



**REQUEST FOR PROPOSALS
NTD Audit Services**

Instructions to Proposers:

All spaces below and all offer documents as outlined herein are to be filled in with signatures where indicated. Failure to provide the information requested or sign where required may render your proposal invalid.

PROPOSAL OF:

Name of Proposer: _____

Address: _____

City, State and Zip Code: _____

SUBMIT PROPOSAL TO:

Atlanta-region Transit Link Authority
Gary Thomason, Issuing Officer
245 Peachtree Center Avenue, Suite 2200
Atlanta, GA 30303

Proposals Due and Open: June 25, 2020, 2:00PM EST

Schedule of Events

Release RFP	May 26.2020
Pre-Proposal Conference	June 2, 2020 10:00 AM EST
Deadline for Proposer Written Questions	June 5, 2020 2PM EST
Responses to Written Questions	June 9, 2020
Proposal Submission Deadline	June 25, 2020 2PM EST
Notice of Intent to Award	July 3, 2020
Notice of Contract Award	July 13, 2020



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PART 1 – SOLICITATION, OFFER AND AWARD

1. General Information

1.1 Purpose of Procurement

The ATL is seeking to retain the services of a firm or teams of firms to provide NTD Audit Services. The purpose of this solicitation is to request proposals to engage an independent auditor or statistician to review the NTD statistics submitted by SRTA's *Xpress* Regional Commuter System for the next two annual years with two 2-year renewal options. The scope of work is attached as Part 2 of this Request for Proposals (RFP) document.

The scope of work consists of furnishing all labor, machinery, tools, means of transportation, supplies, equipment, materials, safety equipment, services, and incidentals to provide the Scope of Services, attached as Part 2 of this RFP.

The services to be performed shall generally fall into the following National Institute of Government Purchasing (NIGP) commodity codes:

- 91804—Accounting/Auditing, Budget Consulting
- 94620—Auditing
- 94631—Certified Public Account (CPA) Services

All Proposers to this RFP are subject to the instructions communicated in this document, as may be amended, and are cautioned to review the entire RFP and carefully follow the instructions herein.

A complete copy of the RFP document can be accessed on the ATL website at:

<https://atltransit.ga.gov/procurement/>

Or at the Georgia Procurement Registry website at:

<https://ssl.doas.state.ga.us/gpr/>

1.2 Type and Term of Contract

The ATL shall enter into Fixed Price contract with the selected Contractor. The Contract to be awarded by the ATL shall be for a period of two years ("Initial Term") with up to two (2) renewal options of one (1) year each (Renewal Term). The renewal of the Contract shall be at the sole discretion of the ATL. All extensions or renewals shall be made in writing and executed by both parties.

1.3 Solicitation Schedule



The Schedule of Events set out herein represents the ATL's estimate of the schedule that will be followed. However, delays to the procurement process may occur which may necessitate adjustments to the proposed schedule. If a component of this schedule is delayed, the Schedule of Events may be shifted as appropriate and at the ATL's discretion. Any changes to the Schedule of Events up to the Proposal Submission Deadline will be posted to the ATL website at <https://atltransit.ga.gov/procurement/>, and the Georgia Procurement Registry website at <https://ssl.doas.state.ga.us/gpr/>. Interested firms are responsible for checking these sites for any updates or addendums. After the Proposal Submission Deadline, the ATL reserves the right to adjust the remainder of the proposed dates, including the dates for evaluation, award and the Contract term on an as needed basis with or without notice.

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1.4 Restrictions on Communications with the ATL and SRTA

From the date of issuance of this solicitation through the date of Contract award by ATL, except during the Pre-Proposal Conference, Proposers are not allowed to communicate for any reason with any ATL or SRTA staff or Board Members regarding this procurement. All Proposer communications concerning this solicitation must be directed to the Issuing Officer. Prohibited communication includes all contact or interaction regarding this solicitation, including, but not limited to, telephonic communications, emails, faxes, letters, texts, or personal meetings. Unauthorized contact regarding this solicitation may result in disqualification.

1.5 Contact Information

All inquiries, offers, submissions, and/or other correspondence regarding this solicitation (excluding protests submitted in accordance with Part 1, Section 2.9 below) must be directed in writing to:

Gary Thomason, Issuing Officer
Atlanta-region Transit Link Authority
245 Peachtree Center Avenue NE
Suite 2200
Atlanta, GA 30303
Email: gthomason@srta.ga.gov



1.6 Pre-Proposal Conference

All prospective Proposers are invited to attend the pre-proposal conference, which will be held on June 2, 2020 @ 10:00 AM EST. Due to the current Covid-19 situation, this Pre-proposal conference will be held virtually. While attendance is not mandatory, it is highly encouraged. Prospective Proposers should attend the virtual Pre-Proposal Conference by logging into WebEx at the following address:

<https://srta.webex.com/srta/j.php?MTID=m612830a012bfb02d03df9e7677505564>

Meeting Number (Access Code): 716 464 952

Meeting Password: 7dhZW7wa58

2. Solicitation Terms and Conditions/Instructions to Proposers

2.1 Deadline for Submission of Proposals/Late Proposals

Proposals submitted in response to ATL Solicitation No. 20-015 must be received by ATL no later than **2:00 p.m. (EST) on June 25, 2020** to ensure that they are evaluated for Contract award by the Evaluation Committee for this procurement. Proposals received after the submission deadline will not be evaluated.

2.2 Format of Proposals

Each Proposer shall submit two (2) copies of its technical proposal, inclusive of one (1) original and one (1) electronic copy on USB drive. The technical proposal shall consist of all offer documents and supporting documentation requested in the RFP ("Technical Proposal"), excepting Offer Document 8-Price Proposal. The Technical Proposal shall be submitted in a sealed envelope and clearly marked "Technical Proposal" with the Proposer name, ATL Solicitation Number and Proposal Submission Deadline on the exterior of the envelope. The "original" paper copy of the Technical Proposal must be unbound. The USB drive shall contain electronic file copies of all complete, signed Offer Documents that are submitted in paper copy format

Each Proposer shall also submit two (2) copies, inclusive of one (1) original and one (1) electronic copy in Excel format on USB drive, of Offer Document 8-Price Proposal in a separate sealed envelope clearly marked as "Price Proposal" with the Proposer name, ATL Solicitation Number and Proposal Submission Deadline on the exterior of the envelope. **Pricing must be submitted in a separate sealed envelope.**

Both the Technical Proposal and Price Proposal must be submitted to the Issuing Officer by the Proposal Submission Deadline in order for the Proposer's submission to be eligible for evaluation and consideration for Contract award. All paper copies must be clearly marked as being either "Original" or "Copy" as applicable. Electronic copies, submitted on a USB drive, must be submitted



in Portable Document Format (PDF), Microsoft Word, and/or Microsoft Excel formats, as appropriate, so that corresponding electronic files match the hardcopy submittals verbatim. In the event of a discrepancy between a hard copy and electronic versions, the Original hardcopy version will govern.

If a Proposer submits an affidavit referred to in Section 2.5 (Confidential/Proprietary Information), one (1) separate electronic copy in searchable PDF format on one or more USB flash drives of its proposal labeled "ATL Solicitation No. 20-015: [Proposer Name] [Copy of Non-Confidential Portion of Proposal]" that excludes any records attached to such affidavit with no single file to exceed 50MB.

All proposals must be prepared and submitted in accordance with the proposal format and content requirements specified in Part 1, Section 3 below. Proposals must be typed. The included required forms may be completed by using the free Adobe Reader software available at <http://get.adobe.com/reader/>. Proposals must be typed in English and all pricing must be provided in US dollars and exclude federal excise taxes as well as any applicable state of local sales and use taxes.

The ATL is exempt from Federal excise taxes; no payment will be made for any taxes levied on Proposer's employee's wages. The ATL is also exempt from State of Georgia and local sales and use taxes. The ATL shall furnish tax exemption certificates, upon request, to the successful Proposer.

As a condition of submission responsiveness, all offer documents that require the signature of Proposer must be signed. Any Contract award made as a result of this solicitation shall bind the Proposer to all of the terms, conditions, and specifications set forth in this RFP, unless as otherwise superseded or indicated in the Contract.

2.3 Location for Submission of Proposals/Methods of Delivery

Proposals must be submitted exclusively to the Issuing Officer at the address noted in Section 1.5. It is the sole responsibility of the Proposer to ensure that its proposal is successfully delivered to ATL by the specified date and time. ATL is not responsible for late or lost deliveries of proposals, for any reason.

Proposals that are submitted by hand delivery or delivery by U.S. Postal Service or private courier/delivery service must be delivered to the administrative office located at 245 Peachtree Center, Suite 2200, Atlanta, GA 30303. The ATL's physical address and mailing address are the same.

All envelopes, packages, and/or boxes (including all envelopes, packages, and/or boxes submitted within a larger envelope, package, or box) containing a proposal on USB drive must be clearly marked with the following identifier on the outside of the envelope, package or box:

**"Proposal in response to ATL Solicitation No. 20-015:
RFP for NTD Audit Services – June 16, 2020 2:00 p.m. (EST)
ATTN: Gary Thomason, Issuing Officer
To be opened by addressee only."**



Failure to clearly mark all envelopes, packages, and/or boxes as specified may result in the proposal being discovered and/or opened late. ATL is not responsible for proposals discovered and/or opened late due to Proposer's failure to mark the proposal as specified. Proposals received after the Proposal Submission Deadline, due to late delivery or late discovery due to Proposer's failure to mark the proposal as specified, may result in the ATL disqualifying the proposal from consideration for Contract award.

2.4 Questions

Questions regarding the RFP must be submitted in writing, defined as being received via electronic mail, **by 2:00 p.m. (EST) on June 5, 2020**. Written questions must be submitted to the attention of the Issuing Officer, in accordance with Section 1.5 above.

The final Contract that the ATL expects to award as a result of this RFP is attached hereto as Part 3 of this RFP. Therefore, all costs associated with complying with the requirements of the Contract shall be included in any pricing submitted by the Proposer.

Please review the Contract and submit any and all questions, clarifications and recommendations to the Issuing Officer by the deadline date and time specified in this RFP. All questions, clarifications, and recommendations must be submitted using **Attachment A-Questions and Answers Template**.

Should there be any changes made to the Contract as a result of requests received, the ATL shall post a Final Contract via formal addendum to the RFP. Absent the issuance of a formal addendum containing a Final Contract, Proposers should plan on the Contract terms and conditions as attached hereto as Part 3-Contract.

Answers to relevant, pertinent questions received by the applicable deadline will be posted to both the Georgia Procurement Registry website at http://ssl.doas.state.ga.us/PRSapp/PR_index.jsp and the ATL website at <https://atltransit.ga.gov/procurement/> as well as the SRTA website at <https://srta.ga.gov/procurement>. It is the sole responsibility of the Proposer to make itself aware of ATL's responses to written questions the Proposer has submitted. Responses to questions are provided as information only and do not in any way alter the contents of the solicitation inclusive of the Scope of Services, the remainder of the RFP documents, or the Contract. Revisions to the solicitation or to the Contract shall be made only via formally issued addenda. Only such written addenda posted online shall constitute revisions to the solicitation.

2.5 Amendments to Solicitation (Addenda)

The ATL reserves the right to revise or amend the RFP up to the time set for the submission of proposals. Such revisions and amendments, if any, shall be announced by written addenda to the RFP. If an addendum significantly changes the RFP, the date set for the submission of proposals may be postponed by such number of days that the ATL, in its sole opinion, believes is sufficient to enable potential Proposers to address the revised RFP requirements in their proposals. In any case, the proposal submission deadline shall be at least three (3) business days after the last addendum, and the addendum shall include an announcement of the new date, if applicable, for the submission of proposals.



Upon issuance, addenda will be considered part of the RFP and will prevail over inconsistent or conflicting provisions contained in the original RFP. Changes to the RFP will be made in writing via formally issued addenda.

The ATL will not be responsible for a potential Proposer failing to receive notification of the availability of addenda. EACH PROPOSER IS INDIVIDUALLY RESPONSIBLE FOR REVIEWING ADDENDUMS AND ANY OTHER POSTED DOCUMENTS AND MAKING ANY NECESSARY OF APPROPRIATE CHANGES AND/OR ADDITIONAL TO THE PROPOSER'S RESPONSE PRIOR TO SUBMISSION. It is the sole responsibility of each potential Proposer to check the ATL and Georgia Procurement Registry websites daily for addenda.

Proposers shall acknowledge receipt of all addenda by completing and submitting Offer Document #3 (Acknowledgement of Addenda), included in this RFP, as part of its proposal. As with other required documentation, proposals that fail to reference receipt of addenda by inclusion of Offer Document #3 (Acknowledgement of Addenda) may be excluded from consideration for a Contract award.

2.6 Single Response to Solicitation

If only one proposal is received in response to this RFP, a detailed cost analysis of the single proposal may be requested of the single Proposer. A cost analysis, evaluation, and/or audit of the proposal may also be performed by ATL in order to determine if the proposal price is fair and reasonable. If ATL determines that a cost analysis is required, the single Proposer must be prepared to provide, upon request, detailed summaries of estimated costs (i.e., labor, equipment, supplies, overhead costs, profit, etc.) and documentation supporting all cost elements.

2.7 Confidential/Proprietary Information

ATL intends to keep proposal information received in response to this RFP confidential until the final award and/or cancellation of the RFP. However, any and all materials submitted in response to this RFP are subject to public inspection, pursuant to the provisions of O.C.G.A. § 50-18-70 et seq., Georgia's Open Records Act, upon completion of the RFP process. Each Proposer will be responsible for clearly identifying and labeling any records contained in its proposal as "trade secret" that the proposer has reasonably determined meet the definition of "trade secret" under Section 10-1-761(4) of the Georgia Code and that the proposer wishes to be exempt from disclosure under Section 50-18-72(a)(34) of the Georgia Code or any other applicable law. The Proposer must attach to its proposal an affidavit affirmatively declaring that specific information in the Records constitutes trade secrets pursuant to Article 27 of Chapter 1 of Title 10 of the Georgia Code.

If the ATL receives a request for public disclosure of all or any portion of the materials identified as "trade secrets" in a proposal in accordance with this RFP, before producing such records in response to such request, the ATL shall notify the Proposer of its intention to produce such records. If the ATL makes a determination that the specifically identified information does not in fact constitute a trade secret, it shall notify the Proposer of its intent to disclose the information within ten (10) days unless prohibited from doing so by an



appropriate court order. If the Proposer wishes to prevent disclosure of the requested Records, the Proposer may file an action in Fulton County Superior Court to obtain an order that the requested records are trade secrets exempt from disclosure. The Proposer shall serve the requestor with a copy of its court filing. If the ATL makes a determination that the specifically identified information does constitute a trade secret, ATL shall withhold the records, and the requester may file an action in Fulton County Superior Court to obtain an order that the requested records are not trade secrets and are subject to disclosure.

Proposers are advised that their designation as "trade secret" will not be binding on the ATL or determinative of any issue relating to confidentiality. The ATL will not accept blanket designations that do not clearly identify information and materials that are "trade secrets". The ATL may, in its sole discretion, and subject to compliance with the Open Records Laws and other applicable law, treat the whole of the relevant Section(s)/document(s) that are subject to such a blanket designation as subject to disclosure pursuant to the Open Records Laws.

All material submitted regarding the RFP becomes the property of ATL. Any activity pursuant to this RFP by any Proposer is governed by all applicable laws, including without limitation, Georgia and Federal antitrust laws. The ATL is not responsible to return to a Proposer any or all of the proposal or other information furnished by that Proposer.

In no event will the State, ATL, SRTA, or any of their agents, representatives, consultants, directors, officers or employees be liable to a Proposer or Major Team Member for the disclosure of all or a portion of any proposal submitted in response to this RFP.

Nothing contained in this provision shall modify or amend requirements and obligations imposed on ATL or any other State entity by the Open Records Laws or other applicable law, and the provisions of the Open Records Laws or other laws shall control if there is a conflict between the procedures described above and the applicable law.

2.8 Reserved Rights

In connection with this solicitation, SRTA reserves to itself all rights (which rights are exercisable by SRTA in its sole discretion) available to it under its Procurement Policy and applicable law, including without limitation, with or without cause, and with or without notice, the right to:

- (a) modify the procurement process or documentation described in this RFP;
- (b) develop the project in any manner that it, in its sole discretion, deems necessary or desirable, including by modifying the scope of the project;
- (c) cancel this RFP, or a subsequent RFP, in whole or in part at any time prior to the execution by SRTA of the Contract, without incurring any cost obligations or liabilities except as otherwise expressly stated in this RFP or the subsequent RFP;
- (d) issue a new request for proposals after cancellation of this RFP or a subsequent RFP;
- (e) not issue an RFP;



- (f) reject any and all submittals, responses, and proposals at any time;
- (g) reject any and all proposals or any portion of a specific proposal for any reason;
- (h) modify all dates set or projected in this RFP;
- (i) terminate evaluations of proposals at any time;
- (j) issue amendments, supplements, and modifications to this RFP;
- (k) appoint Evaluation Committees to review proposals, and seek the assistance of outside technical experts and consultants in Proposal evaluation;
- (l) make independent calculations with respect to numbers and calculations submitted in a Proposal for purposes of its evaluation;
- (m) revise the evaluation criteria or methodology by issuing an amendment prior to the Proposal Submission Deadline;
- (n) require confirmation of information furnished by a Proposer, require additional information from a Proposer concerning its proposal and require additional evidence of qualifications or ability to perform the work described in this RFP;
- (o) request clarification from any/or all proposer and seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFP;
- (p) add or delete Proposer responsibilities from the information contained in this RFP;
- (q) negotiate with a Proposer without SRTA being bound by any provision of a Proposer's proposal or subsequent Proposal;
- (r) waive administrative or minor deficiencies in a Proposal, accept and review a non-conforming proposal or permit clarifications or supplements to a Proposal;
- (s) disqualify any Proposer who changes its proposal without SRTA approval;
- (t) disqualify any Proposer from the procurement process for violating any rules or requirements of the procurement specified in this RFP, the RFP, applicable law, or any other communication from SRTA;
- (u) add to the shortlist of Proposers any Proposer that submitted a Proposal in order to replace a Shortlisted Proposer that withdraws or is disqualified from participation in this procurement;
- (v) (as and solely to the extent applicable) adjust the terms of, or not pursue federal financing programs, or adjust the terms of, or not pursue other financing or public funding for the Project on behalf of the Proposers, or otherwise;
- (w) develop some or all of the Project itself or through another state or local government entity or entities;
- (x) disclose information submitted to ATL or SRTA as permitted by applicable law or this RFP;



- (y) not issue a notice to proceed after execution of the Project Agreement;
- (z) exercise any other right reserved or afforded to ATL or SRTA under this RFP or a subsequent RFP and applicable law; and
- (aa) exercise its discretion in relation to the matters that are the subject of this RFP as it considers necessary or expedient in light of all circumstances prevailing at the time that SRTA considers to be relevant.

This RFP does not commit SRTA to enter into the Contract or proceed with the procurement described in this RFP. SRTA and the State assume no obligations, responsibilities or liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to or responding to this RFP, or any subsequent RFP. All such costs shall be borne solely by each Proposer.

Except as provided in this RFP, in no event will SRTA be bound by, or liable for, any obligations with respect to the Project until such time (if at all) as the Contract has been authorized by SRTA and executed by SRTA and, then, only to the extent provided in the Contract. No Proposer shall have any cause of action against the ATL arising out of the methods by which proposals are evaluated.

The ATL has the sole right to select the successful proposal(s) for contract award(s); to cancel the solicitation and to advertise for new proposals; to award a contract(s) to other than the Proposer submitting the lowest cost proposal; to award multiple contracts; or not to award a contract as a result of this RFP.

The ATL reserves the right to accept any proposal deemed to be in the best interest of the ATL and to waive any irregularity or informality in any proposal that does not prejudice the ATL or other Proposers.

The ATL reserves the right to negotiate with the Proposer whose proposal is considered by the ATL, and in its sole discretion, to be most advantageous to the ATL.

2.9 Protest Procedures

The ATL's protest policy shall govern this solicitation, and it can be found at:
<https://atltransit.ga.gov/procurement/>.

2.10 Minority Business Participation

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this solicitation and resulting Contract. It is ATL's policy to practice nondiscrimination based on age, disability, race, gender, color, sex, religion or national origin in the award or performance of this contract. All companies qualifying under this solicitation are encouraged to submit proposals. The requirements of this solicitation apply for all Proposers, including those who qualify as a Disadvantaged Business Enterprise (DBE). Proposers with questions regarding DBE certification may contact the Issuing Officer. ATL's overall agency goal for participation by DEBs in its federally funded contracts awarded between October 1, 2018 and September 30, 2021 is 9.62% Additional Contract requirements related to participation by DBEs are specified in Part 3 – Contract of this RFP.



As an incentive to increase utilization of minority-owned businesses as subcontractors on State purchases, the State of Georgia provides for an income tax adjustment on the state tax return of any company that subcontracts with a State certified minority-owned firm to furnish goods, property, or services to the State of Georgia. The Tax Incentive Program is codified at O.C.G.A. §48-7-38 and is managed by the Georgia Department of Revenue.

2.11 Ethical Standards

It is a breach of ethical standards for any ATL employee to participate directly or indirectly in a procurement when the employee knows:

- The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
- A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
- Any other person, business or organization with whom the employee or any member of employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

ATL employees are also bound by the Georgia Governor's Executive Order, dated January 14, 2019, for "Establishing a Code of Ethics for Executive Branch Officers and Employees." The Executive Order prohibits ATL and ATL employees, or any person acting on their behalf, from accepting, directly or indirectly, any gift from any person with whom the employee interacts on official ATL business. Therefore, it is unlawful for a potential Proposer, or its subcontractors or suppliers, to make gifts or favors to any ATL employee. It is also unlawful for any ATL employee to accept any such gift or favor. In addition, any persons acting as members of the Evaluation Committee for this procurement shall, for the purposes of this procurement, be bound by the referenced Executive Order.

Throughout the proposal evaluation and award process and subsequent contract negotiations, Proposers shall not discuss or seek specific information about this procurement, including but not limited to, the contents of submissions, the evaluation process or the contract negotiations, with members of the Evaluation Committee, the ATL Board of Directors, or ATL employees other than the Issuing Officer.

Any prospective Proposer, anyone representing the Proposer, any subcontractor or supplier on the Prospective Proposer's team, or anyone representing a subcontractor or supplier on the Proposer's team who attempts to influence any member of the Evaluation Committee, the ATL Board of Directors, or ATL or SRTA employees in regards to this solicitation by offering or giving any advantage, gratuity, discount, bribe, or loan to any member of the Evaluation Committee, the ATL Board of Directors, or ATL or SRTA employees will have its proposal removed from consideration for Contract award.

2.12 ADA Guidelines



The ATL adheres to the guidelines set forth in the Americans with Disabilities Act. Proposers should contact the Issuing Officer at least one day in advance if they require special arrangements when attending the Pre-Proposal Conference. The Georgia Relay Center at 1-800-255-0056 (TDD only) or 1-800-255-0135 (Voice) will relay messages, in strict confidence, for the speech and hearing impaired.

2.13 Contractual Relationships

The ATL intends to execute a Contract, attached as Part 3 of this RFP, if determined necessary by ATL, upon receiving a satisfactory winning proposal. The selected Contractor's contractual responsibility must solely rest with one firm or legal entity, which shall not be a subsidiary or affiliate with limited resources. Proposer's Proposal Letter, included as Offer Document #2 of this RFP, must clearly indicate the firm or entity responsible for contract execution.

2.14 Small Business Participation

The ATL strongly supports the participation of small business owners in its contracts. It is the policy of the ATL to ensure nondiscrimination in the award and administration of USDOT- assisted contracts. It is the intention of the ATL to create a level playing field on which Small Businesses can compete fairly for contracts and subcontracts relating to its construction, procurement and professional services activities in compliance with the requirement of 49 C.F.R. 26.39.

2.15 Proposal Withdrawal and/or Revision Following Submission

A submitted proposal may be withdrawn and changes to a submitted proposal can be made prior to the Proposal Submission Deadline. In the event a Proposer notes an error or omission in its response which was overlooked prior to submitted the proposal, the Proposer may contact the Issuing Officer to request the proposal withdrawn. Once the Proposer's response is withdrawn, the ATL has no response from the Proposer. Unless and until the Proposer resubmits the received response, the ATL will have no offer from the Proposer to evaluate for possible Contract award. Any resubmission must be received by the ATL no later than the Proposal submission deadline.

2.16 Proposer Conflicts of Interest

Proposer must disclose in detail, with the Proposal, anything that may create a conflict or appearance of a conflict of interest. For purposes of this RFP, "conflict of interest" means any situation or circumstance arising out of existing or past activities, business interests, familial relationships, contractual relationships or organizational structure (i.e., parent entities, subsidiaries, affiliates, subconsultants, etc.) or litigation where: 1.) Proposer, a key team member or key personnel could or could be seen to exercise an improper influence over the objective, unbiased and impartial exercise of the ATL or SRTA's independent judgment; or 2.) could or could be seen to compromise, impair or be incompatible with the effective performance of its obligations under the resulting Contract.



Required disclosures include, but are not limited to: 1.) any current contractual relationships with the ATL or SRTA any of their employees or board members; 2.) any past, present or planned contractual or employment relationships with any officer or employee of the ATL or SRTA; and 3.) any other circumstances that might be considered to create a financial interest in the Contract by any ATL or SRTA or any of their respective employees or board members if Proposer is awarded the Contract. The foregoing list is a demonstrative list and shall constitute a limitation on the Proposer's disclosure obligations.

The ATL, in its sole discretion, will make a determination relative to a real or perceived potential conflict for a Proposer and its ability to mitigate such a conflict. A Proposer found to have a Conflict of Interest that cannot be mitigated, as determined in the sole discretion of ATL, shall not have its proposal submission evaluated for Contract Award.

Failure to comply with the requirements in this Section 2.16 or to abide by the ATL's determination in this matter may result in the ATL disqualifying the Proposer from submitting a proposal, disqualifying the offending team member from participating on a Proposer's team or, following submission of a proposal, discontinuing further consideration of such Proposer and its proposal.

Conflicts of interest that arise after the Proposal submission deadline, but before the Notice of Award, must be disclosed in detail in writing to the Issuing Officer.

2.17 Contractual Provisions

The ATL shall execute the Contract, attached as Part 3 to this RFP, with the successful Proposer for the provision of the required services with the selected Contractor(s). The selected Contractor's contractual responsibility must solely rest with one legal entity, which shall not be a subsidiary or affiliate with limited resources. Proposer's Proposal Letter, included as Offer Document #2 of this RFP, must clearly indicate the firm or entity responsible for contract execution.

The ATL shall not be a party to agreements between the selected Contractor and/or any subcontractors it may choose to employ during fulfillment of the Contract. Additional contract requirements related to subcontractors are specified in the Contract.

2.18 Registered Lobbyists

By submitting a response to this RFP, the Proposer hereby certifies that the Proposer and its lobbyists are in compliance with the Lobbyist Registration Requirements in accordance with the Georgia Government Transparency and Campaign Finance Commission.

2.19 Responsibility for Compliance with Legal Requirements

Proposer's products, services, and facilities shall be in full compliance with any and all applicable



federal, state, and local laws, regulations, ordinances, and standards regardless of whether or not they are referred to in this RFP.

2.20 Conditional Proposals

Terms and conditions attached to a proposal by a Proposer and made a condition of Contract execution may render the proposal non-responsive and may be rejected by the ATL.

2.21 Period that Proposals Remain Valid

Each Proposer agrees that proposals will remain valid for a period of one hundred and eighty (180) calendar days beginning with the date that cost proposals are opened. Following the deadline for proposal submission, no proposal may be withdrawn for a period of 180 calendar days.

Requests for withdrawal of proposals after 180 calendar days following the deadline for proposal submission must be submitted to ATL in writing (defined as being sent or received via letter or on official firm/agency letterhead or by electronic mail). Such requests for withdrawal of proposals must be submitted in writing to the attention of Issuing Officer.

2.22 SRTA's Right to Request Additional Information-Contractor Responsibility

Prior to award, ATL must be assured that the selected Contractor has all of the resources to successfully perform under the Contract. This includes, but is not limited to, adequate number of personnel with required skills, availability of appropriate equipment in sufficient quantity to meet the on-going needs of ATL, financial resources sufficient to complete performance under the Contract, and relevant experience in similar endeavors. If such information is required, the Contractor will be so notified and will submit the information requested within the time requested by ATL.

2.23 Sales and Use Taxes

The ATL is exempt from paying sales and use taxes. All pricing provided in response to this RFP shall exclude sales and use taxes.

2.24 Proposal Preparation Costs

Each proposal should be prepared simply and economically, avoiding the use of elaborate promotional materials beyond those sufficient to provide a complete proposal. All costs of proposal preparation, attendance at pre-proposal and/or pre-award meetings, and any other pre-award costs shall be at Proposer's sole cost and expense. The ATL will not provide reimbursement for any costs associated with proposal preparation.

2.25 Placeholders



If a Proposer does not include information or materials in its proposal that are described in the relevant submittal requirements in Section 3 because the required information or materials are not applicable to that Proposer, the Proposer must include in the relevant Section in its proposal a statement to the following effect: "Section[s] [] of the ----- do[es] not apply because [Proposer to insert brief explanation]."

3. Contents of Complete Proposal

All Proposals should include a table of contents with page numbers and sufficient detail to facilitate easy reference to all requested information. Proposer shall not utilize a font size smaller than 10pt font or have margins that are less than 1-inch. To avoid potential disqualification and constitute a complete, responsive proposal in response to ATL Solicitation No. 20-015, any and all proposals submitted to the ATL must contain all seventeen (17) of the following documents, properly signed by an authorized representative, fully completed by the Proposer, and numbered and arranged in the following order:

3.1 Complete Proposal Checklist

- This document serves as a checklist for Proposers to ensure that their proposal is complete and ready for submission to the ATL. The document is used by the ATL during the evaluation of responsiveness of proposals.
- This document must be fully completed, signed by an authorized representative, and submitted with the proposal.
- Blank checklist form is attached as Offer Document #1 of this RFP.

3.2 Proposal Letter

- This document summarizes the acknowledgements and representations made by and agreed to by the Proposer with regard to its proposal.
- This document must be fully completed, signed by an authorized representative, and submitted with the proposal.
- Blank form is attached as Offer Document #2 of this RFP.

3.3 Acknowledgement of Addenda to RFP

- This document is required by Part 1, Section 2.5 of this RFP.
- This document must be fully completed, signed by an authorized representative, and submitted with the proposal.
- If no addenda to the RFP were issued by the ATL, Proposer must still complete the form and include it in its proposal.
- Blank form is attached as Offer Document #3 of this RFP.

3.4 Proposer Information Form

- This document summarizes key information about the Proposer for the ATL's assistance and reference during evaluation of the proposals including:
 - Contact Information for Proposer



- Corporate information
- List of references for whom Proposer has performed similar services in the past five years
- The ATL will contact the references listed on this document as part of its evaluation of proposals. References provided should have the proposed solution currently deployed or have deployed the solution within the past five years.
- If Proposer is a certified DBE, proof of DBE certification must accompany this document.
- This document must be fully completed, signed, and submitted with the proposal.
- Blank form is attached as Offer Document #4 of this RFP.

3.5 Proposer Certifications

- This document must be fully completed, signed, and submitted with the proposal.
- Blank form is attached as Offer Document #5 of this RFP.

3.6 Statement of Firm's Qualifications and Experience

- This document shall be provided by the Proposer and shall be a narrative description of the Proposer's qualifications and experience. This narrative description shall include the appropriate use of headings and subheading that address, at minimum, the following elements:
 - Name of lead firm and any sub-consultants
 - Brief description of the Proposer (brief history, number of employees, lines of business, areas of specialization, office locations, organization, gross revenue, net income and loss for the current and prior year, parent company (if applicable), recent litigations and outcomes, litigation currently underway, etc.)
 - Description of the firm's experience in performing work of a similar nature to that solicited in this RFP, specifically the provision and implementation for an FTA-funded transit agency, state DOT, or other transportation entity, and the participation in such work by the key personnel proposed for assignment to this project.
 - Comprehensive listing and brief descriptions of relevant engagements started and/or completed during the last five years that are similar in scope and nature to the Scope of Services, attached to this RFP. This comprehensive listing may include other projects not highlighted by the firm in describing its experience in performing work of a similar nature to that solicited in this RFP.
- There is no prescribed format for this document. The format of the document shall be at the discretion of Proposer; however, font size no smaller than 10 pt. with margins no less than 1 inch, on 8.5 x 11 size paper. Proposer should label this document as Offer Document #6 in its proposal.

3.7 Project Team and Project Approach

- This document shall be provided by the Proposer and shall be a narrative description



of the Proposer's project team and approach. This narrative description shall include the appropriate use of headings and subheading that address, at minimum, the following elements:

- Brief description of the team organizations and skillsets, including any proposed subconsultants, and an organizational chart
 - Firm's technical approach to the project and interpretation of the Scope of Services, including the Tasks identified in the Scope of Services section
 - Identify the adequacy of the firm's resources, including personnel, labor, equipment and supplies, etc.
 - Proposed solution, project approach and plan in response to the Scope of Services
 - Listing of key project personnel and their qualifications
 - Geographic location of the Consultant's office performing the work
 - Any special or unique benefits that the proposed team and/or its approach brings to the Scope of Services
 - Any portions of the Scope of Services that the Proposer believes cannot be performed; Proposer shall identify such areas with specificity and provide the rationale regarding Proposer's inability to perform such services
- There is no prescribed format for this document. The format of the document shall be at the discretion of Proposer; however, font size no smaller than 10 pt. In addition, the sample project schedule may be submitted in 11x14 or 11x17 page format. Proposer should label all document(s) submitted in response to this Section 3.7 as Offer Document #7 in its proposal.

3.8 Price Proposal

- This document must be fully completed, signed by an authorized representative, and submitted with the **proposal in a separately sealed envelope or package, marked "Price Proposal" on the front of the envelope.**
- The submitted Price Proposal must include all costs of performing pursuant to the final posted Contract.
- The envelope shall contain one (1) signed original and one (1) electronic version of the Price Proposal on a separate USB device. The electronic version of the Price Proposal must be submitted on a USB drive and the file format must be Microsoft Excel.
- A blank Price Proposal is attached as Offer Document #8 of this RFP.

3.9 Contract Affidavit under O.C.G.A § 13-10-91(b)(1)

- This document must be fully completed, signed by an authorized representative, notarized, and submitted with the proposal.
- Blank form is attached as Offer Document #9 of this RFP.

3.10 Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(3)

- This document must be fully completed, signed by an authorized representative, and



submitted with the proposal.

- If any identified subcontractor is a certified DBE, proof of DBE certification must accompany this document.
- Blank form is attached as Offer Document #10 of this RFP.

3.11 Subcontractors and DBEs

- This document must be fully completed, signed by an authorized representative, and submitted with the proposal.
- If any identified subcontractor is a certified DBE, proof of DBE certification must accompany this document.
- Blank form is attached as Offer Document #11 of this RFP.

3.12 Certification Regarding Suspension and Debarment

- This document must be fully completed, signed by an authorized representative, and submitted with the proposal.
- Blank form is attached as Offer Document #12 of this RFP.

3.13 Certification Regarding Lobbying

- This document must be fully completed, signed by an authorized representative, and submitted with the proposal.
- Blank form is attached as Offer Document #13 of this RFP.

3.14 Non-Collusion Affidavit

- This document must be fully completed, signed by an authorized representative, and submitted with the proposal.
- Blank form is attached as Offer Document #14 of this RFP.

3.15 Anti-Boycott, Divestment and Sanctions Against Israel Certification

- This document must be fully completed, signed by an authorized representative, and submitted with the proposal.
- Blank form is attached as Offer Document #15 of this RFP.

3.16 Statement of Responsibility

- This document must be fully completed, signed by an authorized representative, and submitted with the proposal.
- Blank form is attached as Offer Document #16 of this RFP.

3.17 Sales and Use Tax Compliance Form

- This document must be fully completed, signed by an authorized representative, and



submitted with the proposal.

- Blank form is attached as Offer Document #17 of this RFP.

4. Proposal Evaluation and Contract Award

4.1 Standards for Award

ATL Solicitation No. 20-015 is a Request for Proposals. The ATL intends to award a contract to the Proposer whose proposal conforms to the solicitation and is determined to be the most advantageous to the ATL, taking into consideration price and other evaluation factors set forth in this document.

In order to be eligible for contract award a proposal must meet all of the following criteria:

4.1.1. The proposal was received by the Proposal Submission Deadline.

4.1.2. The proposal submitted is responsive to the solicitation.

- A proposal shall be considered responsive if it conforms in all material aspects to the requirements of the solicitation at the scheduled time of submission.
- It shall be at the sole discretion of the ATL to determine if a proposal conforms in all material aspects to the requirements of the solicitation.

4.1.2 The Proposer who submitted the proposal is a responsible Proposer.

- A Proposer shall be considered responsible if the Proposer possesses, at the time of Contract award, the ability to perform successfully and a willingness to comply with the terms and conditions of the Contract.

4.2 Evaluation and Award Process

All proposals shall be evaluated by an Evaluation Committee. Proposals and evaluations will be kept confidential throughout the evaluation and award process. Only the members of the Evaluation Committee and other ATL staff having a legitimate work-related interest will be provided access to the proposals and evaluation results during the evaluation and award process. Proposals will be evaluated, and a Contract will be awarded in accordance with the following process:

4.2.1 Evaluation of Proposals by the Issuing Officer

- Proposals will first be evaluated by the Issuing Officer for responsiveness in accordance with the standard set forth in Part 1, Section 4.1.1 above. Only those proposals that are determined to be responsive shall be evaluated for Proposer responsibility.

4.2.2 Evaluation of Proposals by the Evaluation Committee



- Proposers who submitted responsive proposals will be evaluated by the Evaluation Committee for responsibility in accordance with the standard set forth in Part 1, Section 4.1.1 above.
- A responsible Proposer is one that the ATL believes to be responsible based on the responses provided on the Proposer's Offer Document No. 3.16 and/or based on Contractor's responses to the requirements of the RFP. The ATL reserves the right to conduct additional due diligence into any Proposer's responsibility status. Such due diligence may include investigations into any of the items set forth in the submitted offer documents.

4.2.3 Scoring of Proposals by the Evaluation Committee

- Proposals that are determined to be responsive and that were submitted by responsible Proposers shall be further evaluated by the Evaluation Committee to determine the Proposal(s) that is/are most advantageous to the ATL. The Evaluation Team will review each proposal to determine its compliance with the RFP technical requirements. All proposals which are considered responsive proposals will be scored in accordance with the scoring criteria detailed below.

Phase 1-Technical Evaluation (50 point maximum)

- **Firm Experience** (25 point maximum)- Effective and substantive (relative to key objectives) experience of the firm in the provision of similar services within the categories under considerations, with emphasis on local and regional experience.
- **Firm Qualifications** (25 point maximum)- Qualifications, evidence of capability and/or credentials and availability of proposed key personnel. Proposers must present sufficient and competent staff, the capacity to complete the work in a timely manner and appropriate personnel assignments to administer projects.

Phase 2-Oral Presentations (10 point maximum)

The ATL may elect to invite up to three (3) firms for oral presentations. Should the ATL elect to conduct oral presentations, the basis for selecting Proposers to be invited for oral presentations and scores assigned to each invited Proposer. Proposers that are invited for interviews may earn up to 10 points based on the quality of the oral presentation.

Should the ATL elect not to conduct oral presentations, the evaluation process shall proceed from Phase 1 immediately to Phase 3, with no points being awarded to any Proposer for Phase 2.

Phase 3-Price Proposal (40 point maximum)

The Evaluation Committee shall specifically consider information submitted in accordance with Section 3.8. The Price Proposal will be reviewed for reasonableness and proper allocations across project deliverables. Failure to reasonably allocate cost amount deliverables, including, but not limited to, frontend loading of price items,



may result in proposal disqualification. The lowest responsive/responsible proposer will receive the maximum 40 points allowed for price. The formula for assigning points to subsequent proposals is: (Lowest/Second Lowest, etc.) x 40 = Assigned Score.

4.2.4 Total Combined Score

Upon completion of the scoring by the Evaluation Committee, each Proposer will be assigned a Total Combined Score, consisting of the Proposer's scores from Phase 1, Phase 2 (if applicable) and Phase 3.

4.2.5 Best and Final Offer

The ATL reserves the right, but is not required, to request a Best and Final Offer from the Proposer(s) after the Evaluation Committee has completed scoring. BAFOs may be requested from one or more Proposers. In the event that a Best and Final Offer is requested, the request will indicate: 1.) the elements of the proposal for which revisions are requested; 2.) the criteria by which the revised proposals will be evaluated; 3.) any additional questions that the Proposer must respond to; and 4.) the method of submission and the deadline for submission of revised proposals and pricing. Additional discussions between the ATL and the Proposers may not take place during the BAFO period.

If a BAFO is requested, the final Contract award will be based on the highest point total using the following formula:

(Original Technical Score) + (Oral Presentation Score, if applicable) + (Best and Final Offer Cost Score) = Final Total Score

If a BAFO is not requested, the final Contract award will be based on the highest point total using the following formula:

(Original Technical Score) + (Oral Presentation Score, if applicable) + Price Proposal Score = Total Combined Score

4.2.6 Notice of Intent to Award and Notice of Award

The preliminary results of the evaluation may be announced through the public posting of a Notice of Intent to Award to the ATL website. The Notice of Intent to Award ("NOIA") is not notice of an actual contract award; instead, the NOIA is notice of the ATL's expected contract award(s) pending resolution of the protest process. The NOIA (if any) will identify the apparent successful Proposer.

At the end of the evaluation process, the ATL shall contact the apparent successful Proposer. The apparent successful Proposer must return two signed copies of the Contract to the Issuing Officer within one (1) week of notification. Failure to do so may lead to rejection of the Proposer. The ATL reserves the right to proceed to discussions with the next highest ranked Proposer. The ATL reserves the right to modify the Contract to be consistent with the successful offer.



The Notice of Award is ATL’s public notice of actual Contract award and will be publicly posted to the ATL website.

ATL considers the goods, equipment and services which are envisioned and generally described below to be necessary, and currently intends these items and services, as a minimum, to reflect the Scope for a prospective Contract. The actual, final scope of services, however, may differ, may be greater or lesser, and shall be determined in subsequent processes, including negotiation prior to execution of a prospective Contract with a successful firm.

Part 2 – Scope of Services

Scope of Services

Agreement for Independent Data Review Services for National Transit Database (NTD) Reporting

A. Summary of Services

The State Road and Tollway Authority (SRTA) operates transit services for a 13-county region in metropolitan Atlanta. In particular SRTA operates the Xpress commuter bus service that has 27 routes, 25 park and ride lots, and operates out of three garages. Additionally, SRTA contracts with Commute by Enterprise to operate the regional vanpool program that has approximately 260 vanpool groups serving several employment centers not directly served by other transit modes. For Report Year (RY) 2020, SRTA is the responsible agency for reporting NTD statistics for both commuter bus (CB) and vanpool (VP) transit modes.

The Atlanta Region Transit-Link Authority (ATL) is the regional transit planning and funding agency for the Atlanta region. Beginning in July 2020 (RY 2021), the ATL will become the responsible entity for reporting CB and VP operational and financial statistics to NTD on behalf of Xpress and the regional vanpool program. Additionally, the ATL provides transit planning and funding support for other transit operators in the Atlanta region, particularly several rural transit providers.

The tasks outlined below represent the scope of services for which SRTA and the ATL are requesting for this RFP.

B. General Requirements

TASK 1: Annual Review of Xpress and Vanpool Statistics (IAS-FFA)

Contractor will provide an independent data review of Federal Transit Administration (FTA) National Transit Database (NTD) statistics for SRTA’s Xpress Regional Commuter System and regional vanpool



program for the fiscal years ending June 30, 2020, 2021, 2022, and 2023. Contractor will specifically review NTD statistics reported by SRTA's Xpress "Management and Operations Contractor(s)," which as of FY2020 are Transdev, and Cobb County Department of Transportation through an Inter-Governmental Agreement, on the forms specified below. Additionally, Contractor will review NTD statistics provided by SRTA's vanpool vendor, Commute by Enterprise. The reported statistics are used in the allocation of FTA Urbanized Area Formula Program (Section 5307), and other federal formula funding programs, grant funds

Contractor will certify that its review was conducted in accordance with the requirements of the current year NTD Reporting Manual by submitting an Independent Auditors Statement for Federal Funding Allocation (IAS-FFA) to SRTA. The IAS-FFA shall further certify that the transit operator's (i.e. Management and Operations Contractor(s)) accounting system can produce an NTD report that conforms, in all material aspects, to the requirement to collect financial data contained in the Uniform System of Accounts (USOA). The IAS-FFA should list the forms that were reviewed; be on Contractor's letterhead; and identify the address of Contractor's office performing the review and preparing the statement. The selected contractor will also submit an overall IAS-FFA for SRTA on the consolidated report consisting of all Management and Operator reported data.

Contractor shall follow procedures recommended by FTA (See **Attachment B**) during its review of statistics reported by Xpress Management and Contractors, and contracted vanpool vendor(s) on the forms specified below and during the preparation of its IAS-FFA.

The IAS-FFA must discuss, by mode and type of service, Contractor's review of the following forms:

- Fixed Guideway Segments
- Data Statistics for Federal Funding Allocations (FFA-10)
- Transit Way Mileage Form (A-20)
- Service Form (S-10)

The IAS-FFA must also describe the procedures used by Contractor for determining the following:

- Assurance that a system exists for Management and Operations Contractors to record and gather data on a continuing basis.
- Assurance that a system exists, and is maintained, for Management and Operations Contractor(s) to record data in accordance with NTD definitions (i.e. correct data are being measured and that there are no systematic errors).
- Assurance that source documents are available to support the reported data and are maintained by Management and Operations Contractor(s) for FTA review and audit for a minimum of three (3) years following FTA's receipt of the NTD Annual report. The data must be fully documented and securely stored.
- Assurance that Management and Operations Contractor(s) has a system of internal controls to ensure the accuracy of the data collection process and recording system and that reported documents are not altered.
- Assurance that a Management and Operations Contractor(s) supervisor reviews and signs documents as required.
- Assurance that Management and Operations Contractor(s) data collection methods are those recommended by FTA or that they have been approved by FTA or a qualified statistician as being



equivalent in quality and precision to those recommended by FTA. The collection methods must be documented and followed.

- Assurance that “deadhead” miles reported by Management and Operations Contractor(s), computed by taking the difference between the reported total actual vehicle miles data and the reported total actual VRM data, appear to be accurate.

The IAS-FFA must include the following documentation prepared by Contractor:

- Documentation that data reported by Management and Operations Contractor(s) has undergone analytic review by Contractor to ensure that they are consistent with prior reporting periods and other facts known about transit agency operations.
- Documentation of the specific documents reviewed, and tests performed by Contractor.
- Documentation of how Purchased Transportation (PT) fare revenues and contract expenditures are reported (i.e. PT fare revenues should include all fare revenues pertaining to the PT service, and buyer's contract expenditures are reported net of [not including] the PT fare revenues).

TASK 2: Review and Issuance of IAS-FD for the ATL

For RY 2021 (July 1, 2020 – June 30, 2021), the ATL will assume responsibility for operations of the Xpress commuter bus program and the regional vanpool program. Pursuant to Independent Auditor Statement for Financial Data (IAS-FD) requirements by the National Transit Database, Contractor shall conduct a review of the ATL’s financial reports. Consultant must review all financial forms to ensure that the ATL’s accounting system follows the Uniform System of accounts (USOA), the system uses accrual accounting or uses a directly-translatable method, and all financial data are compliant with the USOA. This task will be performed for RY 2021.

Specific requirements for review and issuance of IAS-FD will be based on the most recent requirements set forth by NTD. **Attachment C** highlights the standards outlined in the 2019 NTD Reporting Manual for issuance of the IAS-FD. These standards are provided for information purposes only and Contractor will be expected to provide necessary services as required by NTD at the time of this task.

TASK 3 (OPTIONAL): NTD Auditing Assistance for Other Transit Providers

In accordance with the ATL’s role as oversight for regional transit planning activities, Contractor will perform necessary duties related to NTD auditing requirements for other transit operators, as designated by the ATL. Specific duties will be limited to the requirements set forth by NTD for transit operators and in coordination with ATL staff.

It is expected that the ATL may be requested to assist up to six (6) other transit operators annually with their required NTD auditing needs.

C. Performance Schedule

TASK 1: Annual Review of Xpress and Vanpool Statistics (IAS-FFA)

- SRTA and/or Xpress Management and Operations Contractor(s) will provide Contractor all necessary and relevant NTD data for review no later than September 15 each year for the term of this agreement.
- Contractor shall perform its review during the period of September 15 – October 20, each year for the term of this agreement.



- Contractor will provide the IAS-FFA to SRTA no later than October 20, each year for the term of this agreement.

TASK 2: Review and Issuance of IAS-FD for the ATL

The schedule for this task will be established by the ATL and the Contractor in preparation for Report Year 2021 that will take place in Calendar Year 2022.

TASK 3 (OPTIONAL): NTD Auditing Assistance for Rural Transit Providers

Schedule for this task will be established by the ATL and the Contractor as needed.

D. Payment Schedule

The payment schedule for Task 1, Report Year 2020, shall consist of progress payments aligned with two deliverables:

1. Completion of field work, by the contractor, and resolution of any outstanding discrepancies with Management and Operations Contractor(s).
2. Submission of IAS-FFA, by contractor, to SRTA.

Payment schedules for future work, and related to other tasks, will be established by the ATL and the Contractor.

Attachment B: FTA Suggested Procedures for IAS-FFA

2019 Annual Reporting Manual — Independent Auditor for Statement Federal Funding Allocation Data (IAS-FFA) Exhibit 77— Federal Funding Allocation Data Review — Suggested Procedures

FTA has specified and agreed to a set of procedures for the independent auditor to perform to satisfy the requirements of the Federal Funding Allocation data review. Several of the procedures below require the auditor to select a random sample of documents or data. The procedures do not specify the selected number (i.e., the percentage of the total documents/data). The auditor should use professional judgment to determine the percentage that will enable the auditor to make the required assurances.

The source documents and other records (such as data summaries) may be in the form of digital data files. The auditor should ensure that these files are securely stored and that a contingency plan is in place to ensure that the transit agency retains source documents for a minimum of three years.

- (A) The procedures to be applied to each applicable mode and type of service (TOS) (directly operated (DO) and purchased transportation (PT)) are: Obtain and read a copy of written system procedures for reporting and maintaining data in accordance with NTD requirements and definitions set forth in 49 CFR Part 630, Federal Register, dated January 15, 1993, and as presented in the 2019 NTD Policy



Manual. If there are no procedures available, discuss the procedures with the personnel assigned responsibility for supervising the NTD data preparation and maintenance.

- (B) Discuss the procedures (written or informal) with the personnel assigned responsibility for supervising the preparation and maintenance of NTD data to determine:
- The extent to which the transit agency followed the procedures on a continuous basis; and
 - Whether these transit personnel believe such procedures result in accumulation and reporting of data consistent with NTD definitions and requirements set forth in 49 CFR Part 630, Federal Register, dated January 15, 1993, and as presented in the 2019 NTD Policy Manual.
- (C) Ask these same personnel about the retention policy that the transit agency follows as to source documents supporting NTD data reported on the Federal Funding Allocation Statistics form.
- (D) Based on a description of the transit agency's procedures from items (A) and (B) above, identify all the source documents that the transit agency must retain for a minimum of three years. For each type of source document, select three months out of the year and determine whether the document exists for each of these periods.
- (E) Discuss the system of internal controls. Inquire whether separate individuals (independent of the individuals preparing source documents and posting data summaries) review the source documents and data summaries for completeness, accuracy, and reasonableness and how often these individuals perform such reviews.
- (F) Select a random sample of the source documents and determine whether supervisors' signatures are present as required by the system of internal controls. If supervisors' signatures are not required, inquire how personnel document supervisors' reviews.
- (G) Obtain the worksheets used to prepare the final data that the transit agency transcribes onto the Federal Funding Allocation Statistics form. Compare the periodic data included on the worksheets to the periodic summaries prepared by the transit agency. Test the arithmetical accuracy of the summaries.
- (H) Discuss the procedure for accumulating and recording Passenger Miles Traveled (PMT) data in accordance with NTD requirements with transit agency staff. Inquire whether the procedure is one of the methods specifically approved in the 2019 NTD Policy Manual.
- (I) Discuss with transit agency staff (the auditor may wish to list the titles of the persons interviewed) the transit agency's eligibility to conduct statistical sampling for PMT data every third year. Determine whether the transit agency meets NTD criteria that allow transit agencies to conduct statistical samples for accumulating PMT data every third year rather than annually. Specifically:
- According to the 2010 census, the public transit agency serves an UZA with a population less than 500,000.
 - The public transit agency directly operates fewer than 100 revenue vehicles in all modes in annual maximum revenue service (VOMS) (in any size UZA).
 - Service purchased from a seller is included in the transit agency's NTD report.
 - For transit agencies that meet one of the above criteria, review the NTD documentation for the most recent mandatory sampling year (2017) and determine that statistical sampling was conducted and meets the 95 percent confidence and ± 10 percent precision requirements.



- Determine how the transit agency estimated annual PMT for the current report year.
- (J) Obtain a description of the sampling procedure for estimation of PMT data used by the transit agency. Obtain a copy of the transit agency's working papers or methodology used to select the actual sample of runs for recording PMT data. If the transit agency used average trip length, determine that the universe of runs was the sampling frame. Determine that the methodology used to select specific runs from the universe resulted in a random selection of runs. If the transit agency missed a selected sample run, determine that a replacement sample run was random. Determine that the transit agency followed the stated sampling procedure.
- (K) Select a random sample of the source documents for accumulating PMT data and determine that the data are complete (all required data are recorded) and that the computations are accurate. Select a random sample of the accumulation periods and re-compute the accumulations for each of the selected periods. List the accumulations periods that were tested. Test the arithmetical accuracy of the summary.
- (L) Discuss the procedures for systematic exclusion of charter, school bus, and other ineligible vehicle miles from the calculation of actual Vehicle Revenue Miles (VRM) with transit agency staff and determine that they follow the stated procedures. Select a random sample of the source documents used to record charter and school bus mileage and test the arithmetical accuracy of the computations.
- (M) For actual VRM data, document the collection and recording methodology and determine that deadhead miles are systematically excluded from the computation. This is accomplished as follows:
- If actual VRMs are calculated from schedules, document the procedures used to subtract missed trips. Select a random sample of the days that service is operated, and re-compute the daily total of missed trips and missed VRMs. Test the arithmetical accuracy of the summary.
 - If actual VRMs are calculated from hub odometers, document the procedures used to calculate and subtract deadhead mileage. Select a random sample of the hub odometer readings and determine that the stated procedures for hub odometer deadhead mileage adjustments are applied as prescribed. Test the arithmetical accuracy of the summary of intermediate accumulations.
 - If actual VRMs are calculated from vehicle logs, select random samples of the vehicle logs and determine that the deadhead mileage has been correctly computed in accordance with FTA definitions.
- (N) For rail modes, review the recording and accumulation sheets for actual VRMs and determine that locomotive miles are not included in the computation.
- (O) If fixed guideway or High Intensity Busway Directional Route Miles (FG or HIB DRM) are reported, interview the person responsible for maintaining and reporting NTD data whether the operations meet FTA definition of fixed guideway (FG) or High Intensity Busway (HIB) in that the service is:
- Rail, Trolleybus (TB), Ferryboat (FB), or Aerial Tramway (TR); or
 - Bus (MB, CB, or RB) service operating over exclusive or controlled access rights-of-way (ROW); and
 - Access is restricted;
 - Legitimate need for restricted access is demonstrated by peak period level of service D or worse on a parallel adjacent highway; and



- Restricted access is enforced for freeways; priority lanes used by other HOV (i.e., Vanpools (VP), carpools) must demonstrate safe operation.
- (P) Discuss the measurement of FG and HIB DRM with the person reporting NTD data and determine that the he or she computed mileage in accordance with FTA definitions of FG/HIB and DRM. Inquire of any service changes during the year that resulted in an increase or decrease in DRMs. If a service change resulted in a change in overall DRMs, re-compute the average monthly DRMs, and reconcile the total to the FG/HIB DRM reported on the Federal Funding Allocation Statistics form.
- (Q) Inquire if any temporary interruptions in transit service occurred during the report year. If these interruptions were due to maintenance or rehabilitation improvements to an FG segment(s), the following apply:
 - Report DRMs for the segment(s) for the entire report year if the interruption is less than 12 months in duration. Report the months of operation on the FG/HIB segments form as 12. The transit agency should document the interruption.
 - If the improvements cause a service interruption on the FG/HIB DRMs lasting more than 12 months, the transit agency should contact its NTD validation analyst to discuss. FTA will make a determination on how to report the DRMs.
- (R) Measure FG/HIB DRM from maps or by retracing route.
- (S) Discuss whether other public transit agencies operate service over the same FG/HIB as the transit agency. If yes, determine that the transit agency coordinated with the other transit agency (or agencies) such that the DRMs for the segment of FG/HIB are reported only once to the NTD on the Federal Funding Allocation form. Each transit agency should report the actual VRM, PMT, and Operating Expense (OE) for the service operated over the same FG/HIB.
- (T) Review the FG/HIB segments form. Discuss the Agency Revenue Service Start Date for any segments added in the 2019 report year with the persons reporting NTD data. This is the commencement date of revenue service for each FG/HIB segment. Determine that the date reported is the date that the agency began revenue service. This may be later than the Original Date of Revenue Service if the transit agency is not the original operator. If a segment was added for the 2019 report year, the Agency Revenue Service Date must occur within the transit agency's 2019 fiscal year. Segments are grouped by like characteristics. Note that for apportionment purposes, under the State of Good Repair (\$5337) and Bus and Bus Facilities (\$5339) programs, the 7-year age requirement for fixed guideway/High Intensity Busway segments is based on the report year when the segment is first reported by any NTD transit agency. This pertains to segments reported for the first time in the current report year. Even if a transit agency can document an Agency Revenue Service Start Date prior to the current NTD report year, FTA will only consider segments continuously reported to the NTD.
- (U) Compare Operating Expenses with audited financial data after reconciling items are removed.
- (V) If the transit agency purchases transportation services, interview the personnel reporting the NTD data on the amount of PT-generated fare revenues. The PT fare revenues should equal the amount reported on the Contractual Relationship form.
- (W) If the transit agency's report contains data for PT services and assurances of the data for those services are not included, obtain a copy of the IAS-FFA regarding data for the PT service. Attach a copy



of the statement to the report. Note as an exception if the transit agency does not have an Independent Auditor Statement for the PT data.

- (X) If the transit agency purchases transportation services, obtain a copy of the PT contract and determine that the contract specifies the public transportation services to be provided; the monetary consideration obligated by the transit agency or governmental unit contracting for the service; the period covered by the contract (and that this period overlaps the entire, or a portion of, the period covered by the transit agency's NTD report); and is signed by representatives of both parties to the contract. Interview the person responsible for retention of the executed contract and determine that copies of the contracts are retained for three years.
 - (Y) If the transit agency provides service in more than one UZA, or between an UZA and a non-UZA, inquire of the procedures for allocation of statistics between UZAs and non-UZAs. Obtain and review the FG segment worksheets, route maps, and urbanized area boundaries used for allocating the statistics, and determine that the stated procedure is followed and that the computations are correct.
 - (Z) Compare the data reported on the Federal Funding Allocation Statistics Form to data from the prior report year and calculate the percentage change from the prior year to the current year. For actual VRM, PMT or OE data that have increased or decreased by more than 10 percent, or FG DRM data that have increased or decreased. Interview transit agency management regarding the specifics of operations that led to the increases or decreases in the data relative to the prior reporting period.
 - (AA) The auditor should document the specific procedures followed, documents reviewed, and tests performed in the work papers. The work papers should be available for FTA review for a minimum of three years following the NTD report year. The auditor may perform additional procedures, which are agreed to by the auditor and the transit agency, if desired. The auditor should clearly identify the additional procedures performed in a separate attachment to the statement as procedures that were agreed to by the transit agency and the auditor but not by FTA
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Attachment C: Standards for Issuance of IAS-FD

The following items are taken directly from the 2019 NTD Policy Manual for issuance of the Independent Auditor Statement for Financial Data (IAS-FD). Specific tasks and standards are subject to change for future reporting years.

- *A system is in place and maintained for recording data in accordance with NTD definitions. The correct data are being measured and no systematic errors exist.*
- *A system is in place to record data on a continuing basis, and the data gathering is an ongoing effort.*
- *Source documents are available to support the reported data and are maintained for FTA review and audit for a minimum of three years following FTA's receipt of the NTD report. The data are fully documented and securely stored.*
- *A system of internal controls is in place to ensure the data collection process is accurate and that the recording system and reported comments are not altered. Documents are reviewed and signed by a supervisor, as required.*
- *The data collection methods are those suggested by FTA or otherwise meet FTA requirements.*
- *The deadhead miles, computed as the difference between the reported total actual vehicle miles data and the reported total actual VRM data, appear to be accurate.*
- *Data are consistent with prior reporting periods and other facts known about transit agency operations.*