



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
PTR12003

PAGE
4

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER
304-558-2316

VENDOR

*919153300 703-532-7629
WAGNER ASSOCIATES
5528 24TH ST NORTH

ARLINGTON VA 22205

SHIP TO

DIVISION OF PUBLIC TRANSIT
BUILDING 5, ROOM 906
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV
25305-0432 304-558-0428

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/11/2012				

BID OPENING DATE: **02/14/2012** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: 44</p> <p>RFQ. NO.: PTR12003</p> <p>BID OPENING DATE: 02/14/2012</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: (425) 790-3369</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): Daniel W Wagner</p>						

RECEIVED
 2012 FEB -9 AM 9:37
 WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Daniel W Wagner</i>	TELEPHONE (703) 532-7629	DATE 2/05/2012	
TITLE Principal	FAX 27-189-7472	ADDRESS CHANGES TO BE NOTED ABOVE	

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
 2. The State may accept or reject in part, or in whole, any bid.
 3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
 5. Payment may only be made after the delivery and acceptance of goods or services.
 6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
 7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
 10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
 12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
 13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.html and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
 14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
 15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
 16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.
- I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-8.8).

Rev. 11/09/11



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 Department of Administration
 Purchasing Division
 2019 Washington Street East
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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ PTR12003 ***** TOTAL:						<u>\$177,900</u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Daniel St. Haguer</i>	TELEPHONE <i>(703) 532-7629</i>	DATE <i>2/05/2012</i>
TITLE <i>Principal</i>	FEIN <i>27-1897472</i>	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

Wagner Associates
5528 24th Street North
Arlington, VA 22205-3113
Tel: 703-532-7629
Fax: 425-790-3369
Dan.Wagner@comcast.net

February 5, 2012

Mr. Frank Whittaker
State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street, East
Charleston, WV 25305-0130

Dear Mr. Whittaker:

**RFQ PTR12003
PERFORMANCE OF ON-SITE MONITORING**

Wagner Associates is pleased to submit to the West Virginia Division of Public Transit this proposal to perform on-site monitoring reviews of subrecipients and to provide technical assistance to ensure compliance with Federal Transit Administration (FTA) requirements. I and the team I have assembled are the best qualified to perform these site visits and provide this technical assistance as:

- I know the Division's people, policies and subrecipients as I provided these services to the Division for the past six years.
- I am well liked and respected by the Division's subrecipients.
- I assisted the Division in developing, testing and updating the compliance review workbook.
- I am experienced in providing program support as I support the states of Alaska, Montana and New Mexico.
- I provided training in FTA requirements to Division subrecipients and to subrecipients in Alaska, Maryland, Montana, North Carolina, South Carolina, Texas and Vermont.
- For the Division and Section 5307 grantees, I provided training in FTA circulars 5010.1D, 4220.1F, and 9300.1B after they were issued as a result of the last reauthorization.
- I have developed compliance review programs and conducted on-site reviews for Alaska, Montana, Oklahoma, South Carolina, Texas and Vermont.
- I helped the Division and Montana to prepare for their last State Management Reviews.

Mr. Frank Whittaker

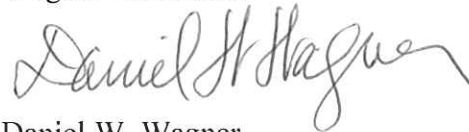
February 5, 2012

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- I am current on FTA requirements as the team I assembled supports the State Management Review and Triennial Review programs for FTA, including developing program guidance, developing and conducting training workshops, and conducting site visits of states and urban grantees.
- Ms. Denise Bailey of my proposed team conducts DBE reviews for FTA and provides training in DBE program requirements for the National Transit Institute. Also for FTA, she reviewed Title VI program submittals after the last revision to the Title VI circular and conducted Title VI reviews.

I appreciate the opportunity to submit this proposal and we look forward to working with you on this project.

Sincerely,
Wagner Associates

A handwritten signature in cursive script that reads "Daniel W. Wagner".

Daniel W. Wagner

Wagner Associates

RFQ PTR12003 STATE MANAGEMENT REVIEW PROGRAM

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RFQ PTR12003 STATE MANAGEMENT REVIEW PROGRAM

PURPOSE OF WORK

The West Virginia Division of Public Transit is seeking consultant services for the performance of on-site reviews of the state's Section 5311, 5316 and 5317 subrecipients to verify compliance with FTA and Division requirements. The consultant will use the Division's compliance review workbook. In addition to conducting all the tasks associated with on-site reviews (conduct desk review, review initial responses from subrecipients, conduct site review, produce report of findings and recommendations), the Division is also seeking assistance with the following tasks:

- Assist in the refinement of the Section 5311, 5316 and/or 5317 compliance review workbook, including adding or deleting sections that may be required as a result of the reauthorization of the federal transit legislation
- Provide technical assistance to subrecipients to bring their programs into compliance with Section 5311, 5316 and/or 5317 program requirements
- Assist in ensuring that any new or current subrecipients or programs resulting from the reauthorization of federal transit legislation are in compliance with FTA regulations
- Assist in reviewing and revising the Section 5311, 5316 and/or 5317 program guides
- Conduct workshops on 5311, 5316 and/or 5317 review findings and/or new, changed or suspended FTA requirements
- Assist in the implementation of any new circulars, regulations and/or guidance issued by FTA
- Assist in the development of a state management plan and on-site compliance review program for a combined Section 5310, 5316 and 5317 program should federal legislation combine these programs
- Assist in reviewing and revising the Section 5311 state management plan
- Assist in preparing and responding to the FTA State Management Review which will take place in 2013
- Assist in the development of the Division's updated Title VI plan and the implementation of the new Title VI and Environmental Justice requirements for the Division and its subrecipients
- Assist in the development the Division's DBE program and goal

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EXPERIENCE

Descriptions of work experience that demonstrate that Wagner Associates has the experience to accomplish the scope of work follow. All projects were completed on time. References are provided.

Program Support to the State Management Review and Triennial Review Programs, Federal Transit Administration. Mr. Wagner, Ms. Bailey and Mr. Clare are assisting the FTA Office of Program Management in the development and implementation of the State Management Review and Triennial Review programs. Tasks include conducting reviews, developing program guidance, conducting training workshops, providing technical assistance to states and other grantees, and performing special projects.

Contact:

Ms. Amy Jernigan, Program Manager
U.S. DOT Federal Transit Administration
202-366-6475

Duration: June 2008 – September 2013

Compliance Monitoring Services, Alaska Department of Transportation and Public Facilities. Mr. Wagner and Ms. Bailey are working with the state to develop and implement a comprehensive oversight program for recipients of FTA and state funds. They work with the state to: develop a compliance review package; conduct desk reviews and site visits, prepare draft and final reports; follow up with recipients on closing of deficiencies; conduct detailed program reviews in the areas of civil rights, financial management, and procurement, when necessary; conduct workshops; provide technical assistance to the state and recipients; and prepare for FTA oversight reviews, including state management reviews.

Contact:

Ms. Debbi Howard, Transit Coordinator
Alaska Department of Transportation and Public Facilities
907-465-2883

Duration: October 2011 – September 2017

Program Support, Montana Department of Transportation. Mr. Wagner provides support in meeting FTA requirements. He developed a Section 5311 best practices and compliance review program and trained state staff in use of the program. He prepared the state for its 2010 State Management Review. He is a featured speaker at the annual transit conference presenting on FTA requirements. For the 2012 conference, he will present an overview of FTA regulations and guidance. Ms. Bailey serves as the engagement principal.

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Contact:

Ms. Audrey Allums, Supervisor, Transit Section
Montana Department of Transportation
406-444-4210

Duration: 2002, 2007, 2008, 2010 and 2012

Program Support to the Transit and Rail Division, New Mexico Department of Transportation. Mr. Wagner provided support in meeting FTA requirements. Projects included: reviewing bus procurements for compliance with FTA requirements, developing a procurement manual for the purchase of buses by Section 5310 recipients, review of Title VI public information, and review of the park-and-ride contractor's rider policies.

Contact:

Mr. David Harris, Director
Transit and Rail Division
New Mexico Department of Transportation
505-699-4350

Duration: October 2010 – January 2012

Training in FTA Requirements, Maryland Transit Administration. Mr. Wagner, Ms. Bailey and Mr. Clare provided training to the state and subrecipients in FTA requirements.

Contact:

Mr. Lenny Howard, Chief, Regional Planning
Maryland Transit Administration
410-767-0029

Duration: March and July, 2011

Review of Internal Controls, Compliance, and Performance of Mass Transit Providers, South Carolina Department of Transportation. Mr. Wagner conducted on-site compliance reviews of Section 5311 subrecipients and recipients of state mass transit assistance and provided training in FTA requirements for subrecipients. Ms. Bailey served as the engagement principal.

Contact:

Ms. Lavern Glover, Program Manager
South Carolina Department of Transportation
803-737-0670

Duration: October 2006 – December 2008

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MANAGEMENT AND TECHNICAL QUALIFICATIONS

Wagner Associates has the management and technical qualifications to perform all the required tasks. We have assembled a team that is uniquely qualified to provide this assistance. Full resumes are attached in Appendix A.

Mr. Daniel Wagner, principal and founder of Wagner Associates, will serve as the project manager and will: conduct the compliance reviews; assist in the refinement of the compliance review workbook; assist in ensuring that any new subrecipients or current subrecipients or programs resulting from reauthorization; assist in reviewing and revising the Section 5311, 5316 and/or 5317 program guides; assist in the implementation of any new circulars, regulations and/or guidance issued by FTA; conduct workshops on 5311, 5316 and/or 5317 review findings and/or new, changed or suspended FTA requirements; assist in the development of state management plan and on-site compliance review program for a combined Section 5310, 5316 and 5317 program should federal legislation combine these programs; and assist in preparing for and responding to the State Management Review of the Division.

Mr. Wagner has over 30 years of management consulting experience. Since 1995, Mr. Wagner has been working with the Section 5311 and 5310 programs, first on the development and implementation of the State Management Review program with FTA and then assisting states, including West Virginia, with the development and implementation of compliance review programs. In 2008, he worked with FTA to incorporate the Section 5316 and 5317 program requirements into the program. To date, he has conducted over 50 State Management Reviews. He conducts State Management Review and Triennial Review workshops for FTA and is assisting FTA in the top-to-bottom review of the State Management Review program.

For the past six years, he has successfully conducted on-site compliance reviews for the Division and assisted it in the implementation of the Section 5311, 5316 and 5317 programs. He has provided support in meeting FTA requirements to the states of Alaska, Montana, New Mexico, Oklahoma, South Carolina, Texas and Vermont and has provided training in FTA requirements to subrecipients in West Virginia, Alaska, Maryland, Montana, North Carolina, South Carolina, Texas and Vermont.

Ms. Denise Bailey, Principal with Milligan and Company, LLC, will assist in the development of the Division's updated Title VI plan and the implementation of the new Title VI and Environmental Justice requirements for the Division and its subrecipients, and will conduct workshops on Title VI and DBE requirements. Ms. Bailey has over 24 years of experience, including over 15 years of experience providing program support to FTA. For FTA, she conducts DBE reviews and provides training in DBE program requirements for the National Transit Institute. She reviewed Title VI program submittals after the last revision to the Title VI circular and conducted Title VI reviews. She supports the State Management Review, Triennial Review and Procurement System Review programs and conducts State Management Review and Triennial Review workshops. She is assisting FTA in the top-to-bottom review of the State Management Review and Triennial Review programs.

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Mr. John Clare, principal and founder of JRC Consulting, will assist in tasks as necessary and will be available to provide technical assistance. Currently, he conducts State Management Reviews, Triennial Reviews and Procurement System Reviews and conducts Triennial Review and Procurement System Review workshops for FTA. For the Division, he provided technical support to the Eastern Panhandle Transit Authority with the management of its ARRA-funded construction project, the development of a DBE program, grant management, and other tasks. He is assisting Mid-Ohio Valley Transit Authority with the development of a DBE program. He developed and presented a one-day workshop in FTA procurement requirements for the Maryland Mass Transit Administration.

DETAILED PROJECT SCOPE AND OBJECTIVES

2.1.1 Conduct desk reviews. Mr. Wagner will conduct desk reviews at least six weeks prior to any site visit to ensure that subrecipients have enough time to complete the workbook and assemble materials in preparation for the site visit. During the desk review, he will complete as much of the Compliance Review Workbook as possible based on the information available in the Division's offices. During the desk review, he will work with the Division and subrecipients to schedule the site visits. He will interview Division staff, review submitted reports, and gather policies and procedures that are on file with the Division. He will enter his findings into the workbook. After the desk review is complete, he will email the partially completed workbooks, including a list of requested documents, to the Division for emailing to subrecipients. He will give subrecipients at least four weeks to complete the workbooks and assemble and send requested materials.

2.1.2 Conduct on-site visits. Mr. Wagner will conduct on-site visits of subrecipients using the Compliance Review Workbook that has been annotated with follow-up questions to discuss. To prepare for the visits, he will review answers to all the questions in the workbooks and submitted materials, annotate the workbooks with follow-up questions, and email annotated workbooks to the Division, allowing the Division to print copies to follow along. Active participation by Division staff during site visits is encouraged. Site visits should take no more than one day. However, if the answers to the questions in the workbook and the submitted documents indicate that the site visit will take longer, he will discuss revising the schedule with the Division.

2.1.3 Prepare report of findings and recommendations. Mr. Wagner will record his notes into the workbooks and prepare the reports of findings and recommendations. Each finding will include a timeframe for implementation. He will submit a draft report of findings and recommendations to the Division for review. After he incorporates any comments received, the Division will email the draft report to subrecipients. The subrecipient will have seven days to review the report to make any changes or corrections. After receiving comments from subrecipients provided by the Division, he will email completed workbooks, which will include the final report of findings and recommendations, to the Division which will forward them to subrecipients. The report of the on-site findings and recommendations will be produced and submitted to the Division and the subrecipient within 30 days of the on-site visit.

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2.1.4 Refine compliance review workbook. Wagner Associates will assist the Division by proposing refinements to the workbook based on issues that arise during on-site visits and will recommend additions, deletions or changes required as a result of the reauthorization or changing regulations or circulars. With all our recommendations, we will keep in mind the Division's goal of one-day site visits.

2.1.5 Provide technical assistance with reauthorization. As requested, Wagner Associates will conduct site visits to assist the Division to provide technical assistance to new and current subrecipients or programs resulting from reauthorization to ensure compliance with FTA regulations. It is expected that the site visits will last no more than one day and will be coordinated with other visits to minimize travel costs. Programs addressed may include 5310, 5311, 5316 and 5317. For new subrecipients, Mr. Wagner proposes face-to-face meetings at the Division's office to discuss each section and question in the Compliance Review Workbook. This approach proved successful with County Roads Transit and the Division's new Section 5316 subrecipients. Additional technical assistance for subrecipients beyond a site visit will be provided under task under task 2.1.13.

2.1.6 Revise program guides. The Division publishes comprehensive program guides addressing FTA and State requirements. Wagner Associates will assist in revising the Section 5316, 5317 and/or 5317 program guides to ensure that they comply with reauthorization.

2.1.7 Assist in development of a state management plan and on-site program. Wagner Associates will assist in the development of a state management plan and on-site program for a combined Section 5310, 5316 and 5317 program. We will use the current state management plans and on-site programs as a starting point. For the on-site program, our objectives will be to allow Division staff to continue to conduct the on-site visits for current Section 5310 subrecipients and to limit the time required for an on-site visit to no more than one day, except under extraordinary circumstances.

2.1.8 Assist in preparation for the state management review. Wagner Associates will assist the Division in preparing answers and assembling documents for the FTA State Management Review. This work will be performed on site at the Division's offices and will require at least two visits and, if needed, a third visit. We will conduct a pre-management review assessment and training and assist resolving any findings made as a result of the pre-review assessment, including making corrections, additions or deletions in the compliance workbooks and assisting subrecipients with resolving any findings. We will assist the Division with gathering and providing any materials required for the review. As part of this effort, we propose visiting the subrecipients selected to be visited during the State Management Review. The last on-site reviews will be used as the basis for the subrecipient site visits.

2.1.9 Assist with DBE program. Ms. Bailey will assist the Division to develop its three-year DBE goal which is due to FTA this year, assist the Division and the Equal Employment Opportunity Office update its DBE plan, and review semi-annual (or quarterly) reports, if necessary.

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- DBE Plan Update – Because there is a requirement to submit a Small Business Participation element by February, one of the first tasks is to review any work that has begun towards this effort and evaluate it for compliance with the requirement and the ability of the plan to show measurable results. This effort presents an opportunity to review the current DBE program plan to ensure that it reflects current Division policies and that those policies are in compliance with the new requirements published in 2011 and new guidance recently issued.
- Report review – In addition to being a requirement to submit accurate reports of DBE achievements, these reports are building blocks for the Division's three-year goals submittal. The result of the review of recently submitted results may yield some suggestions in improvement on data collection and extrapolation of data necessary for goal-submittal input.
- Goal-setting – To begin this process, an evaluation will be conducted of the most recently-submitted goal and the projected FTA-funded contracting opportunities of the Division. This information will be used to assist the Division in the setting of the upcoming three-year goal. In addition to the setting of the goal, we will assist in ensuring that the other elements of goal-setting, such as the consultative process and advertising are correctly planned for.

2.1.10 Assist with Title VI Program. Wagner Associates will assist the Division and its subrecipients with compliance with the revised Title VI circular. Ms. Bailey will lead this effort. The assistance may involve a workshop or on-site technical assistance. Although the Division's Title VI program update is not due until 2013, the anticipated changes in FTA's Title VI circular will necessitate some planning to ensure that the update will meet new requirements of that circular. We will assist the Division in preparing its Title VI plan and provide guidance to subrecipients, including in the development or updating of Limited English Proficiency (LEP) analyses and plans. We will review materials requiring Title VI information, such as web site and schedules. We will incorporate any new or revised requirements into the Compliance Review Workbook.

2.1.11 Provide miscellaneous administrative assistance. Wagner Associates will be available to provide any additional assistance relating to compliance issues that should arise relating to any FTA program and reauthorization.

2.1.12 Provide technical assistance for Triennial Reviews. Wagner Associates will provide technical assistance to Section 5307 recipients for any compliance issues identified during the preparation for the review or the conduct of the review.

2.1.13 Provide technical assistance to subrecipients. Wagner Associates will provide technical assistance to Section 5311, 5316 or 5317 subrecipients to bring their programs into compliance with FTA requirements. The technical assistance may be provided via mail or email, over the telephone, or through site visits or meetings. The technical assistance will be provided to any new subrecipient or new personnel at the state and

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local levels to ensure that they understand FTA requirements. We will provide sample policies and procedures as necessary.

2.2 Meet with the Division. Mr. Wagner will participate in the kick-off meeting at the Division's office. We propose to conduct a kick-off meeting annually. The meetings will take place at the same time as the first desk reviews. All desk reviews will take place at the Division's office in Charleston.

2.3 Present work tasks. Specific work tasks are discussed in each task.

2.4 Conduct workshops. If requested, Wagner Associates will develop and conduct a workshop(s) on the findings resulting from the on-site reviews and/or new requirements that result from reauthorization. The content of the workshop(s) will be mutually agreed upon beforehand. We will be responsible for workshop materials and supplies, delivery of materials to the workshop(s) site, and registration the day of the workshop(s). We will send all materials to the Division for review and approval prior to the workshop(s). No registration fees will be charged. We will provide one presenter for each workshop.

LEVEL OF EFFORT

Through its past work with the Division, Wagner Associates has demonstrated its commitment to serving the Division by committing the resources necessary to complete tasks on time. We will continue to commit the resources necessary to serve the Division.

Mr. Wagner will serve as the project manager and will perform most of the tasks. He will commit up to 25 percent of his time to the project.

Ms. Bailey, who will lead the effort to support the Division's DBE and Title VI efforts, will be available to conduct these efforts. Her first efforts will be to assist the Division with its DBE program. She is prepared to begin work on the DBE task immediately after contract award as the small business element to the DBE program must be submitted to FTA by February 28, 2012, and the Division must publish its DBE goal no later than June 15 to meet the August 1 submission deadline to FTA.

Mr. Clare is available to support the Division on tasks as necessary.

PROJECT TIME SCHEDULE

The following table presents a proposed project time schedule. The schedule assumes a contract award in early March. Key tasks for year one of the contract are:

Tasks 2.1.1 Conduct desk reviews, 2.1.2 Conduct on-site visit, and 2.1.3 Prepare report of findings and recommendations: In order for the Division to meet its schedule for conducting several on-site reviews before the end of the state's current fiscal year, Mr. Wagner has tentatively scheduled the kick-off meeting and the first round of desk reviews for the week of March 14 and is prepared to conduct site visits during May or June.

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Task 2.1.4 Refine compliance review workbook: This task must be completed before the desk reviews and on-site visits. Mr. Wagner proposes working with the Division on this task during his first visit to Division offices, tentatively scheduled for the week of March 14.

Task 2.1.5. Assist in preparation for the state management review. We anticipate that the earliest the FY2013 State Management Review guide will be available and the Division will receive its review package for its FY2013 State Management Review will be February or March. We are prepared to conduct the first visit to the Division's office at that time.

Task 2.1.9 Assist with DBE program. Ms. Bailey is prepared to begin work on the DBE task immediately after contract award as the small business element to the DBE program must be submitted to FTA by February 28, 2012, and the Division must publish its DBE goal no later than June 15, 2012, to meet the August 1, 2012, submission deadline to FTA.

Task 2.1.10 Assist with Title VI program. The Division's Title VI program expires May 14, 2013. Work on the submission should start next winter.

2.1.11 Provide miscellaneous administrative assistance, 2.1.12 Provide technical assistance for Triennial Reviews, and 2.1.13 Provide technical assistance to subrecipients. We are available to provide miscellaneous administrative assistance to the Division, for Triennial Reviews, and to subrecipients as requested.

Task 2.4 Conduct workshops. We are prepared conduct a workshop(s), if requested, in the fall.

Other tasks. We anticipate that the tasks supporting reauthorization will not be required in the first year of the contract as FTA guidance regarding any reauthorization passed in FY2012 will take a year or more to be issued by FTA. However, we will be available to assist in these tasks if necessary.

Task	Month											
	M	A	M	J	J	A	S	O	N	D	J	F
2.1.1 Conduct desk reviews	X											
2.1.2 Conduct on-site visit				X				X				
2.1.3 Prepare report of findings and recommendations				X				X				
2.1.4 Refine compliance review workbook	X											
2.1.5 Provide technical assistance with reauthorization	Not anticipated to occur the first year of the contract											
2.1.6 Revise program guide	Not anticipated to occur the first year of the contract											

Wagner Associates

Task	Month											
	M	A	M	J	J	A	S	O	N	D	J	F
2.1.7 Assist in development of state management plan and on-site program	Not anticipated to occur the first year of the contract											
2.1.8 Assist in preparation for the state management review												X
2.1.9 Assist with DBE program	X	X	X									
2.1.10 Assist with Title VI program												X
2.1.11 Provide miscellaneous administrative assistance	As requested											
2.1.12 Provide technical assistance for Triennial Reviews	As requested											
2.1.13 Provide technical assistance to subrecipients	As requested											
2.2 Meet with the Division	X											
2.4 Conduct workshops									X			

EEO STATEMENT

Mr. Wagner is an independent consultant and as such has no staff. He is committed to nondiscriminatory behavior in his dealings with others. Milligan & Company, LLC, a proposed subcontractor, is a minority- and veteran-owned business.

DBE STATEMENT

Neither Wagner Associates nor its proposed subcontractors, Milligan & Company, LLC, and JRC Consulting, is a disadvantaged business enterprise. Milligan & Company, LLC, is a minority- and veteran-owned business.

Wagner Associates

APPENDIX A: RESUMES

Daniel W. Wagner, Principal, Wagner Associates
Engagement Role: Project Manager/Lead Reviewer

Education: Bachelor of Arts in Economics, The Catholic University of America, graduated summa cum laude and Phi Beta Kappa

Summary: Mr. Wagner, principal and founder of Wagner Associates, has over 30 years of experience in management and performance reviews, compliance reviews, program evaluation, project planning, organization analysis, and financial analysis. Since 1994, he has supported FTA's oversight programs. Since 2000, he has provided support to state departments of transportation in FTA compliance.

Relevant Experience:

State Departments of Transportation

- Developed transit performance and compliance review programs and conducted reviews for **West Virginia, Alaska, Montana, Oklahoma, South Carolina, Texas and Vermont**.
- Provided program support, advice and technical assistance to **West Virginia, Montana** and **New Mexico** in FTA requirements.
- Assisted **Montana** and **West Virginia** in preparing for their FY 2000 State Management Reviews.
- For **Vermont**, recommended strategies to better coordinate service delivery to reduce redundant service and leverage multiple transportation funding sources. Assisted two Section 5311 subrecipients in developing procedures for implementing the new coordinated service delivery model, including developing cost allocation plans that allow the providers to more easily bill programs for services. Led the effort to assist eight other Vermont transit providers in developing cost allocation plans.
- Conducted a management and compliance review of the **Rhode Island** Public Transit Authority's (RIPTA) ADA transportation program and assisted in the evaluation and development of a training program for paratransit operators for RIPTA.

Federal Transit Administration

- Conducts *State Management Reviews*. Serves as a lead reviewer and instructor for *State Management Reviews* and *Tribal Transit Assessments*. Works with FTA to develop the annual *State Management Review* contractor guide and workshop presentation. Conducts special projects. Co-developed the first *Tribal Transit Program* presentation. Served on the team that developed the original *State Management Review* program. Has supported the program from 1995 -2001 and from 2008 to the present. To date, has conducted over 50 *State Management Reviews*.

- Conducts *Triennial Reviews*. Works with FTA to develop *Triennial Review* contractor guide and workshop presentation. Serves as a workshop instructor. Has supported the program since 1994 and has conducted over 100 *Triennial Reviews*, including reviews of some of FTA's largest grantees—New York City Transit, Los Angeles County Metropolitan Transportation Authority, Maryland Transit Authority, Central Puget Sound Regional Transit Authority (Sound Transit), Dallas Area Regional Transit (DART), Metropolitan Transit Authority of Harris County (Houston Metro), Bay Area Rapid Transit (BART), Regional Transportation District (RTD Denver), Metropolitan Transit System (San Diego), Utah Transit Authority (Salt Lake), and Regional Transit Authority (New Orleans RTA).
- Conducted *Drug and Alcohol Program Audits*.

Training

- Serves as an instructor at *State Management Review, Triennial Review* and *Tribal Transit* workshops.
- Developed and presented training programs in FTA requirements for subrecipients in **Alaska, Maryland, Montana, North Carolina, South Carolina, Texas, Vermont** and **West Virginia**.
- Conducted two-day workshops on FTA requirements for **North Carolina** and **Maryland** state staff.
- Presented on conducting compliance reviews at a Transportation Research Board Rural Transit Conference.

M. Denise Bailey, Principal, Milligan & Company, LLC

Engagement Role: DBE and Title VI Compliance

Education: Bachelor of Science, Commerce & Engineering, Drexel University, Philadelphia, PA

Summary: Ms. Bailey has over 24 years of work experience, including over 20 years of experience in government compliance. She is responsible for the firm's government consulting engagements with various entities, including the *Federal Transit Administration, State Departments of Transportation, Southeastern Pennsylvania Transportation Authority, National Transit Institute, and the Federal Aviation Administration*. She has expertise in civil rights, grants management, contract compliance, training and construction scheduling.

Relevant Experience:

US Department of Transportation – Federal Transit Administration

- Project manager for *Triennial Reviews and State Management Reviews*
- Project manager for *Disadvantaged Business Enterprise, Title VI and Equal Employment Opportunity* reviews
- Project manager for *Procurement System Reviews*. Developed and maintained *Best Practices Procurement Manual*.
- Project manager for *Drug and Alcohol Audits*
- Senior consultant for *Financial Management Oversight Reviews*
- Project manager for evaluation of emergency preparedness plans for the Office of Civil Rights

State Departments of Transportation

- Project manager for reviews of internal control, compliance and performance of subrecipients for the *South Carolina Department of Transportation*
- Project manager for analysis of capital project funding, review of internal controls, and development of a comprehensive process and procedures manual for the Capital Programming Division to strengthen internal controls over the federal funding process for *Maryland Transit Administration Office of Planning*
- Project manager for drug and alcohol audits of *Maryland Transit Administration* contractors
- Instructor at workshop in FTA requirements for the *Maryland Transit Administration*
- Project manager for evaluation of current state transit agency needs and long-term funding solutions for highway and transit for the *Pennsylvania Department of Transportation - Funding Reform Commission*
- Project analyst for DBE Supportive Services Center – Eastern Pennsylvania for the *Pennsylvania Department of Transportation*

National Transit Institute – Serves as lead trainer for the *DBE Training Program*.
Updates course materials to reflect recent changes in the USDOT regulation.

Federal Aviation Administration – Served as project manager and lead reviewer on DBE program reviews of airport sponsors.

Pennsylvania Office of the Budget – Served as principal-in-charge of engagement to review grant applications and monitor financing and construction of projects receiving redevelopment assistance grants from the state.

Engineering Engagements

Philadelphia International Airport – Conducted an efficiency review of the Planning and Development Department that addressed the planning, design and construction units.

I-95 Delaware Expressway – Served as schedule engineer for the I-95 Delaware Expressway program which included ten separate contracts worth over \$120 million. Developed and monitored design and construction schedules, problem-solved and interfaced with prime contractors, subcontractors, owners and affected agencies.

City of Philadelphia – Provided construction inspection services at the Philadelphia International Airport for various construction projects, including roadway and apron work, HVAC renovation, cooling tower installation and building renovation.

Professional Affiliations:

Women's Transportation Seminar, Philadelphia Chapter - Past President
American Public Transportation Association (APTA)
Conference of Minority Transportation Officials
Pennsylvania Highway Information Association (PHIA)

Publications, Presentations & Research Projects:

- Report on Transit Emergency Preparedness for Minority, Low-Income, and Limited English Proficient Persons
- BRT Evaluation of Port Authority of Allegheny County's West Busway

John R. Clare, Principal, JRC Consulting
Engagement Role: Lead Analyst

Education: Master of Arts in Public Administration, State University of New York at Albany; Bachelor of Arts, Political Science, American University

Summary: Mr. Clare, principal and founder of JRC Consulting, has over 30 years of experience in the public transit industry and in project management. Before becoming a consultant, he provided project management oversight of several design and construction projects and held a number of senior management positions with the Central New York Regional Transportation Authority.

Relevant Experience:

Federal Transit Administration

- Serves as a lead reviewer for *State Management Reviews*
- Serves as a lead reviewer for *Triennial Reviews* and as an instructor at workshops
- Serves as a lead reviewer for *Procurement System Reviews* and serves as an instructor at workshops

Maryland Mass Transit Administration – Developed and provided a one-day training workshop on FTA procurement requirements to state staff and subrecipients.

West Virginia Department of Transportation - Provided technical support to the Eastern Panhandle Transit Authority with the management of its ARRA-funded construction project, the development of a DBE program, grant management, and other tasks.

Mid-Ohio Valley Transit Authority – Assisting with the development of a DBE program.

Onondaga County, New York – As a project management consultant, oversaw five major capital improvement projects. Prepared, selected and negotiated professional service contracts; reviewed bid documents; and oversaw design engineers and contractors to ensure projects were done in compliance with government regulations and in accordance with contract requirements.

Central New York Regional Transportation Authority – Held a number of senior management positions responsible for project development, project management, contract administration, procurement, proposal preparation, selection and negotiation of professional service contracts, capital planning and construction, grant preparation, grant administration, governmental relations and marketing. As the manager responsible for assuring compliance with FTA regulations, served as the point person responsible for FTA *Triennial Reviews*. At the invitation of FTA, moderated a training session on “Surviving a Triennial Review” at a joint Region I and II conference. Also at the request of FTA, managed a national bus purchase consortium and a statewide alternative fuels

bus purchase consortium. Served as the project manager for multiple capital construction projects, including an Intermodal Transportation Center project. Developed, implemented and evaluated a wide range of innovative programs to improve the efficiency and effectiveness of transit operations, including demand responsive transportation systems, bus air conditioning effectiveness programs, a brake retarder demonstration, an automated bus diagnostic system, and a wheelchair lift life cycle cost project.

Syracuse Metropolitan Transportation Council – Metropolitan Planning Process. For over 25 years, served as a representative on the Syracuse Metropolitan Transportation Council, the metropolitan planning organization for the Syracuse metropolitan area. Served as chairman of the executive committee, first alternate for the policy committee, and a member of the planning committee, the capital projects subcommittee, and the transit subcommittee. Assisted the MPO during *Planning Certification Reviews* conducted by the FTA and the Federal Highway Administration.

Buyer: FW44 Page _____ PO#PTR12003
 Spending Unit: Division of Public Transit
 Department of Transportation

BID FORM #1

(Quantities listed on Bid Form #1 are estimates for bid evaluation purchases only. Actual quantities may vary)

Task	Estimated Quantities	TOTAL COST
2.1.1 – 2.1.3 On site reviews including desk reviews, review on site, report and resolution of findings	Cost of one review \$ <u>4,600</u> times 15	\$ <u>69,000</u>
2.1.4 Refining 5311, 5316, and/or 5317 Compliance Review Workbooks	Cost of Refining all three Compliance Workbooks per year \$ <u>1,000</u>	\$ <u>1,000</u>
2.1.5 Cost to provide assistance to new sub-recipients or personnel	Cost per site \$ <u>1,500</u> times 5	\$ <u>7,500</u>
2.1.6 Revision of 5311, 5316 and/or 5317 program guides	Cost per revisions \$ <u>4,000</u> times 3	\$ <u>12,000</u>
2.1.7 Revisions of State Management Plans for 5310, 5316, and 5317	Cost to combine and revise plans \$ <u>5,000</u> times 1	\$ <u>5,000</u>
2.1.8 State Management Review Assistance	State Management Review Assistance \$ <u>13,400</u> times 1	\$ <u>13,400</u>
2.1.9 Assistance in developing the FY 2012 DBE goal, plan updates and review of progress reports	DBE Goal, Plan, and Reports \$ <u>5,000</u>	\$ <u>5,000</u>
2.1.10 Assistance with Title VI and LEP Programs and Environmental Justice	Title VI, LEP and Environmental Justice \$ <u>5,000</u>	\$ <u>5,000</u>
2.1.11 Technical assistance to implement changes brought by new federal transit legislation	New federal transit legislation \$ <u>125</u> x 150 hours	\$ <u>18,750</u>
2.1.12 Technical assistance to 5307 recipients	Section 5307 Recipients \$ <u>125</u> x 100 hours	\$ <u>12,500</u>
2.1.13 Technical assistance to individual recipients	Section 5311, 5316 and 5317 Recipients \$ <u>125</u> x 150 hours	\$ <u>18,750</u>
2.4.1. Review Findings Workshop	Cost of Workshop \$ <u>5,000</u>	\$ <u>5,000</u>
2.4.2 New FTA Circular/Program Guidance Workshop(s)	Cost per Workshop \$ <u>5,000</u>	\$ <u>5,000</u>
GRAND TOTAL BID		\$ <u>177,900</u>

Vendor Name: Wagner Associates
 Vendor Address: 5528 24TH ST N Arlington VA 22205
 Date: 2/5/2012 Signature: Daniel H Wagner

BID FORM #2

CERTIFICATION OF RESTRICTIONS ON LOBBYING

The undersigned (Vendor, Contractor) certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of a Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance, or the extension, continuation, renewal, amendment, or modification of any Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance.
2. If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with any application for a Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance, the undersigned assures that it will complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," Rev. 7-97; and
3. The undersigned understands that the language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, subagreements, and contracts under grants, loans (including a line of credit), cooperative agreements, loan guarantees, and loan insurance.

Undersigned understands that this certification is a material representation of fact upon which reliance is placed by the Federal government and that submission of this certification is a prerequisite for providing a Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance for a transaction covered by 31 U.S.C. 1352. The undersigned also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The (Vendor, Contractor) Wagner Associates, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the (Vendor, Contractor) understands and agrees that the provisions of 31 U.S.C. §§ 3801, et seq., apply to this certification and disclosure.

2/4/2012
Date

Daniel H. Wagner
Authorized Signature

Principal
Title

BID FORM #3

**CERTIFICATION OF PRIMARY PARTICIPANT REGARDING
 DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

The Primary Participant (applicant for an FTA grant or cooperative agreement, or potential contractor for a major third party contract),

Wagner Associates (COMPANY NAME) certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(If the primary participant (applicant for an FTA grant, or cooperative agreement, or potential third party contractor) is unable to certify to any statements in this certification, the participant shall attach an explanation to this certification.)

THE PRIMARY PARTICIPANT (APPLICANT FOR AN FTA GRANT OR COOPERATIVE AGREEMENT, OR POTENTIAL CONTRACTOR FOR A MAJOR THIRD PARTY CONTRACT),

Wagner Associates, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ET SEQ. ARE APPLICABLE THERETO.

Daniel J. Wagner, Principal
 Signature and Title of Authorized Official

2/4/2012

BID FORM #4

Wagner Associates hereby certifies that it IS or IS NOT (check the appropriate box) included on the U.S. Comptroller General's Consolidated List of Persons or Firms Currently Debarred for violations of Various Public Contracts Incorporating Labor Standards Provisions.

2/4/2012
Date

Daniel M Wagner
Authorized Signature

Principal
Title

Wagner Associates
Company Name

BID FORM #5

VENDOR'S CERTIFICATION OF UNDERSTANDING AND ACCEPTANCE

The Contractor hereby certifies that all Technical Specifications and Contract Terms and Conditions have been carefully reviewed, are fully understood and shall be adhered to in the performance and completion of any contract resulting from this bid.

2/4/2012
Date

Daniel H Wagner
Authorized Signature
Principal

Wagner Associates
Title

Company Name

BID FORM #6

ADDENDUM ACKNOWLEDGMENT

I hereby acknowledge receipt of the following checked addendum(s) and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum No.'s

No. 1 none

No. 2 _____

No. 3 _____

No. 4 _____

No. 5 _____

I understand that failure to confirm the receipt of the addendum(s) is cause for rejection of bids.

If no addendums are issued, please check this box and sign this form.

Daniel H. Wagner

Signature

Wagner Associates

Company

2/4/2012

Date

BID FORM #7

STATE OF WEST VIRGINIA
Purchasing Division
PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (*West Virginia Code* §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Wagner Associates

Authorized Signature: Daniel H. Hauger Date: 2/4/2012

State of Virginia

County of Arlington, to-wit:

Taken, subscribed, and sworn to before me this 4th day of February, 2012

My Commission expires March 31st, 2013, 2013

AFFIX SEAL HERE

NOTARY PUBLIC

Claudia Legay

Purchasing Affidavit (Revised 12/15/09)

