project Manager shall prepare a Monthly Certification Report which shall be submitted to the VCTC with the monthly invoice. This report shall include, at a minimum, the following:

1. Number of applications received;
2. Number of applicants interviewed;
3. Results of functional assessments;
4. Number of determinations, by type, broken down by jurisdiction:
 - a. Eligible (new applicant)
 - b. Eligible (recertification)
 - c. Conditionally eligible by condition
 - d. Temporarily eligible
 - e. Ineligible
5. Number of applicants taking more than 10 business days from initial application submittal to schedule an appointment. Explanation of why in each case;
6. Number of applicants for whom a determination has not been made within 21 days of assessment or receipt of simplified paperwork with an explanation of why in each case;
7. Average processing time for applications. Processing time is from completed paperwork/process to the postmark of determination letters;
8. Average hold times on ADA telephone information lines, and calls sent to voice mail.
9. Number of appeals as notified by VCTC.

Contractor may propose modifications and additions to the recommended reporting. All modifications are subject to approval by VCTC.

Meetings

The Project Manager and, as appropriate, designated certification staff shall attend meetings with VCTC on a regular basis to review the ADA certification process, to review Contractor's

performance, to identify areas for analysis and improvement, and to effect training of and coordination between VCTC, transit operators, and Contractor. Regular meetings shall include:

- Monthly ADA Certification Status Meeting with a committee including VCTC and transit operator staff, at a Ventura County location determined by VCTC;
- Quarterly Certification Review Meeting of VCTC staff in the Contractor's office to review performance and records.

These meetings are anticipated to each be no longer than two (2) hours in length. In addition to these regular meetings, Contractor's Project Manager may be requested to attend and participate in other meetings relating to VCTC's ADA certification process.

VCTC Responsibilities

Under this Contract, VCTC's responsibilities in administering the ADA Certification Program will include the following:

- Providing direction to the incumbent contractor with regard to transitioning of the program to the newly-selected Contractor;
- Ensuring the availability of interview and assessment locations;
- Providing information on its website regarding the ADA certification process and contact information, including eligibility applications for down-loading;
- Providing paper with VCTC letterhead to the Contractor for use in issuing approvals and denials, along with text in English and Spanish to use in the letter;
- Providing the ADA certification application in both pdf and printed format, in English and Spanish.
- Providing ADA eligibility card design including the VCTC logo to the Contractor for use in issuing ADA eligibility cards;
- Providing informational brochures and an application in English and Spanish to the Contractor for distribution to applicants. These brochures include information on the certification process and on the Travel Training program. Printing of these documents is also the responsibility of VCTC;
- Providing the Professional Evaluation template to the Contractor for dissemination to physicians and other qualified health professionals;
- Notifying Contractor of the initiation of an appeal, and reviewing and acting on appeals;
- Coordinating with the responsible fixed-route transit agencies to regarding their monitoring and feedback of the certification process;
- Providing general transit system information brochures and schedules for distribution to applicants as appropriate.
- Marketing and outreach for its programs. The Contractor may not initiate and/or perform any outreach activities on behalf of VCTC or the transit operators without the expressed prior consent of VCTC. VCTC will only give such permission if it has obtained consent of the affected transit operators.

The transport from VCTC's office to the Contractor's office of paper documents provided to the Contractor by VCTC shall be the responsibility of the Contractor.

TASK 1 DELIVERABLES:

- 1-A. Monthly reports containing required data
- 1-B. Attendance at monthly and quarterly meetings as described

2. PROGRAM STAFF

Staffing Requirements

Contractor shall recruit, hire, train, and employ qualified staff necessary to meet the requirements specified herein for the administration of VCTC's ADA eligibility certification process. Such staff shall have the appropriate education, licensing and certification, and experience to perform the functions of their assigned positions, including, but not limited to:

- Experience with regard to the functional assessment of individuals with disabilities along with experience working with individuals with disabilities;
- Appropriate certifications and qualifications such as Physical or Occupational Therapy, and Orientation and Mobility Specialist;
- Supervisorial experience as appropriate to their job assignments;
- Ability to work well with seniors and persons with disabilities;
- Good writing and oral communications skills, including fluency in Spanish for applicants if preferred. It is estimated that 25% of applicants prefer communication in Spanish;
- Familiarity with Ventura County public transit and ADA paratransit services and the functional abilities needed to use these public transportation services;
- Knowledge of ADA complementary paratransit regulations, including, but not limited to, the regulatory definition of ADA paratransit eligibility;
- Thorough familiarity with VCTC's ADA paratransit eligibility certification process; and,
- Demonstrated competence in making determinations of ADA eligibility in compliance with federal, state, county and local laws, applicable regulations and VCTC policies.

Certification services for VCTC shall be assigned to a limited number of designated Contractor staff sufficient to provide these services under normal circumstances. Names of the designated staff shall be identified in the proposal. Any changes to this staffing shall be provided to VCTC in writing. VCTC expects all interactions with applicants to be conducted in a professional, courteous and respectful manner. VCTC may require that any Contractor employee assigned to provide services under this Agreement to be removed from work on VCTC's project for cause. VCTC may require immediate removal if, in its determination, this is warranted under the circumstances. VCTC will notify the Contractor's Project Manager in writing of any employee determined to be unsuitable for assignment to VCTC's project and shall provide the documentation as to the basis for this determination. Unless VCTC is requiring immediate reassignment, Contractor shall, at its sole discretion, within five (5) business days of receipt of such notice, either propose to replace the employee or present to VCTC a plan for correcting the employee's performance deficiencies within a 30-day period thereafter. If either VCTC rejects the plan or the employee's performance deficiencies are not corrected to VCTC's satisfaction with the 30-day period, the Contractor shall immediately replace the employee.

Training

All training of Contractor staff shall be the responsibility of the Contractor. Contractor shall develop and provide a training program sufficient to meet the ADA Act requirements. The training program shall be reviewed and approved by VCTC staff prior to implementation.

Prior to their assignment to VCTC's project, each employee shall receive, at a minimum, the following training:

- Contractor's training program as described above;
- VCTC orientation on Ventura County transit services, policies, and procedures, to be provided by VCTC staff; and
- Training in sensitivity issues regarding working with individuals with disabilities. All Contractor staff involved in the certification process or coming into contact with applicants, including the Contractor's Project Manager, shall receive this training provided by the Contractor.

Contractor shall permit VCTC staff on an occasional basis to attend and participate in Contractor's training program for application review/eligibility determination conducted for their own staff as described.

Task 2 Deliverable

- 2-A. Names of assigned staff
- 2-B. Documentation of employee training

3. INITIAL PROJECT MOBILIZATION

Contract Kick-Off and Approval of Certification Procedures

There shall be a kick-off meeting with VCTC and the selected Contractor to negotiate the final detailed budget and task schedule with milestones and deliverables and discuss development of the assessment protocols. The Contractor shall then prepare the final project budget and schedule. During the transition period, on a schedule agreed to by the Contractor and VCTC, the contractor shall propose for VCTC approval the proposed first-level evaluation protocol, personal interview script/worksheet, function assessment protocol, recertification procedure, and streamlined short-term certification procedure.

Transition

VCTC anticipates approving this Contract on or about April 1, 2020, with the contractor assuming responsibility for the certification process effective July 1, 2020. During the period prior to July 1st, the Contractor shall work with VCTC and with VCTC's current ADA certification contractor to transition the certification process to the new Contractor. The incumbent contractor's contract requires that they participate in meetings and the transfer of client records to ensure a smooth transition to the new Contractor. The new Contractor shall identify for VCTC the inbound phone line at least 10 business days in advance of the transition date to facilitate smooth transition of phone services.

Facility

During the three-year base performance period of this contract, the Contractor is required to provide suitable office facilities to accommodate the personnel necessary for the management and administration of the certification program. The facility will have space for the processing of certification applications and the ability to maintain and keep all the certification data and records. Contractor shall provide all furniture, furnishings and equipment. The office facility shall be fully and easily accessible to the disabled and in compliance with all ADA, California Title 24, and other State, County and City accessibility requirements. There is no contractual requirement regarding the physical location of this administration office.

Equipment and Documents

Contractor shall also be responsible for the provision of any and all office equipment and supplies needed for the conduct of services under this Agreement including, but not limited to, copiers, facsimile machines, digital cameras, computer hardware and software, eligibility card fabrication equipment, and telephone and TDD equipment. Contractor shall be responsible for the provision of any and all equipment necessary to conduct in-person interviews and assessments including, but not limited to visual aids.

The Contractor shall provide forms and letters required for the efficient processing and documentation of the certification process, with the exception of materials provided by VCTC as specified in this RFP under "VCTC responsibilities." Such materials developed by the Contractor shall be done in consultation with VCTC staff and shall become, pursuant to this agreement, property of VCTC.

Telephone System

The toll-free call-in number for applicants and prospective applicants will be provided by VCTC. The Contractor must identify for VCTC the inbound phone line at least 10 business days in advance of the transition date. The Contractor shall provide voice telephone services for certification inquiries and return of call from Contractor staff to applicants, their guardians, and/or health care providers, including sufficient telephone lines to result in callers being routed to voice mail no more than ten (10%) of all attempted phone calls at peak times. The phone system shall include a monitoring system for tracking average pick up time and number of calls routed to voice mail, with this information provided to the VCTC Project Manager on a monthly basis.

Contractor is responsible for the installation and maintenance of sufficient telephone lines and equipment to support the Contractor's administrative requirements so that the toll-free (or local area codes) applicant telephone lines are not utilized for administrative purposes. Contractor shall provide voice telephone services for certification inquiries and return of calls from Contractor staff to applicants, their guardians, and/or health care providers, including sufficient telephone lines to avoid hold times that exceed five minutes on the phones. Busy signals are not acceptable as they can be interpreted as discouraging certification and therefore, a capacity constraint. Contractor shall provide VCTC with a way to independently monitor the overall performance of the system. The method of monitoring shall be suggested by the Contractor and be subject to approval by VCTC prior to implementation of the phone system.

Contractor shall provide a plain paper facsimile (FAX) machine installed on a dedicated telephone line. This FAX machine will be installed and operational in the Contractor's office

facility no later than (one) week prior to initiation of services under this Agreement. This equipment shall be maintained throughout the term of the contract. VCTC requires prompt repair or replacement in the event of equipment failure.

Eligible Applicant Profiles

The incumbent contractor utilizes an electronic database for applicant and certification records. The Contractor selected under the new Contract shall provide an electronic database for applicant and certification records, which shall accommodate the electronic database records transmitted by the prior Contractor. The Contractor shall provide for secure electronic access to the complete certification files by the VCTC Project Manager.

Currently, the majority of complementary paratransit operators utilize Trapeze/TripSpark or EcoLane to manage their ADA client database and dispatch rides. The incumbent contractor transmits certification information to these operators by e-mailing pdf-format rider profiles to them. There is currently a desire on the part of VCTC and the transit operators to improve the protocol for communication of certification information to the operators. Therefore, Proposals are to include priced options for protocols for remote electronic communication of certification and rider profile data with the paratransit operators directly to and from their scheduling software service. Should this option be exercised, the Contractor shall obtain necessary software licenses and the required hardware to transmit/enter eligibility profiles into the subject software, and an/all new rider profiles must be recorded using this process in addition to internal records and databases required under this agreement.

Applicant profile reports will include the following information:

- 1) Applicant name;
- 2) New application or recertification;
- 3) Applicant ID number;
- 4) Applicant's home address, mailing address (if different than home address), phone number(s) and email address;
- 5) Applicant's emergency contact with phone number(s);
- 6) Date completed application received;
- 7) Date applicant interviewed and assessed;
- 8) Type of assessment;
- 9) Eligibility determination with conditional information if applicable;
- 10) Date of eligibility expiration;
- 11) Mobility device used, if any;
- 12) Size of wheelchair or scooter, if any, including dimensions and weight with applicant;
- 13) Personal care attendant, if applicable;
- 14) Special customer needs or comments for the driver, if any;
- 15) Disability code.

Emergency Policies and Procedures

All applicants referred to the Contractor are likely to have some degree of physical, cognitive and/or mental disability. Contractor policies and procedures shall be in place to respond to any emergencies (e.g. cardiopulmonary resuscitation, seizure management, etc.) that may arise.

VCTC will not be responsible for any costs associated with implementation of such policies and procedures above those included in the contracted service price.

Task 3 Deliverables

- 3-A. Transition plan
- 3-B. First level evaluation protocol
- 3-C. Certification interview script/worksheet
- 3-D. Functional Assessment protocol
- 3-E. Recertification procedure
- 3-F. Database protocol for providing certification data to paratransit operators
- 3-I. Entering of past currently-active rider profiles into the contractor's database

4. ONGOING ADA ELIGIBILITY CERTIFICATION PROCESS

The Contractor shall be responsible for performing both stages of the eligibility evaluation process as necessary to determine the eligibility of each client for complementary ADA paratransit service; notifying the client of the determination within 21 calendar days of completed application; and, in the event of eligibility, providing to the client the ADA ID. An applicant shall be certified as eligible if, and only if, a person's functional ability prevents the use or navigation of fixed-route services. Detailed descriptions of the Contractor's responsibilities are listed below. However, proposers with alternative methods of accomplishing the certification process are welcome to submit proposals. All forms and types of evaluation methods will be reviewed.

The Contractor shall administer the certification process so as to ensure that all applications are processed regardless of the volume. In coordination with VCTC staff the Contractor shall adjust its staff level as necessary based on changes in application volume over time, to ensure that all applications are accommodated as required by ADA.

Customer and ADA Application Telephone Support

The Contractor shall provide staff available to answer phone inquiries during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday excluding VCTC holidays. The Contractor is expected to staff sufficiently to avoid callers experiencing excessive hold times. The Contractor shall record the name of the caller and is expected to discuss with the caller the purpose for which the applicant will use ADA complementary paratransit, to help the caller determine if an ADA certification is needed or helpful for the intended trips, given the availability of various paratransit services in Ventura County that are available to the general public or to seniors. Should an ADA certification not be needed for the intended trips, the caller should be encouraged, but not required, to forgo the ADA application and certification process.

Upon completing the discussion with the caller regarding the need for ADA certification, should the caller decide to proceed with ADA certification the Contractor shall mail or e-mail, as requested, an application and instructions to the applicant.

The Contractor is also expected to respond in a professional and helpful manner to other phone calls that come from the public regarding general information on the ADA Complementary Paratransit Service eligibility certification. These will include, but are not limited to:

- Requests to forward Ventura County ADA certification documents to out-of-area paratransit providers, or to forward an out-of-area ADA certification to Ventura County paratransit providers.
- Information regarding ADA paratransit service. These customers should be referred to the local service provider.

- Callers requesting more general transportation information. These customers shall be given the phone number of VCTC.

Website

The contractor shall provide on its own website an online application capability, in both English and Spanish, collecting the same information as contained in VCTC's application. The contractor shall process all applications received online in the same manner as applications received on paper. VCTC recognizes that there are various online application technologies, and proposals should include specifications for the system to be used, which VCTC will include in its evaluation, giving preference to more robust, state-of-the-art online application systems, with disability accessibility features.

Application Review

Upon initial receipt of an application, a computer record is opened for new applicants assigning a unique Identification Number. Recertification applications are recorded under their existing clients' IDs. Applications shall be date-stamped upon receipt. A review assuring all necessary information has been provided by the applicant shall be completed within three (3) days of initial receipt. If incomplete, Contractor shall contact the applicant and indicate which sections need to be completed or if any supporting documents are needed. The Contractor shall return to the applicant for completion of missing information within four (4) business days of initial application receipt.

Within 24-hours of application receipt, the Consultant shall notify the transit operators via email, so that ADA paratransit service is available on a presumptive basis during the application period.

Contractor shall evaluate the application to determine the need for a Professional Evaluation. It is generally expected that a Professional Evaluation will be required, except when there is a very clear eligibility or a valid reason why the applicant cannot obtain an evaluation. Evaluations can be performed by an appropriate licensed professional such as a therapist, social worker, nurse practitioner or physician. If a professional evaluation is needed, but was not provided in the initial application, the Contractor shall fax the PE to the person designated on the application and notify the applicant of the effort.

After the Contractor either faxes the Professional Evaluation, or requests confirmation of an evaluation submitted by the application, should there be no response within five (5) working days, the Contractor shall make two (2) attempts to contact the professional's office to follow up on the request to provide the completed evaluation. If it is not possible to contact the Professional's office, then the Contractor shall contact the applicant and so inform them. In the event that the Professional's office is contacted but there is still no response within five (5) business days of the contact with the Professional's office, then the Contractor shall contact the professional's office a second time and shall also contact the applicant or their designated agent and inform them of the status.

In-Person Interview

Contractor shall contact all applicants when a personal interview is necessary for additional information. Contractor shall maintain all records necessary to verify compliance with ADA requirements and to make timely eligibility determinations. Contractor shall suggest records to be maintained for this requirement. Contractor shall be responsible for scheduling interview with applicant, including scheduling ADA Paratransit transportation by the appropriate provider to and from the interview if needed by the applicant. Assessments shall be conducted at locations within the passenger's transit operations service area. Currently the five (5) locations are in Ventura, Thousand Oaks, Camarillo, Moorpark, and Simi Valley.

Interviews will be scheduled a minimum of three (3) days in advance unless an earlier appointment is specifically requested and/or accepted by the applicant. The Contractor shall provide sufficient certification staff to ensure that unless there are exceptional conditions an interview can be scheduled within twenty-one (21) calendar days of the call. Applicant may request an interview date after the 21-day deadline. (The Contractor shall offer an interview at the location closest to the applicant's residence. Should the applicant request an earlier date than is available at the closest location, the Contractor shall offer earlier alternatives, if available, at more distant locations.) Contractor will coordinate transportation, if required, working directly with the appropriate ADA service providers. Contractor shall be responsible for notifying applicants of their transportation windows when coordinating ADA service to the interview.

In-person interviews may on a case-by-case basis involve standard functional, visual, and cognitive tests. The applicant will be asked a series of questions relevant to determining the person's disability or ability to use fixed-route service, including, but not limited to:

- Assessment of standing balance, both static and dynamic;
- Ability to navigate independently;
- Ability to tell time
- Ability to communicate with others independently
- Recognize landmarks
- Remember directions to a location
- Ability to read a bus schedule; and
- Function without danger to self or others.

Contractor shall prepare a written summary containing sufficient information to support the recommended determination for each interview.

The following is a summary of the recent geographic distribution of applications, based on residence relative to transit service area:

Gold Coast Transit = 34.2%
Simi Valley Transit = 25.3%
Thousand Oaks Transit = 20.3%
Camarillo Area Transit = 9.9%
Valley Express = 4.6%
Moorpark Bus = 4.3%

It is anticipated that due to a restructuring of the Valley Express service, introducing fixed route service, and limiting dial-a-ride eligibility, that there will be an increase in eligibility determinations from this area (Santa Paula, Fillmore, and Piru) especially in the short term.

In-Person Functional Assessment Protocol

For in-person assessments, the Contractor may propose its own testing protocols for assessing the functional abilities of persons with disabilities. A Functional Assessment will be performed only after a thorough in-person interview is performed and proper documentation acquired. Functional Assessments should only be performed when needed to further verify information to make a determination of eligibility, and approximately 25% of the in-person assessments. Under VCTC's current procedure, the Functional Assessment is limited to a cognitive assessment performed within the interview office, and the Contractor is required as condition of this contract to have a cognitive assessment procedure to use if required to determine eligibility based on cognitive disability. However, as part of the new contract VCTC would like to have available the capability to use a full Functional Assessment process. VCTC therefore asks that all proposals include a discussion of how the proposer could perform full Functional Assessments, given the constraints that will require use of the different certification interview locations and the lack of indoor space at these locations which will require some of the evaluation to occur outdoors in varying weather.

The Contractor shall propose what situations or conditions, if any, may warrant an alternative eligibility process. For example, individuals who are legally blind or whose application is based on seizures or psychiatric disabilities may undergo a different application process. Approval by transit operators will be necessary in order to implement a simplified process for certain applicants.

The In-Person Functional Assessment should assess the applicant's functional and cognitive abilities to perform the various skills necessary to take a trip on public transit independently, possibly including but not limited to:

- cross a two-lane street in a predetermined amount of time;
- negotiate a curb or curb cut;
- negotiate three steps, if ambulatory;
- maneuver into a space measuring the size of a wheelchair lift platform (30in. x 48in.), when using a mobility device;
- maneuver a wheelchair independently;

These functional evaluations shall be performed outdoors as part of the interview near the interview location. At some locations, the evaluation location might be a transit operations facility where a bus and other equipment would be available for use in the functional evaluation.

Emergency Certification

VCTC's allows for temporary approval within three days for an eligible disability condition that developed suddenly, without requiring completion of the official VCTC application. In such situations the Contractor will consider and process a temporary certification based solely on a note from a professional such as a doctor.

Determination

Contractor shall prepare a written summary of evaluations used for all eligibility determinations completed. Contractor shall notify all applicants via a letter sent by regular mail, of their eligibility determination. VCTC shall provide letter head. ADA cards shall be included with the letter if the applicant was deemed eligible. Production of ADA certification ID cards is the responsibility of the contractor. Contractor shall transmit client certification information to the appropriate paratransit operator. Contractor shall notify VCTC of all determinations. Individuals who are determined to be ineligible or conditionally eligible shall receive in a clear written format an explanation of the determination, supporting documentation and information on their right to appeal. The information shall include how to proceed with an appeal.

Contractor shall have eighteen (18) calendar days to notify applicants upon completion of the application process. The date of in-person assessment or receipt of the completed renewal application will commence this 18-calendar day deadline.

VCTC's program considers the following Conditional Certifications: fatigue following treatment; distance to transit; transfer required; rain; and temperature. VCTC also provides temporary certifications for conditions expected to resolve in less than three years. With the exception of temporary certifications, certifications normally expire after three years, but permanent certifications are issued for conditions unlikely to ever improve.

VCTC would entertain, as part of a proposal, recommendations to increase the maximum certification to five years, with supporting information.

Renewals

The Contractor will notify all ADA clients at least 120 calendar days prior to their certification expiration date. Clients seeking re-certification will need to complete a re-certification application. In-person evaluations are not conducted for renewals except in circumstances where the eligibility for renewal cannot be determined without personally interfacing with the applicant due to insufficient information in the written submittal.

In the case of permanent certifications, the Contractor will notify the clients at least 120 calendar days prior to the three-year anniversary of their certification or most recent update but will not request completion of an application. Instead the Contractor will only work with the client to update their contact information.

Customer Comments and Formal Appeals

All applicants and other individuals contacting the Contractor wishing to make a comment on the ADA eligibility certification process or file a formal appeal to a certification denial or partial eligibility determination, shall be referred to VCTC staff.

According to VCTC's appeals process, there are two levels of appeal:

First Level: Review by the VCTC manager of this contract, who shall have the right as the responsible agency staff person of revising the Contractor's determination decision.

Second Level: Formal hearing conducted by a Hearing Board

Non-Performance of Workscope

Continued nonperformance of the Contractor and/or serious violation of service standards may result in assessment of penalties up to and including termination of contract.

Changes to the Certification Process

During the term of this Contract, including any extensions thereof, VCTC may choose to implement changes to the ADA paratransit certification processes described herein for the benefit of VCTC, the responsible transit operators, and the ADA program. In such event, VCTC shall provide the Contractor with a description of the changes to be implemented, including any modification of the Contractor's requirements and responsibilities related to such change and the timing thereof.

Task 4 Deliverables

- 4-A. Maintaining of certification tracking records
- 4-B. Transmittal of eligibility determination records
- 4-C. Mailing of eligibility determination notification letters and identification cards

5. CONTRACT TRANSITION

Contractor must cooperatively participate in the transition of this service to a new Contractor if necessary. No less than ninety (90) days prior to a new Contractor starting, participation is necessary in (1) meetings; and (2) transfer of records. Contractor shall participate in the smooth transition of certification services to a new contractor, in such a manner, and to ensure the transition results in minimal disruption to the processing and completion of certification determinations.

During the transition phase, VCTC staff will conduct several meetings with the incumbent and new contractors to discuss specific certification procedures, administration, records and the time frame in which the transition must occur. As requested by VCTC, incumbent Contractor must make pertinent records accessible to both VCTC and the new contractor within three (3) days of VCTC's request.

D. CONTRACT TERM

The Contract shall be for a period from July 1, 2020 to June 30, 2023. There shall be one (1) optional two-year extension, to June 30, 2025.

E. PRICE

This contract shall be a firm fixed price contract, with payment based on the number of months of contract performance. The Contractor shall propose a not-to-exceed price for the base contract period and two (2) one-year extensions, based on the scope of work described herein and assuming a volume of 1,400—1,550 eligibility determinations (inclusive of new applicants and renewals) per year being required. The base contract period not-to-exceed amount shall be further broken down into the following periods: July 1, 2020 – June 30, 2023; July 1, 2023 – June 30, 2024; and July 1, 2024 – June 30, 2025. The Contractor's proposal shall provide a table showing for each time period the amount by which the fee shall be reduced should there

be fewer than 1,400 determinations per year, and the amount the fee shall be increased should there be 1,551-1,650 determinations per year, and should there be 1,651-1,750 determinations per year, and 1,751 – 1,850 determinations per year. Increases or reductions beyond these ranges will be subject to contract price renegotiation. The price shall be inclusive of all associated costs including administrative printing, office lease and all other Contractor costs such as staff time, postage, and telephone expenses.

F. CONTRACTOR SELECTION SCHEDULE

December 16, 2019:	Issue RFP
January 7, 2020:	Pre-Proposal Conference at VCTC office at 10:00 a.m. 950 County Square Drive #108, Ventura 93003
January 9, 2020	Deadline for Submittal of Questions
February 3, 2020:	Proposals due by 4:00 at VCTC office 950 County Square Drive #207, Ventura, CA 93003
Week of February 17:	VCTC interviews proposers; review/ranking of proposals
March 6, 2020:	VCTC Board approval of contract with selected proposer
May 1, 2020:	Contractor submit recommended policies and protocols
July 1, 2020:	New certification operations start

G. SUBMISSION OF QUESTIONS

Any questions or clarifications regarding this RFP can be asked at the Pre-Proposal Conference, or can be submitted in writing to Martin Erickson, Transit Director, at merickson@goventura.org no later than January 9, 2020.

H. CONTRACTOR SELECTION PROCESS

Seven (7) paper copies and one (1) electronic copy of the proposal shall be submitted by 4:00 p.m. February 3, 2020, to:

Ventura County Transportation Commission
Attention: Vera Vega
950 County Square Drive, #207
Ventura, CA 93003

Proposals will be reviewed by a selection committee of VCTC, local transit, and possibly social service agency staffs. Interviews will be arranged with some or all proposers at the VCTC office in Ventura during the week of February 17 – 21, 2020. The evaluation of the selection committee shall be advisory in that VCTC is not bound to award the contract based on the committee's recommendation.

The proposals will be ranked in accordance with the criteria described in the Proposal Evaluation section of this RFP.

I. PROPOSAL INFORMATION AND CONTENT

The proposal (excluding title page, resumes transmittal letter, forms, and certifications) shall not exceed a total of 45 single-sided 8.5".11" pages. Resumes shall be included in an appendix.

Proposals should be organized as follows:

1. Title Page – Indicate RFP subject, name of Proposer's firm, local address, telephone number, name of contact person, and date of proposal.
2. Transmittal Letter – Briefly state the proposer's understanding of the work to be done and make a positive commitment to perform the work within the specified time period. Provide the names and titles of individuals authorized to make representations for the proposer. The letter should state that proposals are valid for a 90-day period.
3. Table of Contents – Include a clear identification of the material in the RFP by section and page number.
4. Project Understanding – Clearly convey that the Contractor understands the nature of the work, and issues related to conducting a Countywide ADA Certification program on behalf of several operators in Ventura County.
5. Qualifications of Firm – Provide a brief statement of similar projects performed. Provide a list of references for which similar work has been performed.
6. Qualifications of Staff - Provide a summary of the qualifications of the individuals who will be assigned to this contract, emphasizing how the qualifications apply to this work scope. It is expected that the contractor or contracting team interviewing and assessing applicants have at least one year working with people with physical and cognitive disabilities and evaluating their functional abilities. It is preferred, but not required, that the person conducting the interviews and assessments have experience in rehabilitation, nursing or are emergency medical technicians. Please emphasize the specific qualifications and experience from projects similar to this project for the key team members. Key team members are expected to be committed for the duration of the project. Project staff resumes should be provided as an appendix to the RFP.
7. Staffing Plan – The proposal shall provide a staffing plan (by month) and an estimate of the total hours (detailed by position) required for preparation of the project. Discuss the workload, both current and anticipated, for all Program Staff, and their capacity to perform the requested services for the ADA Eligibility Certification Services according to your proposed schedule. Discuss the firm's/team's approach for completing the requested services for this project within budget.
8. Approach to Work – Describe in detail how the proposer will address the Scope of Work of this RFP, with particular emphasis in discussing the following issue of interest to VCTC and the responsible transit operators: Based on experience using your proposed approach, discuss what VCTC can expect regarding rates of determination for unconditional or conditional eligibility and denials, and why. Explain why the proposed method is best for Ventura County. Provide details on the certification database system to be used, along with the proposed online application software. Also provide details on the accessibility features for the online application capability.
9. Cost Control – Provide information on how the firm/team will control project costs to ensure all work is completed within the negotiated budget for the project. Include the name and title of the individual responsible for cost control.
10. References – For each key team member, provide at least three references (names and current phone numbers) from recent work (previous three years). In addition, please provide a list of all current contracts. Include a brief description of each project associated with the reference, and the role of the respective team members.

11. Budget – Indicate the number of anticipated hours by the Project Manager and key team members per year. The estimated level of hours for other staff can be summarized in general categories. Provide a cost-savings analysis that includes potential cost-savings as a result of the proposed ADA eligibility process. Provide a cost structure and price estimate as described in the “Price” section of this RFP.
12. Price Proposal – Include a fixed price proposal with a not-to-exceed price by year for the three base contract years and two optional one-year extensions. The price shall be based on completion of each month of the contract term. The price proposal shall include the information stipulated in the Section E “Price” section above.
13. Cost Structure – Provide a detailed cost breakdown, including estimated staff time by function, hourly rates, travel time and expenses, and materials cost.

The forms and certifications provided in the appendices are a part of this RFP. The completed and signed forms and certifications shall be included as appendices to the proposal.

J. PROPOSAL EVALUATION

Proposals will be evaluated using the following criteria and weighting:

Experience of Firm with Similar Projects	20%
Qualifications of Proposed Staff	25%
Understanding of Work & Proposed Approach	20%
Firm and Project Manager Demonstrated Familiarity With Applicable Federal Requirements	10%
Cost	25%

To be considered responsive to the RFP, proposals must document the availability of staff to address the work scope. During the course of the contract, should staff become unavailable, VCTC will have grounds for a letter to cure.

VCTC staff shall provide the final scoring, taking into account the scoring of the evaluation committee, both in terms of the total of the committee member scores and the number of committee members giving their top scores to each candidate.

APPENDICES: REQUIRED FORMS AND CONTRACT REQUIREMENTS

- A: VCTC ADA Certification Application (English version)
- B: VCTC ADA Recertification Application (English version)
- C: Proposal Cost Form
- D. Proposer Reference Form, Part I & II
- E. Workers Compensation Insurance Certificate
- F. List of Subcontractors (if applicable)
- G. VCTC Insurance Requirements
- H. Contract Protest Procedures



Ventura County
Transportation
Commission

Application for ADA Eligibility Program

Application for ADA Eligibility Certification Program

☐ New Applicant

☐ Recertification

If recertification, please include current ADA ID#

--

Applicant Full Name		
---------------------	--	--

Residence Address		Apt/Unit #
-------------------	--	------------

City	State	Zip Code
------	-------	----------

Mailing Address (if different)		Apt/Unit#
--------------------------------	--	-----------

City	State	Zip Code
------	-------	----------

Home Telephone		
----------------	--	--

Alternate Phone		
-----------------	--	--

Date of Birth	Language Pref.	Gender
---------------	----------------	--------

Email	Medi-Cal #
-------	------------

Emergency Contact Info

Full Name		Relationship
-----------	--	--------------

Address	Phone	Alt. Phone
---------	-------	------------

If this application has been completed by someone other than the applicant, please complete the following

First/Last Name

Agency	Phone Number
--------	--------------

*This person is not able to access information about this application unless also listed as a legal conservator

Please note: If and when you qualify for ADA certification, it is not a guarantee that origin to destination services will be available in your service area. Please check with your local paratransit operator to ensure which areas are covered. At the discretion of the paratransit company, limitations may also apply where the paratransit vehicle is unable to safely navigate to/from a specific location.

The following terms may be used during the application process and are defined as follows

Personal Care Attendant (PCA) – *The Americans with Disabilities Act (ADA) defines a personal care attendant (PCA) as someone designated or employed specifically to help a person with his or her personal needs. If you have a family member, friend or neighbor who helps you or if someone has been hired to help you with certain activities, they would qualify as a personal care attendant (PCA).*

Public Bus – *A bus that runs along a fixed route with a specific schedule of stops.*

Paratransit (Dial-a-Ride) – *A transportation service which operates in response to calls from passengers to the local transit operator. Vehicles pick-up passengers and transport them to their destinations. The vehicles do not operate over a fixed route or on a specific schedule.*

1. Do you have a disability that prevents you from using a public bus?

☐ Yes ☐ No

If yes, please explain.

2. Please review the list below and indicate which (if any) conditions apply to you.

- | | |
|---|--|
| <input type="checkbox"/> Difficulty breathing | <input type="checkbox"/> Mental health |
| <input type="checkbox"/> Nerve condition | <input type="checkbox"/> Intellectual |
| <input type="checkbox"/> Seizure disorder | <input type="checkbox"/> Developmental |
| <input type="checkbox"/> Heart condition | <input type="checkbox"/> Mobility |

Vision	Hearing
<input type="checkbox"/> Low <input type="checkbox"/> Blind <input type="checkbox"/> Require guidance to get on the bus <input type="checkbox"/> Other (please explain)	<input type="checkbox"/> Hard of hearing <input type="checkbox"/> Deaf <input type="checkbox"/> Other (please explain)

3. When did the above condition(s) begin?

☐ 0-1 year ago ☐ 1-5 years ago ☐ Longer than 5 years ago

4. Is your disability considered...

☐ Temporary ☐ Stable ☐ Progressive

5. Does your disability change after medical treatments or medications?

☐ Yes ☐ No ☐ Sometimes
 If yes or sometimes, please explain.

6. Do you use any of the following Mobility Devices/Assistive Technology?

☐ Yes ☐ No

If yes, please check all that apply

<input type="checkbox"/> Support cane	<input type="checkbox"/> Scooter
<input type="checkbox"/> White cane	<input type="checkbox"/> Crutches
<input type="checkbox"/> Collapsible walker (with or w/o seat)	<input type="checkbox"/> Leg braces
<input type="checkbox"/> Walker with seat	<input type="checkbox"/> Charcot boot
<input type="checkbox"/> Manual wheelchair	<input type="checkbox"/> Portable oxygen device
<input type="checkbox"/> Reclining wheelchair	<input type="checkbox"/> Hearing aid (s)
<input type="checkbox"/> Power chair	

7. Do you use a communication device?

☐ Yes ☐ No
 If yes, what type of device do you use?

8. Do you have a service animal?

☐ Yes ☐ No
 If yes, what type of animal do you have?

How does your service animal help you?

Please note: If you need help in completing Questions 9 and 10 below, please call us at 888.667.7001 and we will help you.

9. If you use a wheelchair or scooter, do you know about how much you and your wheelchair/scooter weigh together?

☐ Yes ☐ No

If yes, please indicate below

☐ Under 300 lbs ☐ 300-600lbs ☐ Over 600 lbs

10. Do you know the approximate dimensions of your wheelchair?

☐ Yes ☐ No

If yes, please provide the dimensions (in inches).

Width _____ Depth _____ Height _____

11. Do you need the help of another person to leave your residence (down a driveway, over a threshold, down a flight of stairs)?

☐ Yes ☐ No ☐ Sometimes

If sometimes, please explain.

12. Do you need the help of another person to travel out in the community?

☐ Yes ☐ No ☐ Sometimes

If sometimes, please explain.

13. Please tell us which of the following you are able to do (please check all that apply).

- ☐ Go up and down 3 or 4 stairs
- ☐ Go up and down a hill
- ☐ Go up and down a curb
- ☐ Go across pavement that has raised bumps on it
- ☐ Cross a two lane street before the signal turns red
- ☐ Travel by yourself in the evening or early morning with limited light
- ☐ Travel to the nearest public bus stop in weather that is very hot
- ☐ Travel to the nearest public bus stop in weather that is very cold
- ☐ Stand at a public bus stop if there is no seating
- ☐ Wait at a public bus stop if there is no shade
- ☐ Go up or down a ramp
- ☐ Get on and off a public bus if it has a lift

Continued on next page

- ☐ Grasp handles or railings when getting on and off of a public bus
- ☐ Keep your balance while seated on a moving vehicle
- ☐ Recognize street signs
- ☐ Read letters and numbers on street signs and buses
- ☐ Follow written instructions
- ☐ Follow oral instructions
- ☐ Read lips (if deaf)
- ☐ Handle coins or paper money
- ☐ Count change
- ☐ Tell time

The following questions are to help us understand if you are able to use the public bus system safely and independently. Whether or not you have used public transit recently or in the past will not prevent you from being eligible to apply for ADA paratransit services.

14. Do you know who your local transit company is?

- ☐ Yes ☐ No

If yes, please list.

15. Have you ever used the public bus, trolley, or trains?

- ☐ Yes ☐ No

If yes, how long ago and how frequently did (do) you use these types of transportation?

16. How close is the nearest public bus stop to your home?

- ☐ Less than 2 blocks ☐ More than 4 blocks
☐ 2-4 blocks ☐ I don't know

17. Are you able to travel to the nearest public bus stop independently?

- ☐ Yes ☐ No ☐ Sometimes

If no or sometimes, please explain.

18. Please tell us about any barriers that prevent you from using the public bus or train. Please check all that apply.

- ☐ I can't walk/travel that far
- ☐ There are no sidewalks
- ☐ The sidewalk is broken
- ☐ There are hills
- ☐ There are no crosswalks
- ☐ There are no sidewalk ramps
- ☐ There are streets I cannot cross quickly enough
- ☐ There are no signals at the streets I need to cross
- ☐ There is no seating/bench at the closest public bus stop
- ☐ I don't know, I have never tried to walk/travel to the public bus stop

19. Are there any other reasons that are keeping you from reaching/using the public bus stop?

20. From where the public bus stop lets you off are you able to reach where you are going?

- ☐ Yes ☐ No ☐ Sometimes

If no or sometimes, what keeps you from being able to do this on your own?

21. How long are you able to wait at a public bus stop? Please check all that apply:

- ☐ More than 10 minutes ☐ 10 minutes if I can sit down
☐ 10 minutes if there is shade ☐ 5 minutes if I can sit down
☐ 5 minutes if there is shade ☐ Not at all

22. Are you able to complete transfers on the public bus (using more than one bus to get to where you are going)?

- ☐ Yes ☐ No

If yes, how many transfers can you complete?

23. Please list below two of your most frequent destinations, how often you go and how you currently get there.

A. Location Name

Location Address

How Often?

☐ Daily ☐ Weekly ☐ Monthly ☐ Other

How do you currently get there?

☐ Drive ☐ Bus ☐ Train ☐ Dial-A-Ride ☐ Other (please specify)

B. Location Name

Location Address

How Often?

☐ Daily ☐ Weekly ☐ Monthly ☐ Other

How do you currently get there?

☐ Drive ☐ Bus ☐ Train ☐ Dial-A-Ride ☐ Other (please specify)

24. Have you ever had any type of training to use the public bus, trolley, or train?

☐ Yes ☐ No ☐ Sometimes

If yes, how long ago was this training? What did you learn?

25. Would you be interested in additional training?

☐ Yes ☐ No ☐ Maybe later

26. Would you be interested in learning about other cost effective transportation options that may be available in your community?

☐ Yes ☐ No

27. Please add any additional comments or information that you believe will help us determine your eligibility for ADA services.

Authorization for Release of Health Information

I hereby certify that the information given here is complete and correct to the best of my knowledge. I understand that I may be required to attend an in-person interview and assessment before a determination of eligibility is made. I understand that if I am not found to be eligible for ADA paratransit service that I may appeal the determination within 60 days after receipt of written determination, and that I will be advised of the procedures of such an appeal. In addition, I hereby authorize the person listed below to release to the Ventura County Transportation Commission information about my disability in order to verify my eligibility for ADA paratransit service. The information released will be used to assist in determining eligibility for ADA paratransit services, and given to agencies to provide appropriate transportation access and accommodation.

First and Last Name of Health Professional Verifying Your Health Information

Occupation/Specialty

Organization Name

Health Professional Phone Number (Required)

Health Professional Fax Number (Required)

Applicant's Signature

Date

Conservator/Guardian* Signature

Date

Printed name of Conservator/Guardian*

*Note: A conservator/guardian is a person who is legally authorized to sign medical documents for the applicant and to receive information about the ADA application. An applicant does not have to designate a conservator/guardian. If no conservator/guardian is noted, no one besides the applicant will be able to obtain information regarding the application.

Please return the completed application via mail, email, fax or walk-in to:

Ventura County Transportation Commission

C/O Mobility Management Partners (MMP)

ATTN: ADA Certification Coordinator

330 Wood Road, Suite A, Camarillo, CA 93010

Email: info@mobilitymp.org Fax: 1-888-667-7002

Once your application has been received by MMP, you may be eligible for paratransit services in your city until your determination is completed. For further information, please contact your local paratransit operator directly.



Ventura County Transportation Commission

ADA Eligibility Re-Certification Application

ADA ID # _____ Date: _____

Full Name _____

Street address (including apartment # if applicable): _____

City, State, and zip code _____

Mailing address, including zip code (if different than Street address):

Main Telephone#: _____ Alternate phone #: _____

Date of Birth: _____ Email: _____

EMERGENCY CONTACT INFORMATION:

First/Last Name _____ Relationship _____

Address: _____

Phone: _____ Alternate phone: _____

Conservator Name: _____

CHANGES/UPDATES TO:

Disability/Health Related Conditions: _____

Mobility Device: _____ PCA: Yes _____ No _____

Applicant Signature: _____ Date: _____

You may return completed application via mail, email, or fax or by visiting our office:

Mobility Management Partners
330 Wood Road, Suite A, Camarillo, CA. 93010
Phone: 1-888-667-7001 Fax: 888-667-7002 or info@mobilitymp.org

APPENDIX C

PROPOSAL COST FORM

TO: VENTURA COUNTY TRANSPORTATION COMMISSION

DATE:

In response to the Request for Proposals for _____, the proposer submits the costs by fiscal year for the project as detailed on the following page(s), including monthly price based on volume of determinations, and contract not-to-exceed price.

If awarded the Contract, the undersigned hereby agrees to all the terms and conditions contained in this RFP.

PROPOSER: _____

CONTACT: _____

TITLE: _____

ADDRESS: _____

TELEPHONE: _____ FAX: _____

E-MAIL: _____@_____

SIGNATURE: _____

TITLE: _____

APPENDIX C

PROPOSER REFERENCE FORM

Part I

NAME _____

Proposer is a: (circle one)

Corporation ☐ Partnership ☐ Association ☐ Sole proprietorship

Proposer's Address and Telephone Number;

Name, Title, and Telephone Number of Proposers' Authorized Representative:

Proposer's Credit References: (Include names, addresses, and telephone numbers of at least three references, one of which must be the organization's bank)

1.

2.

3.

APPENDIX D

PROPOSER REFERENCE FORM

Part II

Client List for ADA Certification Services or other Similar Transit-Related Work:

Client Name: _____

Client Address: _____

Contact Person: _____

Telephone Number: _____

Period of Service _____

Client Name: _____

Client Address: _____

Contact Person: _____

Telephone Number: _____

Period of Service _____

Client Name: _____

Client Address: _____

Contact Person: _____

Telephone Number: _____

Period of Service _____

APPENDIX E

WORKER'S COMPENSATION INSURANCE CERTIFICATE

As required by Section 1860 of the California Labor Code (Chapter 1000, Statutes of 1965), the Contractor shall secure the payment of Workmen's Compensation to its employees in accordance with the provisions of Section 3700 of the California Labor Code and shall furnish VCTC with a certificate evidencing such coverage together with verification thereof as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for Workmen's Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract."

SIGNED: _____
(Contractor)

DATE: _____

APPENDIX F

LIST OF SUBCONTRACTORS (FILE IF APPLICABLE)

Name of Subcontractor

Address/Phone

Items of Work

APPENDIX G

VCTC CONTRACTOR INSURANCE REQUIREMENTS

Before beginning any work under this RFP, Contractor, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Contractor and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Contractor shall provide proof satisfactory to VCTC of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to beginning work to VCTC. Contractor shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Contractor's Proposal. Contractor shall not allow any subcontractor to commence work on any subcontract until Contractor has obtained all insurance required herein for the subcontractor(s). Contractor shall maintain all required insurance listed herein for the duration of this Agreement.

1. **Workers' Compensation.** Contractor shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Contractor. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than **\$1,000,000** per accident. In the alternative, Contractor may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the discretion of the Contract Administrator, as defined in Section 10.9. The insurer, if insurance is provided, or the Contractor, if a program of self-insurance is provided, shall waive all rights of subrogation against VCTC and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement.

2. **Commercial General and Automobile Liability Insurance.**

2.1 **Commercial General Liability (CGL).** Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than **\$1,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.

2.2 **Automobile Liability.** Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than **\$1,000,000** per accident for bodily injury and property damage.

2.2 **Minimum scope of coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 or GL 0002 (most recent editions) covering comprehensive General Liability Insurance and Services Office form number GL 0404 covering Broad Form Comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition). No endorsement shall be attached limiting the coverage.

2.3 **Additional requirements.** Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

- a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.
- b. Any failure of Contractor to comply with reporting provisions of the policy shall not affect coverage provided to VCTC and its officers, employees, agents, and volunteers.

3. Professional Liability Insurance.

3.1 General requirements. Contractor, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than **\$2,000,000** covering the licensed professionals' errors and omissions. Any deductible or self-insured retention shall not exceed one hundred fifty thousand dollars (\$150,000) per claim.

3.2 Claims-made limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

- a. The retroactive date of the policy must be shown and must be before the date of the Agreement.
- b. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the Agreement or the work, so long as commercially available at reasonable rates.
- c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Contractor shall purchase an extended period coverage for a minimum of five (5) years after completion of work under this Agreement or the work. VCTC shall have the right to exercise, at the Contractor's sole cost and expense, any extended reporting provisions of the policy, if the Contractor cancels or does not renew the coverage.
- d. A copy of the claim reporting requirements must be submitted to VCTC for review prior to the commencement of any work under this Agreement.

3.3 Additional Requirements. A certified endorsement to include contractual liability shall be included in the policy

4. All Policies Requirements.

4.1 Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

4.2 Verification of coverage. Prior to beginning any work under this Agreement, Contractor shall furnish VCTC with complete copies of all policies delivered to Contractor by the insurer, including complete copies of all endorsements attached to those policies. All copies of policies and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf. If VCTC does not receive the required insurance documents prior to the Contractor beginning work, this shall not waive the Contractor's obligation to provide them. VCTC reserves the right to require complete copies of all required insurance policies at any time.

4.3 Notice of Reduction in or Cancellation of Coverage. A certified endorsement shall be attached to all insurance obtained pursuant to this Agreement stating that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to VCTC. In the event that any coverage required by this section is reduced, limited, cancelled, or materially affected in any other manner, Contractor shall provide written notice to VCTC at Contractor's earliest possible opportunity and in no case later than ten (10) working days after Contractor is notified of the change in coverage.

4.4 Additional insured; primary insurance. VCTC and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Contractor, including VCTC's general supervision of Contractor; products and completed operations of Contractor, as applicable; premises owned, occupied, or used by Contractor; and automobiles owned, leased, or used by the Contractor in the course of providing services pursuant to this Agreement. The coverage shall contain no special limitations on the scope of protection afforded to VCTC or its officers, employees, agents, or volunteers.

A certified endorsement must be attached to all policies stating that coverage is primary insurance with respect to VCTC and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by VCTC shall be called upon to contribute to a loss under the coverage.

4.5 Deductibles and Self-Insured Retentions. Contractor shall disclose to and obtain the approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement. Further, if the Contractor's insurance policy includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

During the period covered by this Agreement, only upon the prior express written authorization of Contract Administrator, Contractor may increase such deductibles or self-insured retentions with respect to VCTC, its officers, employees, agents, and volunteers. The Contract Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Contractor procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

4.6 Subcontractors. Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

4.7 Wasting Policy. No insurance policy required by Section 4 shall include a "wasting" policy limit.

4.8 Variation. VCTC may approve a variation in the foregoing insurance requirements, upon a determination that the coverage, scope, limits, and forms of such insurance are either not commercially available, or that VCTC's interests are otherwise fully protected.

5. Remedies. In addition to any other remedies VCTC may have if Contractor fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, VCTC may, at its sole option exercise any of the following remedies, which are alternatives to other remedies VCTC may have and are not the exclusive remedy for Contractor's breach:

Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

Order Contractor to stop work under this Agreement or withhold any payment that becomes due to Contractor hereunder, or both stop work and withhold any payment, until Contractor demonstrates compliance with the requirements hereof; and/or terminate this Agreement.

APPENDIX H

RESOLUTION 91-05

A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION ADOPTING CONTRACT PROTEST PROCEDURES

SECTION I:

THE VENTURA COUNTY TRANSPORTATION COMMISSION DOES HEREBY DETERMINE AND FIND AS FOLLOWS:

- A. The Ventura County Transportation Commission (hereinafter, "VCTC") does from time to time solicit bids from contractors for work and/or proposals for professional services; and
- B. There is a potential that an Interested Party (as defined in Section II.A, below), may at some time wish to protest the determinations hereinafter set forth as protestable; and
- C. It is in the interest of the health, safety and general welfare of the residents of Ventura County and potential Interested Parties that the Commission establish procedures for protests to contracts awarded by, and bids or proposals on contracts received by VCTC, as hereinafter set forth:

SECTION II.

NOW, THEREFORE, THE VENTURA COUNTY TRANSPORTATION COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

A. GENERAL.

- 1. This policy specifies procedures for Interested Parties (as hereinafter defined) protesting the following staff actions:
 - (a) A written notice, by, or on behalf of, the Executive Director denying a bidder's or proposer's request for a change in contract requirement; and
 - (b) A written recommendation to Ventura County Transportation Commission ("VCTC") or a decision made by, or on behalf of, the Executive Director to disqualify a proposer, bidder or subcontractor; and
 - (c) A written recommendation by, or on behalf of, the Executive Director that VCTC award a contract to a particular bidder or proposer.
- 2. This policy does not govern any VCTC staff decision not listed in this Section II.A.
- 3. When a protest has been properly filed, pursuant to the procedures hereinafter set forth, prior to contract award, the VCTC shall not award the contract prior to deciding the protest. When a protest has been properly filed before the opening of bids, bids shall not be opened prior to the VCTC decision on the protest. When a protest has been filed properly after the contract is awarded, the contract shall not be executed until the protest is resolved by the VCTC.
- 4. Materials submitted as a part of the protest resolution process will be available to the public except to the extent that:

- (a) The information is designated proprietary by the person submitting the information to VCTC. If the person submitting material to VCTC considers that the material contains proprietary material which should be withheld, a statement advising of this fact shall be affixed to the front page of the material submitted and the alleged proprietary information must be specifically identified in the body of the materials wherever it appears.

B. FILING A PROTEST

1. Protests may be filed only by "Interested Parties". "Interested Parties" are defined as (a) bidders who have responded, and prospective bidders who may respond, to a request for bids, (b) prospective professional services contractors who may respond, and professional service contractors who have responded, to a request for proposals on a VCTC contract and/or a generally funded contract, and (c) subcontractors or suppliers at any tier who have a substantial economic interest in an award, a provision of the specifications, or a bid or proposal submitted to VCTC by a prime contractor, or in the interpretation of the provisions of such documents.
2. Protests to a contract requirement must be filed at least ten (10) working days prior to bid opening or the deadline for receiving proposals. Protests to VCTC staff actions must be filed within five (5) working days of receipt by the bidder or proposer from the Executive Director, or a person authorized to act on behalf of the Executive Director, or written notice of the VCTC staff action.
3. Protests shall be addressed to Ventura County Transportation Commission, 950 County Square Drive, Suite 207, Ventura, California, 93003, or such other address as may appear on the request for proposal for bid solicitation.
4. Protests shall be in writing and contain a statement of the ground(s) for protest. At least ten (10) copies of the protest shall be submitted by the protestor in the time and manner specified in this section.
5. The Executive Director, or an authorized person acting on behalf of the Executive Director, shall provide notice, by telephone, telephone facsimile (FAX) or by letter, to all bidders and/or persons who have submitted proposals on the contract which is subject to the protest known to VCTC. Such notice shall state that a protest has been filed with VCTC and identify the name of the protestor. The notice shall be given not more than five (5) working days after receipt of a properly filed protest. The notice shall state that bidders will receive further information relative to the protest only by submitting a written request for further information to the Executive Director.

C. VCTC PRELIMINARY RESPONSE TO A PROTEST: MEETING WITH STAFF TO ATTEMPT EARLY RESOLUTION OF THE PROTEST

1. Not more than ten (10) working days after receipt of a properly filed protest, the Executive Director, or a person authorized to act on his or her behalf, shall prepare and distribute to the protestor and to all persons specified in Section B.5, above:
 - (a) A written preliminary response to the protest. This response shall include a brief explanation of the reasons why the protested VCTC staff action is justified; and
 - (b) The time, date and place of the meeting described in Section C.2, below.
2. The Executive Director and/or appropriate VCTC staff shall meet with the protestor to discuss and attempt to resolve the protest within thirty (30) days of the response required by section C.1(a) above

3. After the meeting required by Section C.2, above the protestor shall within five (5) working days give the Executive Director written notice that either the protest is withdrawn or, alternately, that the protestor requests further consideration of the protest. In the event that the protestor fails to file the notice required by this Section C.3 at the office of the Executive Director within five (5) working days after the meeting, the protest shall be deemed withdrawn.

D. FURTHER INVESTIGATION

1. If a protest is not withdrawn pursuant to Section C.3, above, the Executive Director shall, within thirty (30) days of receipt of the notice from the protestor described in Section C.3, above, further investigate the protest with the assistance of the VCTC staff.
2. The Executive Director may contract for third-party consulting services when necessary to investigate a protest. The Executive Director may negotiate with the protestor and other interested parties the sharing of the cost of such consulting services.
3. As part of the investigation, the Executive Director shall establish a reasonable time within which VCTC, the protestor, and other interested parties shall exchange all documents and arguments relevant to the protest; provided, however, that such time shall not exceed thirty (30) days without the concurrence of the protestor and the Executive Director.

E. INTENDED DECISION: COMMENTS BY PROTESTOR AND OTHER PARTIES

1. Following investigation, the Executive Director shall, within thirty (30) days, prepare and distribute to the protestor and all persons specified in Section B.5:
 - (a) An intended decision recommending actions which the Executive Director believes the VCTC should take to resolve the protest and specifying the reasons for the recommended action of the VCTC.
 - (b) A statement of the date within which the protestor and other persons must submit written comments with respect to the intended decision. Such date shall allow a reasonable period for rebuttal and shall vary according to the complexity of the particular protest;
 - (c) Given written notice to all Interested Parties of the time, date and place of the VCTC meeting at which the protest will be considered.
2. The following materials shall be included in the agenda package sent to VCTC members prior to the VCTC meeting and shall be available to any person at the VCTC office at least five (5) working days before the hearing:
 - (a) The intended decision described in Section E.1(a), above.
 - (b) All written comments received within the submittal period described in Section E.1(b), above.
 - (c) If the Executive Director has revised his/her intended decision since its distribution pursuant to Section E.2(a), above, a written description of the new intended decision and the reasons for revision.

F. VCTC CONSIDERATION

1. At the hearing, VCTC staff and any person may present evidence relating to the protest. At the beginning of the hearing, the Chair of the VCTC may announce time limits on testimony and other procedural rules which, in the opinion of the Chair, are reasonable necessary to preclude

repetitious or irrelevant testimony and afford all persons wishing to testify the opportunity to be heard.

2. In rendering its decision on the protest:

- (a) VCTC may adopted or amend the intended decision and findings of fact prepared by the Executive Director and Staff; or
- (b) Make findings and adopt a decision different from the findings and intended decision of the Executive Director; or
- (c) Elect to defer its decision and direct VCTC staff to:
 - (i) Further investigate the protest; or
 - (ii) Hire an impartial hearing officer to conduct a hearing and prepare a written recommended decision, including findings of fact, to be returned to VCTC for decision which shall be made pursuant to the procedures outlined in this Section F.