

# REQUEST FOR PROPOSALS

## Professional Accounting Services

SRTA Solicitation Number: S-00042

|                            |                                                        |
|----------------------------|--------------------------------------------------------|
| <b>Issued:</b>             | December 22, 2025                                      |
| <b>Contract Capacity:</b>  | Estimated budget of \$190,000 (includes options)       |
| <b>Performance Period:</b> | Base contract of three years with two one-year options |
| <b>Payment Method:</b>     | Cost Reimbursement - Completion                        |
| <b>Submissions Due:</b>    | 3:00 p.m. PST on <b>Monday, January 12, 2026</b>       |
| <b>Contact Person:</b>     | Jessica Carlson, Chief Fiscal Officer                  |

Interested applicants must [subscribe](#) to SRTA's bid posting webpage to receive notices when information and possible RFP addenda become available.

**Shasta Regional Transportation Agency**  
**1255 East Street, Suite 202**  
**Redding, CA 96001**  
**(530) 262-6190**



## Table of Contents

|                                                                            |                  |
|----------------------------------------------------------------------------|------------------|
| <b><i>Procurement Summary .....</i></b>                                    | <b><i>3</i></b>  |
| <b><i>About the Shasta Regional Transportation Agency (SRTA) .....</i></b> | <b><i>4</i></b>  |
| 2025 SRTA Board of Directors .....                                         | 4                |
| <b><i>Project Background .....</i></b>                                     | <b><i>4</i></b>  |
| <b><i>About Your Proposal .....</i></b>                                    | <b><i>5</i></b>  |
| Project Scope of Work .....                                                | 5                |
| Project Schedule/Timeline .....                                            | 7                |
| Proposal Contents .....                                                    | 7                |
| Addenda and Questions About This RFP .....                                 | 9                |
| Procurement Schedule .....                                                 | 9                |
| Proposal Submittal .....                                                   | 9                |
| Proposal Evaluation .....                                                  | 10               |
| Contract Amount and Award .....                                            | 10               |
| Options .....                                                              | 11               |
| <b><i>Additional Information and Terms .....</i></b>                       | <b><i>11</i></b> |
| <b><i>Appendix .....</i></b>                                               | <b><i>13</i></b> |
| <b><i>PROTEST PROCEDURES FOR PROCUREMENTS .....</i></b>                    | <b><i>13</i></b> |

## Procurement Summary

SRTA seeks proposals from qualified consultants to provide various professional accounting services necessary to draft the annual comprehensive financial report (ACFR). These services support the ongoing work of the agency's Chief Fiscal Officer (CFO) including, but not limited to, closing and adjusting journal entries, bank reconciliation, and reviewing the balance sheet and income statements for accuracy. As a regional government agency, experience working with common federal and state transportation funding programs is highly desired. Examples of programs include those administered by the Federal Highway Administration (FHWA) and Federal Transportation Agency (FTA) departments, and state programs such as the Transportation Development Act (TDA).

This request for proposals (RFP) describes the requested scope of services, the minimum information that must be included in the proposal, and the consultant selection process.

This project is funded by both state and federal grant funds. The estimated contract award budget is \$190,000. The ACFR is expected to be completed three weeks prior to the approving SRTA Board of Directors meeting each year based on each agreed upon annual work scope schedule.

**Contract work on Fiscal Year (FY) 2024/25 closing entries and ACFR shall begin immediately after the contract is executed by all parties, which is anticipated in January 2026.**

## About the Shasta Regional Transportation Agency (SRTA)

### 2025 SRTA Board of Directors

| <b>Board Member</b>        | <b>Affiliation</b>         |
|----------------------------|----------------------------|
| Greg Watkins, Chair        | City of Shasta Lake        |
| Mike Gallagher, Vice Chair | City of Anderson           |
| Tenessa Audette            | City of Redding            |
| Kevin Crye                 | Shasta County, District 1  |
| Chris Kelstrom             | Shasta County, District 5  |
| Matt Plummer               | Shasta County, District 4  |
| Erin Resner                | Redding Area Bus Authority |

Shasta Regional Transportation Agency (SRTA) is the designated Metropolitan Planning Organization (MPO) for the Shasta County region. Member agencies are the cities of Anderson, Redding, and Shasta Lake; the county of Shasta; and the Redding Area Bus Authority (RABA). Information regarding SRTA, regional plans and programs, and this procurement are available online at [www.srta.ca.gov](http://www.srta.ca.gov).

SRTA was established by state and federal law in 1972. Legislation over recent years has shifted significantly to direct more funding and planning responsibilities from state departments of transportation to regional agencies such as SRTA. SRTA is 100% funded by state and federal sources for three basic functions: transportation capital, transit operations, and planning/administration. SRTA distributes over \$24 million in funds annually. Core functions of SRTA include development of long-range transportation plans and policies; pursuit of state and federal transportation grants; local agency funding support and coordination; oversight of public transit funding; and approval of short-range capital improvement programs for all modes of transportation. Overarching principles that guide all SRTA activities are to: maximize state and federal transportation dollars to the region; support local agencies and other partners through funding and other resource assistance; provide a regional policy framework for efficient, coordinated use of limited transportation resources; and support collaboration, transparency, and public involvement in transportation decision-making processes.

## Project Background

SRTA is seeking a qualified Certified Public Accountant to assist the Chief Fiscal Officer (CFO) with the preparation of year-end financial documents and reports to maintain compliance with the various grant programs administered by SRTA. Most significantly, the Transportation Development Act (TDA) requires an independent annual fiscal and compliance audit and SRTA staff needs assistance in completing the required financial reports with accuracy and efficiency, resulting in minimal audit findings.

## About Your Proposal

### Project Scope of Work

The consultant shall review monthly bank reconciliations as prepared by SRTA on all bank accounts for the year-end for completeness and accuracy. The consultant will also review the general ledger, trial balance, and profit and loss reports to evaluate compliance with GASB and other generally accepted accounting principles. The consultant may suggest adjusting journal entries for SRTA to complete to bring the statements into compliance. The consultant shall prepare an annual comprehensive financial report (ACFR) to comply with the requirements set forth in SRTA's grants. For the base contract three-year period, the consultant shall compile ACFRs for each Fiscal Year ending June 30, 2025; June 30, 2026; and June 30, 2027. The consultant may also be requested to prepare ACFRs for fiscal years ending June 30, 2028; and June 30, 2029, if SRTA elects to exercise extending the contract annually for two additional years (Please see the Options section of this RFP for more details).

The consultant's work shall include the following activities:

**The consultant is NOT to perform the independent fiscal and compliance audit, nor any other required audit, for SRTA. Those activities are to be completed under a separate auditor contract. The consultant will prepare an ACFR that complies with the following list of policies and standards so as to minimize the possibility of SRTA receiving a finding in any audit completed for that fiscal year.**

The following financial consulting services and review of financial reports will be provided to the Chief Fiscal Officer (CFO) and Executive Director annually; however, the Consultant may identify and complete tasks throughout the fiscal year to mitigate workloads at year-end.

### FINANCIAL STATEMENTS AND ANNUAL COMPREHENSIVE REPORT

The ACFR should include, but not be limited to the following:

- A management discussion and analysis
- A financial section including:
  - Government-wide financial statements
  - Fund financial statements
    - Balance Sheet
    - Reconciliation of fund balance to the agency's net position
    - Statement of Revenues, Expenditures, and Changes in Fund Balance
    - Reconciliation of statement of revenues, expenditures, and changes to the agency's activities
    - Statement of Net Position
    - Statement of Revenues, Expenses, and Changes in Net Position
    - Statement of Cash Flows
    - Notes to financial statements
- Required and other supplementary Information and schedules, including:
  - Budgetary Comparison Schedules
  - Schedule of the Proportionate Share of net Pension Liability and Related Ratios
  - Schedule of the Contributions
  - Schedules required with other post-employment benefits plan

- o A statement of allocations and disbursements (Local Transportation and State Transit Assistance Funds)
- o Schedule of Cost Allocation Plan Reconciliation and Indirect Cost Allocation Carryover
- Schedule of Expenditures of Federal Awards
- Notes to the Schedule of Expenditures of Federal Awards
- Schedule of Findings and Questioned Costs – federal programs and Transportation Development Act

## TRANSPORTATION DEVELOPMENT ACT (TDA) COMPLIANCE

In preparation for an independent financial audit, the individual or firm should evaluate SRTA's compliance or non-compliance with the TDA by performing review tasks in accordance with TDA statutes. The firm will work with the CFO to attempt remediation of any compliance concerns prior to the annual independent fiscal and compliance audit.

## ACCOUNTING STANDARDS

Work provided by the CPA shall be in accordance with:

- Government Accounting Standards Board (GASB)
- The Single Audit Act of 1984 (as amended)
- The U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*
- The U.S. Office of Management and Budget Circular A-133, *Compliance Supplement*
- California Government Code
- California Code of Regulations
- Public Utilities Code
- The Transportation Development Act
- SRTA policies and procedures

## DELIVERABLES

- Review monthly bank reconciliations as prepared by SRTA on all bank accounts for the year-end for completeness and accuracy.
- Review general ledger, trial balance, and profit and loss reports to evaluate compliance with GASB and other generally accepted accounting principles.
- Suggest adjusting journal entries for SRTA to complete to bring the statements into compliance.
- Complete the Annual Comprehensive Financial Report (ACFR) three weeks prior to the approving board meeting.
- Collate prepared and typed financial statements.
- Assist SRTA independent auditors and provide all supporting financial documentation, as needed.
- Provide all necessary documents in accessible formats (e.g., .xlsx, .doc/x, and PDF/A) to SRTA.
- Attend weekly meetings as necessary with SRTA staff as the work is being completed. Meetings may also include approximately two Fiscal and Policy Committee meetings and one SRTA Board of Directors meeting.
- Retain workpapers for no less than seven years from the date of the ACFR.

## **Project Schedule/Timeline**

Each ACFR must be completed three weeks ahead of the approving SRTA Board of Directors meeting based on each agreed upon annual work scope schedule.

## Proposal Contents

Written proposals submitted in response to this RFP shall not exceed 35 pages (excluding attachments). At a minimum, the following information should be included and clearly labeled as follows:

### Introduction

- A transmittal letter should be included, signed by an officer who may contractually bind the firm or joint venture. The signature of the authorized representative attests that the information contained in the proposal is truthful, accurate, and complete at the time of submittal. The letter should include how the respondent heard of the procurement.
- The introduction should include a description of the firm containing the firm's name, address, legal form of the company (e.g., partnership, corporation, joint venture, etc.), North American Industry Classification System (NAICS) code, Tax Identification Number (TIN), annual gross receipts (may be a range), and the number of years the firm has been in business.

### Proposal and Work Plan

- Statement of understanding of the scope of work that illustrates the consultant's familiarity with government standards of accounting, and a discussion of a technical approach and management approach.
- Work plan and schedule to complete the project scope of work identifying milestones and deliverables.

### Project Team

- An organizational chart showing the firm's approach towards the staffing and management of the project shall be provided. Titles, roles, and the number of staff required to fill those roles should be shown on the chart. The proposed relationships between staff should be shown as well.
- A staffing plan identifying the approximate number, expertise, and experience level of staff by role and responsibility based on anticipated work.

### Resumes

- List of the personnel on the project team, including a summary of their qualifications and work experience (resumes may be included as an attachment). Resumes should include confirmation of persons' active appropriate professional and/or state licenses to perform activities, including expiration date. This includes any sub-consultants proposed for use.

### Team Experience

- This segment should highlight or expand upon project experience. Elaborate on the proposed team's previous work as a team with other key staff and proposers listed.
- Describe staffing capability, workload, and record of meeting schedules on similar projects. Also describe ability to adapt to unexpected work. Finally, describe the feasibility of oversight, ability, and willingness to respond to SRTA requirements for this procurement.

### Example Projects

- A representative list of similar projects completed within the last five years including:
  - o Contracting firm

- o Contracting firm project manager
  - o Contracting firm contact information
  - o Contract amount
  - o Date of contract
  - o Date of completion
  - o Consultant project manager and contact information
  - o Project description
- In particular, identify any governmental, public authority, public agency, and/or other quasi-governmental entities in California for which you serve, or have served as CPA.
  - Describe the role and experience of key personnel assigned to other similar accounts who will be assigned to this account.

### **Additional Information**

- Proposer shall be proficient in the use of Intuit QuickBooks software. SRTA is currently using the desktop version (edition 24.0), and will provide access to an Accountant's Copy of the company file for the awarded firm to complete the required work.
- Proposer shall explain its approach and strategy for successfully completing similar projects, with all the necessary approvals within the shortest possible time frame. The project approach should be sufficient in detail to demonstrate the proposer's understanding of the project, its unique challenges, and the processes and procedures that must be followed. The proposer should identify the most critical steps in the successful completion of similar projects.
- Proposer should describe its tools, procedures, and techniques used to keep projects within budget and schedule.
- Proposer should provide a summary of experience achieving approval, clearance, and permitting according to local, state, and federal regulatory requirements.
- Proposer should explain whether the work will be performed remotely, on-site at SRTA's office in Redding, CA, or a combination thereof.
- Proposer should explain why their team should be selected and include any other information they feel is relevant.

### **Cost Proposal**

- The proposal shall be a firm offer for a minimum of 90 days and contain a statement to that effect. The proposal shall contain a statement that all activities performed within the proposed scope of work will be performed at a not-to-exceed price.
- Cost proposal worksheet, including: fee schedule on a time (by personnel) and materials basis; cost by task; and total cost to complete the project. The cost proposal shall be fully inclusive of all services, overhead, and direct expenses.

### **Addenda and Questions About This RFP**

Interested applicants must subscribe to SRTA's bid posting webpage at <http://www.srta.ca.gov/bids.aspx> so that they are notified of any addenda to the RFP or responses to questions received. All questions regarding this RFP will be responded to collectively and made available for all interested applicants via the bid posting webpage on SRTA's website.

Questions may be submitted via email to [srta@srta.ca.gov](mailto:srta@srta.ca.gov) until 3:00 p.m. PST on Wednesday, December 31. All responses to questions will be posted on the [SRTA website](#) no later than January 9, 2026.

## Procurement Schedule

The anticipated procurement schedule is shown below in Table 1. Firm deadlines are shown in bold text.

Table 1 – Procurement Schedule

| Tasks                                                                                                                                     | Deadline                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <b>Release RFP</b>                                                                                                                        | <b>December 22, 2025</b>                                       |
| Interested Vendor Questions Due                                                                                                           | <b>3:00 p.m. PST, December 31, 2025</b>                        |
| SRTA Response to Vendor Questions                                                                                                         | <b>No later than January 9, 2026</b>                           |
| Vendor proposals Due                                                                                                                      | <b>3:00 p.m. PST, January 12, 2026 (no postmarks accepted)</b> |
| Evaluation and Ranking of proposals                                                                                                       | January 12 – 19, 2026                                          |
| Interviews (if necessary)                                                                                                                 | January 12 – 19, 2026                                          |
| Consultant-SRTA contract negotiation, including budget and scope of work, SRTA legal counsel review of Technical Services Agreement (TSA) | January 12 – 19, 2026                                          |
| SRTA Executive Director's Approval                                                                                                        | January 19, 2026                                               |
| Anticipated Contract Start                                                                                                                | <b>January 19, 2026</b>                                        |

## Proposal Submittal

Please submit statements of qualifications via email, USPS, or delivery to:

**Shasta Regional Transportation Agency**  
**Attn: Jessica Carlson, CFO**  
**1255 East Street, Suite 202**  
**Redding, CA 96001**  
**[srta@srta.ca.gov](mailto:srta@srta.ca.gov)**

**Proposal submittals must be received at the SRTA office before 3:00 p.m. PST on January 12, 2026.** No proposals will be accepted after this time. **Postmarks are not acceptable.** Proposal receipt will be acknowledged by email.

The cost of preparing and submitting a proposal, pre-contract meetings, and participating in an interview—if held—are at the sole expense of the proposer. SRTA reserves the right to reject any or all proposals, and to waive any informality, technical defect, or clerical error in any proposal at SRTA's discretion. Solicitation of proposals in no way obligates SRTA to contract with any firm or individual. The decision to approve and award a contract is at the discretion of SRTA.

**Qualified firms are encouraged to review and respond to SRTA's separate request for proposals for Fiscal and Compliance Auditing Services for the same fiscal years. All proposals are due by January 21, 2026.**

## Proposal Evaluation

A panel will be formed to evaluate the proposals via consensus scoring and make a recommendation to the executive director for approval. The proposal evaluation will be based on the scoring criteria presented in Table 2.

Table 2 – RFP Scoring Criteria

| Criteria                                                                                                    | Maximum Possible Points |
|-------------------------------------------------------------------------------------------------------------|-------------------------|
| Thoroughness of proposal at addressing the project's scope of work and the project's overarching objectives | 35                      |
| Qualifications and similar experience of the consulting firm and project team, including sub-consultants.   | 35                      |
| Value of proposal                                                                                           | 15                      |
| Organization, Completeness, and Quality of Proposal                                                         | 15                      |
| <b>Total</b>                                                                                                | <b>100</b>              |

In circumstances where a recommendation cannot be made based on the proposals alone, the highest ranked consultants may be invited to an interview where they may give a brief presentation of no more than 15 minutes followed by up to 15 minutes of Q&A. SRTA will evaluate the interview using the criteria presented below in Table 3, and the interview score will then be added to the proposal score above to determine the final ranking. The evaluation panel will then make a recommendation based upon the final cumulative ranking in, which will go to the executive director for approval.

Table 3 – Interview Scoring Criteria (if conducted)

| Criteria                                                   | Maximum Possible Points |
|------------------------------------------------------------|-------------------------|
| Quality of consultant's presentation (content and visuals) | 20                      |
| Quality of responses to interview questions                | 20                      |
| Qualifications and experience of the consultant team       | 10                      |
| <b>Total</b>                                               | <b>50</b>               |

## Contract Amount and Award

The anticipated start date is January 19, 2026, with an initial contract expiration of June 30, 2028. Consultant selection will be based on a combination of funding availability and the value of the services to be provided. The total amount estimated for this effort is \$110,000 for the base contract period of three years, and an additional \$39,000 for Fiscal Year-End (FYE) 2028 and \$41,000 for FYE 2029 if the options are exercised.

The agreement is not in force until approved by the executive director and a fully executed Technical Services Agreement is returned to the Consultant.

## Options

SRTA intends to contract for an **initial term of three years** but reserves the **option to extend the contract annually for up to an additional two years** beyond the initial three-year period, provided there is no change to the maximum contracted compensation. Such extensions would not be automatic and would be entered into writing by both parties before becoming effective.

## Additional Information and Terms

### Standard Consulting Agreement

SRTA's standard Technical Services Agreement (TSA) will be used for the agreement between SRTA and the selected consultant. SRTA's TSA template is provided by separate attachment to the RFP distribution.

### Protest Procedure

All protests will follow the SRTA protest procedures for procurements as delineated in the appendix.

### Debriefing

SRTA will provide an informal debriefing to interested consultants not selected for this contract upon request once a final contract has been negotiated and executed.

### Public Records Act

All proposals submitted in response to the RFP will become the exclusive property of SRTA. At such time as a contract is executed, all bids and proposals related to that contract become a matter of public record and will be regarded as public records and subject to the Public Records Act (Gov. Code Section 6254 et. seq.).

If consultant feels that any information in their proposal is "proprietary" in nature, then consultant must provide a second proposal (clearly labeled) with that information removed, which would be shared in the event of any Public Records Act request. Otherwise, their submitted proposal will be provided in the event of a Public Records Act request and consultant, by submitting a proposal to this RFP, waives any claims against and hold SRTA harmless for the release of their proposal.

In the event of litigation concerning the disclosure of any records, SRTA's sole involvement will be as a stakeholder, retaining the records until otherwise ordered by a court. The proposer, at its sole expense and risk, shall be fully responsible for any, and all, fees for prosecuting or defending any action concerning the records and shall indemnify and hold SRTA harmless from all costs and expenses, including attorney's fees, in connection with, any such action.

### Modification or Withdrawal of Proposal

Any proposal received prior to the deadline may be withdrawn or modified either personally, through e-mail, or by written request of the consultant. To be considered, the modification must be received in writing (email acceptable) prior to the deadline. Proposals may be withdrawn following the proposal deadline for good cause; please consult with the RFP contact person to discuss this.

### RFP Addendum or Addenda

Any changes to the RFP will be made by written addenda issued by SRTA and shall be considered part of the RFP. The RFP deadline may be extended depending upon the nature of the changes issued. Upon

issuance, such addenda shall be incorporated into the agreement documents, and shall prevail over inconsistent provisions of earlier issued documentation. Any addenda will be posted online only. It will be the consultant's responsibility to assure that all addenda are incorporated into the proposal as required according to all the terms and conditions for submittal of the proposal. In no event will SRTA modify the RFP with less than five (5) days remaining to the deadline, without extending the RFP deadline.

### **Verbal Agreement or Conversation**

No prior, current, or post-award verbal conversations or agreement(s) with any officer, agent, or employee of SRTA shall affect or modify any terms or obligations of this RFP, or any contract resulting from this procurement.

### **Special Funding Considerations**

Any contract resulting from this RFP will be financed with funds available to SRTA. The contract for this service is contingent upon the provision of these funds to SRTA. In the event these funds are reduced or eliminated, SRTA reserves the right to terminate or revise any contract.

### **Equal Employment Opportunity/Affirmative Action**

In awarding a contract to a consultant, SRTA includes language within the contract which requires the consultant to certify their compliance with federal regulations.

#### **I. PROTESTS**

The following procedures shall be used by Shasta Regional Transportation Agency (SRTA) to fairly and promptly respond to any protests received regarding third-party contracts or the contracting process. SRTA will consider all protests or objections regarding the contracting process or the award of an Agreement received by SRTA by 4 p.m. on the deadlines discussed below. SRTA will review only protests submitted by an actual or prospective Proposer. Protests by prospective subcontractors will be rejected. A protest by any adversely affected Proposer must be made in writing and must be mailed or hand delivered to SRTA. A protest which does not strictly comply with the SRTA protest procedures will be rejected.

##### **A. Protests Before Bid/Proposal Opening**

Protests relating to the content of the solicitation (i.e., RFP, IFB, RFQ), must be filed within five (5) business days after the date the solicitation or addendum with the revised content is released to the public by SRTA. Failure to file a protest concerning the content of the solicitation or addendum prior to this deadline constitutes a waiver of any protest on these grounds.

##### **B. Protests Related to Determination of Responsiveness**

In the event SRTA makes a determination that Proposer has not met the goal or good faith effort requirements set forth in this RFP, SRTA will send the Proposer a Notice of Non-Responsiveness. Protests relating to any Notice of Non-Responsiveness must be filed within five (5) business days after the date of such notice. Failure to file a protest concerning the non-responsiveness determination prior to this deadline constitutes a waiver of any protest on these grounds and SRTA shall not be obligated to send Proposer any further notices.

##### **C. Protests After Bid/Proposal Due Date**

After Proposers are shortlisted and/or selected for negotiations, notices will be sent to all relevant Proposers. Protests relating to failure to make the shortlist must be filed within five (5) business days following protester's receipt of a notice regarding the shortlisting. Protests relating to the intent to make an award must be filed within five (5) business days following protester's receipt of the notice regarding the intent to negotiate. The date of filing shall be the date SRTA receives the protest. Untimely protests will be rejected. If deemed necessary, SRTA shall notify all Proposers of record that a protest has been filed and the award has been postponed until further notice. If necessary, Proposers will be asked to extend the time for acceptance of their proposal in order to avoid the need for readvertisement of the solicitation.

#### **D. Protest Contents**

A letter of protest must set forth detailed grounds for the protest and be fully supported with technical data, documentary evidence, names of witnesses, and other pertinent information related to the subject being protested. The protest also must state the law, rule, regulation, or policy upon which the protest is based. Protests concerning the relative weight of the evaluation criteria or the formula used in assigning points to make an award determination will be rejected. The protester must allege or establish a clear violation of a specific law, rule, regulation, or policy. If the protester considers that the protest contains proprietary material that should be withheld, a statement advising of this fact must be affixed to the front page of the protest document, and alleged proprietary information shall be so identified wherever it appears. Protests shall be mailed to:

The Protest Administrator

Reference: SRTA Contract Solicitation No.

#### **E. Role Of The Protest Administrator**

If a protest raises solely a question of law, the Executive Director shall retain the services of SRTA Legal Counsel to serve as the Protest Committee. SRTA Legal Counsel will prepare a recommendation regarding the protest, in writing, to the SRTA Executive Director within ten (10) business days.

The Protest Administrator shall review each protest to determine if it is in compliance with the deadline, format, content, and notice requirements set forth in this Section. If a protest does not meet such requirements it may be rejected without further consideration. A written notice of such rejection shall be sent to the protester.

If the protest requires resolution of questions of fact, the Protest Administrator, his/her designee will appoint individuals to participate on a Protest Committee. The Protest Administrator will endeavor to appoint at least one of the Protest Committee members from an outside agency, and no one may sit on the Protest Committee that has a known and direct connection to the procurement that is the subject of the protest. The Protest Administrator also will appoint a chairperson for the Protest Committee. The Protest Administrator will gather the documents that the Protest Committee will need for its investigation and prepare a memo to the Protest Committee containing background information regarding the protest. Any communication regarding the protest between the protester and SRTA shall be through the Protest Administrator during the protest proceedings. Protesters may not contact anyone at SRTA other than the Protest Administrator.

#### **F. Protest Committee**

The Protest Committee shall ensure the protest was received within the timeline specified and review the protest to determine if it itemizes in appropriate detail each matter contested as well as any factual reason(s) for the requested protest. The Committee chairperson shall schedule the date of the Protest Committee meeting, contact the Committee panel members, and distribute all protest documentation.

#### **G. Reply To Protest**

The Protest Committee will review all qualifying protests in a timely manner and may hold an informal hearing if deemed necessary in order to complete its investigation. The Protest Committee will prepare a recommendation regarding the protest, in writing, to SRTA's Executive Director within ten (10) business days of the date of receipt of the protest. All materials included with the original protest at time of submittal will be considered. Supplemental materials filed by a protester after the protest deadline will not be considered unless there are extenuating circumstances in the opinion of the Protest Committee. Protest documents will not be withheld from any interested party outside of SRTA, with the exception that information will be withheld when required by law or regulation. The Executive Director or his/her designee will either sustain or reject the protest in writing based upon the recommendation of the Protest Committee and the best interests of SRTA. This decision will be communicated in writing to the protestor and/or the party whose proposal is the subject of the protest and delivered by email or overnight delivery.

#### **H. Results Of The Protest**

If the protest relating to a contract award is sustained, the original Notice of Intent to Award may be withdrawn after the deadline for protest reconsideration has passed. SRTA then may issue a new Notice of Intent to Award to a different bidder/Proposer and a new protest period will commence using the same timelines discussed above. If the protest is rejected, the original Notice of Intent to Award will stand and SRTA will continue with contract negotiations with the awardee.

#### **I. Federal Transit Administration Requirements Not Applicable in the absence of FTA Funding**

##### **1. FTA Review of Protests**

- a. In the case of contracts funded by the FTA, the FTA will review only protests regarding the alleged failure of SRTA to have written protest procedures or alleged failure to follow such procedures.
- b. Alleged violations on other grounds are under the jurisdiction of the appropriate state or local administrative or judicial authorities. Alleged violations of a specific federal requirement that provides an applicable complaint procedure shall be submitted and processed in accordance with that federal regulation. See Buy America Requirements, 49 C.F.R. 661.15; Participation by Minority Business Enterprise in DOT Programs, 49 C.F.R. 26.
- c. The FTA will review only protests submitted by an interested party defined as an actual or prospective bidder or Proposer whose direct economic interest would be affected by the award of the contract or by failure to award the contract in accordance with FTA Circular 4220.1F. A subcontractor does not qualify as an "interested party." (See FTA Circular 4220.1E, Chapter VII, Section I (1)(c))."

##### **2. Time for Filing**

- a. Protesters shall file a protest with the FTA not later than five (5) business days after a final decision is rendered under the SRTA protest procedure. A copy of any protest documents filed with the FTA must be provided concurrently to SRTA. In instances where the protester alleges that SRTA failed to make a final determination on the protest, protesters shall file a protest with the FTA not later than five (5) business days after the protester knew or should have known of the failure of SRTA to render a final determination on the protest. SRTA shall not award a contract for five (5) business days following its decision on a bid protest except in accordance with the provisions and limitations of subparagraph 6. After five (5) business days, SRTA shall confirm with the FTA that the FTA has not received a protest on the contract in question.

### 3. Submission of Protest to the FTA

- a. The protester must exhaust its administrative remedies by pursuing the recipient's protest procedures to completion before appealing the recipient's decision to the FTA. (FTA Circular 4220.1F, Page VII-3, November 1, 2008).
- b. Protests should be filed with the FTA Region 9 office and a copy must be sent to SRTA by the protester.
- c. The protest filed with the FTA shall:
  - Include name and address of protester
  - Identify SRTA as the grantee, the SRTA Contract Administrator, and number of the contract solicitation
  - Contain a statement of the grounds for protest and any supporting documentation. This should detail the alleged failure to follow protest procedures or the alleged failure to have procedures and be fully supported to the extent possible
  - Include a copy of the local protest filed with SRTA and a copy of the SRTA decision, if any

### 4. SRTA Response

- a. The FTA shall notify SRTA in a timely manner of receipt of a protest.
- b. SRTA shall submit the following information not later than ten (10) business days after receipt of notification by the FTA of the protest:
  - a copy of SRTA's protest procedure
  - a description of the process followed concerning the protester's protest
  - any supporting documentation

c. SRTA shall provide protester with a copy of the above submission.

5. Protester Comments

The protester must submit any comments on the SRTA submission not later than ten (10) business days after the protester's receipt of the SRTA submission.

6. *Withholding of Award*

When a protest has been timely filed with SRTA before award, SRTA shall not make an award prior to five (5) business days after the resolution of the protest, or if a protest has been filed with the FTA, during the pendency of that protest, unless SRTA determines that:

- a. The items to be procured are urgently required;
- b. Delivery or performance will be unduly delayed by failure to make the award promptly; or
- c. Failure to make prompt award will otherwise cause undue harm to SRTA or the federal government.

The FTA reserves the right not to participate in the funding of any contract awarded during the pendency of a protest.

7. FTA Action

Upon receipt of the submissions, the FTA will either request further information or a conference among the parties, or will render a decision on the protest.