

**REQUEST FOR QUALIFICATIONS
TO PROVIDE PUBLIC ART
AT TRANSIT STATIONS
FOR THE
OMNITRANS sbX
E STREET CORRIDOR
BUS RAPID TRANSIT PROJECT**

RFQ-PLN09-31

REQUEST FOR QUALIFICATIONS
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Preliminary Engineering Design of an sbX Transit Station

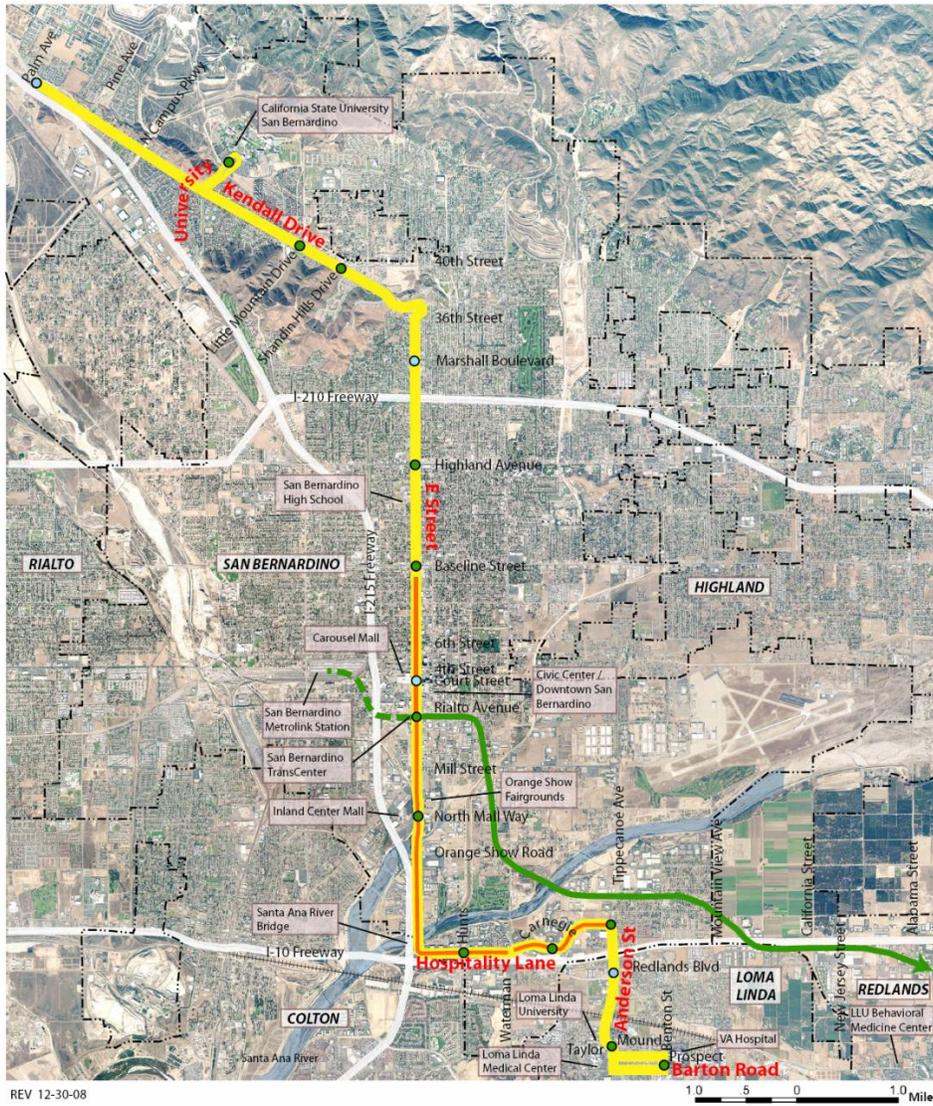


Preliminary Landscape Design of an sbX Transit Station

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sbX 'E' Street corridor BRT project

Refined Locally Preferred Alternative



- Proposed sbX Alignment (Refined LPA)
- Preliminary Locations of Exclusive Center Lanes
- Potential sbX Stations
- Potential sbX Stations with Park-and-Ride
- City Boundaries
- Proposed Redlands Rail/Metrolink Extension

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Key Dates

RFQ Issued	April 1, 2009
RFQ Artist Workshop	April 13, 2009- 8 PM San Bernardino City Hall 300 North D Street – Council Chambers San Bernardino, CA 92418
Responses to questions from workshop Posted on project web site.	April 20, 2009
Statement of Qualifications Due	May 5, 2009- 5 PM
Board Approval to Issue RFP	May 6, 2009
RFP Issued by Procurement	May 10, 2009
Station Art Review Committee submission reviews and short list of two artists per opportunity (18 total) completed by:	May 22, 2009
Artists Short-listed Notification	May 25, 2009
Question and Answer Meeting with Project Art Consultant, project Team Members, and SAR Representatives as needed to be completed by	June 3, 2009
Presentation Proposals Due to appropriate Station Art Review Committee that includes interview with Artists.	June 17, 2009
SAR Committees to select finalists	June 17, 2009
Negotiations to place Artist under limited design agreement to be completed by:	July 1, 2009
Board Approval to Award Contract	July 1, 2009
Issue Notice to Proceed to Consultant	July 1, 2009
Vision Project Kick-Off Meeting with project design team and selected artists to be completed by:	July 15, 2009

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The Omnitrans sbX E Street Corridor Bus Rapid Transit (BRT) project team hereby invites submissions from qualified Artists to provide services to develop public artwork for the Project that will include dedicated rapid bus lanes between the City of San Bernardino and the City of Loma Linda.

An Artist Workshop will be held on April 13th, 2009 at San Bernardino City Hall – Council Chambers. This is located at 300 North D Street, San Bernardino, CA 92418. The meeting shall begin at 8 PM and shall conclude by 9:30 PM. Artists are encouraged to attend. During the Artist Workshop a Q&A session shall be recorded. A written transcript of the Q&A session shall be emailed to each person who signs in at the workshop, or requests a copy of the Q&A by phoning or emailing Janet Williams, Sr. Contracts Specialist at (909) 963-5234 or janet.williams@omnitrans.org. In addition, the Q&A shall be posted on the project website www.omnitrans.org/purchase.

Submissions must be received at or before 5pm, Pacific Daylight Standard Time (PDST) on Tuesday May 5th 2009. Any proposal documentation received after the date and time specified above will be rejected and considered non-responsive, and returned to the Artists unopened.

Parties interested in obtaining a copy of the RFQ may do so by calling Janet Williams, Sr. Contracts Specialist, sbX E Street project office at (909) 963-5234 and/or email: janet.williams@omnitrans.org and leaving the following information.

- Artist Name
- Address
- Contact Person
- Telephone Number
- State your interest to receive RFQ-PLN09-31

A full copy of the RFQ may also be obtained from the following web sites.

www.omnitrans.org/purchase

All Artists will be required to comply with all the provisions of this RFQ.

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1.0 GENERAL INFORMATION

1.1 BACKGROUND AND PROJECT DESCRIPTION

The E Street sbX (San Bernardino Express) BRT Corridor Project is approximately a 16-mile express bus corridor that will greatly improve transit service for San Bernardino and Loma Linda. This new high-tech, user-friendly system will offer more frequent service, fewer stops, and higher average speeds than traditional bus service. Investing in this new transportation system will greatly improve Omnitrans' ability to meet growing travel demands, encourage redevelopment, and maintain economic vitality in the Project Corridor. Final estimates for fabrication; installation and technical oversight of each project are yet to be determined. Final budgets shall be estimated after the selection of each Artist or Artist Team is completed by Summer 2009. The sbX E Street Corridor BRT Project is planned to begin operations in 2011.

The sbX project includes 16 transit stations and associated Park and Ride facilities. Public Art in the project is meant to enhance the transit users experience, create a unique character for each station, and benefit the community at large. Art can be an integral part of each of the transit stations and park & ride facilities. Public Art may include ideas ranging from permanent display to temporary exhibitions. Art may be related to local history or cultural identity. Art may also consist of a variety of mediums, such as:

- Paving – platform, parking, crosswalks
- Lighting – station or site. Attachments to standard light poles
- Landscaping, storm water design, artwork integrated into landscaping
- Fencing & railings
- Bicycle racks
- Site-specific, freestanding artwork that serves as marker or community identifier
- Art in shelter polycarbonate or glass
- Art within the Right-of-Way
 - Finishes/coverings for mechanical sheds/boxes
 - Artwork integrated into the landscaping
- Signage
 - Attachment/marker on top of standard poles, i.e. whirligigs
 - Specialty designed poles to reflect history/culture of an area
- Temporary Art during Construction

A more detailed description of the elements of the project is provided in the Refined Locally Preferred Alternative Report. This document and others are available on the project team's website at www.omnitrans.org, or at the sbX project team's office located at: 201 North 'E' Street, Suite 202, San Bernardino, CA 92401

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2.1 SUBMISSION REQUIREMENTS

2.1 ELIGIBILITY

All professional Artists or Artist teams are eligible to submit materials in response to this RFQ. Experience in public art projects is not a requirement but is desirable. An individual Artist or Artist team can apply for a maximum of three (3) opportunities as stated in Section 5.0, Scope of Services. Artist teams will only be considered if they have previously completed successful projects together.

2.2 MATERIALS FOR SUBMISSION

Please read all information listed carefully. This is a request for qualifications and NOT a solicitation for proposals. Incomplete packages will be disqualified from consideration. Submission packages should include the following:

A two page narrative that outlines the approach you would take to develop preliminary design **for one or more (up to three) transit station art opportunities** associated with the sbX E Street Corridor BRT Project, as define on page 7, 5.1 Artist or Artist Team Opportunities. Artist are also required to state in their narrative why they are interested in creating artwork for the project being advertised and why their work is applicable to an outdoor transit environment. If you are applying as a team, please state your previous collaborative work completed.

A typed professional resume limited to four (4) pages per Artist or per Artist team.

A maximum of 10 images of previous artwork completed. All images provided for consideration **must be submitted as digital files in a JPEG format**, 300 DPI, 5MB or smaller on a CD. Each image should be numbered.

An annotated image list that includes the following information:

- Number of image
- Title of Work
- Media
- Dimensions
- Date
- Budget and/or commissioning body if relevant

A one (1) page typed letter listing three (3) professional references per Artists or Artist team that includes the following information:

- Name

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- Address
- Phone
- Description of professional affiliation

Submittal materials will not be returned. **Please do not send original artwork.**

2.3 DEADLINE

Complete submission materials must be received in the Project team's office by Tuesday May 5th at 5:00 PDST. Submissions can be mailed to or dropped off at the following address:

OMNITRANS
Janet Williams, Sr. Contracts Specialist
1700 West Fifth Street
San Bernardino, CA 92411

Late or incomplete Submissions will not be considered.

2.4 CLARIFICATIONS, QUESTIONS, AND COMMENTS

The project team will attempt to respond to clarifications, questions, and comments at the pre-submission meeting to be held on April 13, 2009 at San Bernardino City Hall – Council Chambers. This is located at 300 North D Street, San Bernardino, CA 92418. . The clarifications, questions, and comments along with the Project team's responses will be posted on the Omnitrans website (www.omnitrans.org) and may be obtained by US mail or via email by contacting the Sr. Contract Specialist.

3.0 SELECTION PANEL AND CRITERIA

3.1 SELECTION PANEL

Each city shall assemble a selection panel; know as the Station Art Review (SAR) Committee, which is comprised of no more than 10 members. The committee will evaluate the submissions received based upon the criteria identified in Section 3.2 for short-listing the Artists or Artist teams for the art opportunities. The same SAR Committee will select the final 1 (one) Artist or Artist team for each art opportunity from their short-listed Artists or Artist teams. The evaluation criteria for the final selection process will be developed at a later date using project team guidelines and specific SAR Committee requirements. Throughout the selection process, the project art consultant shall oversee and support the process.

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3.2 EVALUATION CRITERIA

The following lists the criteria the SAR Committee will use to evaluate each submission. Maximum points are 100:

CRITERIA	POINT VALUE
1. Artistic achievement as demonstrated in submission resume.	20 Points
2. Artistic practice as demonstrated by submission slides and two-page narrative approach as explained in section 2.2 of this document.	25 Points
3. Ability to demonstrate project development and completion of previous projects, public art or other experiences.	15 Points
4. Applicability and suitability of past work to the specific commission opportunities being advertised.	10 Points
5. Appropriateness of previously completed artwork to their sites, including safety and scale.	10 Points
6. Durability and suitability of materials, resistance to vandalism and a minimum of maintenance requirements.	5 Points
7. Experience working with the public and neighborhood communities.	15 Points

4.0 SHORTLISTING AND FINAL SELECTION

4.1 SCHEDULE

The project team anticipates the SAR Committee to select the 18 (2 per the proposed 9 opportunities) short-listed Artists or Artist teams by June 2009. The short-listed Artists or Artist team will be invited to participate in the RFP. The RFP will consist of the proposal requirements.

The project team anticipates that approval of the Artists or Artist Teams shall be completed in early summer of 2009. After such approval, the Artist or Artist Team shall be put under contract to begin working with the project design team to incorporate art elements into the station design of the project.

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4.2 NOTIFICATION OF SELECTION

Each Submission in response to this RFQ shall be notified in writing regarding the successfully selected Artists or Artist teams. In addition, this information will be posted on sbX E Street project website at www.omnitrans.org

4.3 REJECTION, TERMINATION, OR SUSPENSION

The project team reserves the right to reject any or all submissions, to reject any finalist, to waive any irregularity, or to terminate or suspend this RFQ or the selection process. Funding for the development of preliminary design concepts by artists is dependent upon project funding. The project team retains the right to review and revise all deadlines pertinent to the public art program and this RFQ.

5.0 SCOPE OF SERVICES

5.1 ARTIST OR ARTIST TEAM OPPORTUNITIES

The sbX project team seeks qualified Artists or Artist teams to develop conceptual designs for the public art opportunities identified for the sbX E Street Corridor project. Artists may submit an interest to furnish public art for up to a maximum of three (3) different transit station locations:

1. PALM/KENDALL TERMINUS STATION (VERDEMONT AREA)

2. CSUSB STATION

3. KENDALL DRIVE STATIONS

LITTLE MOUNTAIN DRIVE
SHANDIN HILL

4. E STREET – NORTH OF DOWNTOWN STATIONS

MARSHALL BOULEVARD
HIGHLAND AVENUE
BASELINE STREET

5. DOWNTOWN SAN BERNARDINO CIVIC CENTER STATION

6. DOWNTOWN SAN BERNARDINO INTERMODAL TRANSIT STATION

7. INLAND CENTER MALL STATION

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8. HOSPITALITY LANE STATIONS

HUNTS LANE
CARNEGIE
TIPPECANOE

9. LOMA LINDA STATIONS

REDLANDS BOULEVARD
MOUND STREET (LOMA LINDA UNIVERSITY AND MEDICAL CENTER)
BARTON/ BENTON STREET (VETERANS ADMINISTRATION HOSPITAL)

5.2 GENERAL DESCRIPTION OF THE SERVICES

Two (2) Artists or Artist teams will be selected to develop a preliminary design concept for each of the nine (9) opportunities listed in Section 5.1. These Artists or Artist teams will present their concept and interview with the appropriate SAR Committee at a date TBD. Finalists will be paid a fee of \$500.00 (five hundred dollars) to provide the following within their preliminary design concept:

- a) Sketches of proposed artwork for station or alignment opportunity.
- b) Proposed artwork dimension and materials.
- c) Artwork placement.
- d) Preliminary artwork budget
- e) Identification of electrical (such as lighting), mechanical, and other such requirements.
- f) Written Artist or Artist team statement that includes thematic approach of design.

Selected Artists or Artist teams must be available and present for meetings with the project team staff at the Project team's office located in the City of San Bernardino.

The project team will not compensate the selected Artists or Artist teams travel expenses and/or time over and above the stated honorarium. Artists or Artist Teams selected to prepare multiple preliminary design concepts shall be compensated for each opportunity in the amount of \$500.00 (five hundred dollars) per opportunity.

5.3 INTELLECTUAL PROPERTY RIGHTS

Omnitrans, FTA, and Stakeholders reserve a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use for the Omnitrans SBX E Street Corridor BRT Project for non-commercial purposes.

RIGHTS IN ARTWORK DESIGN AND ARTIST'S SUBMITTALS

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1. Copyright: Artist's rights in all drawings, documents, and studies developed by artist as well as the artwork itself
2. License for FTA: To reproduce, publish or authorize others to use for Omnitrans SBX E Street Corridor BRT Project purposes in accordance with 49 CFR Section 18.34 – Copyrights.
3. Right of Omnitrans to reproduce (such as photographs and prints): For noncommercial purposes (educational, public relations, arts promotional, etc.) the Artwork submittals and Artwork Design.
4. Right of Omnitrans to distribute reproductions: To the public by gift, or other transfer of ownership.
5. Right of Omnitrans to incorporate the Artwork Design into any trademarks or service marks.
6. Omnitrans rights for commercial uses: To be negotiated with the artist and the terms to be established in a separate written agreement.
7. Artwork Design not to be duplicated by artist without Omnitrans written consent.
8. Termination of Artist's Rights: Artist's rights terminate with death of Artist and do not extend to Artist's heirs, successors or assigns.

RIGHTS IN THE ARTWORK

1. Ownership: Title to pass to the Omnitrans upon installation and final acceptance of Artwork. Omnitrans reserves the right to donate, transfer, or sell the Artwork, or any portion thereof.
2. Display: Omnitrans to have exclusive right to publicly display the Artwork and to loan the Artwork to others for purpose of public display.
3. Reproductions and Adaptations: Grantee to have license to reproduce (e.g., photographs and prints) and three-dimensional reproductions for noncommercial purposes (educational, public relations, arts promotional, etc.) Examples of such reproductions for noncommercial purposes might include: books, slides, postcards, posters, tee-shirts, mugs and calendars; reproductions in art magazines, art books, newspapers, videos, film and other visual media of whatever kind; reproductions in or on world wide web sites, internet sites and other electronic media; and reproductions for advertising purposes.

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Reproductions to contain a credit to the Artist and a copyright notice.

4. Commercial Uses by Grantee: Reproductions for commercial uses are only to be made with the mutual consent of the parties; e.g., use of the Artwork as background for advertisements, publications, movies, television, video and other types of productions or entertainment media.
5. Artist Credit: All references and all reproductions or adaptations of the Artwork will credit the Artwork to the Artist unless Artists requests to the contrary.
6. Artist's Commitments: Artwork Design not to be duplicated by artist without grantee's written consent.
7. Future Removal, Relocation or Modification: Omnitrans to have right to remove the Artwork from the site and relocate to another site.
8. Repairs and Restoration: Omnitrans, after consultation with Artist, shall have the right to determine when and if repairs and restorations are needed. If Omnitrans makes repairs or restoration not approved by Artist, Artist shall have the right to sever its association with the Artwork.
9. Termination of Artist's Rights: Artist's rights terminate with death of Artist and do not extend to Artist's heirs, successors or assigns.
10. Notice of Claims: Artist to give Omnitrans written notice prior to asserting any claim pertaining to the Artwork, and the Omnitrans shall have not less than 90 days from the date of receipt of claim to cure any such claim.
11. The right of Omnitrans to incorporate the Artwork into any trademark or service marks to be utilized by the grantee and to register the same in accordance with state or local law.

SOLICITATION PROTEST PROCEDURES

FTA'S NON-INVOLVEMENT

Under certain circumstances, an interested party to a procurement may protest to Omnitrans the award of a contract that may or may not involve the direct application of funds from the FTA. The mere fact that Omnitrans is a recipient of FTA funds cannot be construed as evidence of FTA's involvement in a particular procurement.

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Valid Complaints and Spurious Bid Protests

These procedures are intended to ensure that valid complaints are responded to and are properly handled. Spurious BID protests may be subject to civil proceedings for the recovery of compensatory and or punitive damages.

DEFINITIONS

Additional Definitions may be included within this BID.

Agency: refers to Omnitrans, a Joint Powers Authority, established under the laws of the State of California.

Submittal as used herein, means the arts/artist team's response to this RFQ.

Days: refers to working days of Omnitrans when used in context with Omnitrans' BID protest procedures and refers to working days of the Federal Government when used in Context With FTA.

Direct Economic Interest: any party that would directly benefit economically from the award of bid.

Exhaustion of Administrative Remedies at the Grantee Level: any action or inaction on the part of Omnitrans that is prejudicial to the position taken in a written protest filed with Omnitrans. It may include, but is not limited to:

A final Agency decision on the merits of the protest;

A procurement action such as the award of a contract or rejection of a BID despite the pending protest;

Agency acquiescence and active support of continued substantial contract performance, despite the pending protest.

FTA: as used herein, refers to the U.S. Department of Transportation Federal Transit Administration.

File or Submit: refer to the date of receipt by Omnitrans and or FTA.

Interested Party: includes all actual or prospective bidder/OFFEROR's for a procurement. The term may also include a subcontractor or supplier at any tier who shows that he or she has a direct economic interest in a provision of the BID or of the interpretation of such a provision.

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Local: as used herein, refers to the County of San Bernardino and the State of California. When the word local is used in conjunction with the phrase laws and regulations, it is construed to mean only those laws or regulations associated with the provision of public mass transportation and the use of public funds. It is not construed to include the purchasing and or protest procedures used by either of the aforementioned entities.

The Board: as used herein, refers to the Board of Directors of Omnitrans.

Violation of Federal Law or Regulation: the infringement of any valid requirement imposed by Federal statute or regulation that governs the letting of contracts pursuant to a grant agreement. However, any protests involving a local matter and or determinations that are clearly within the discretionary powers of Omnitrans that include, but are not necessarily limited to: determinations of responsiveness and responsibility; the revision of specifications to incorporate the evaluation of life-cycle costing (LCC) factors in connection with any given procurement; and determinations regarding bonding requirements. In other words, the protester must be able to demonstrate or establish a clear violation of the prohibition against unduly exclusionary and restrictive specifications or a violation of the Buy America requirements.

AGENCY LEVEL PROTEST PROCEDURES, GENERAL CONDITIONS

- 1). Omnitrans' review of any protest will be limited to: the following basis:
 - a). Violations of state or local laws or regulations;
 - b). Violations of Federal laws or regulations shall be under the jurisdiction of FTA;
 - c). Violations of Omnitrans' purchasing procedures; and
 - d). Violations of Omnitrans' protest procedures or failure to review a complaint or protest.
- 2). Unless the protest arises out of the ranking of artists/artist teams, protests must be filed with Omnitrans within three (3) days of the BID opening or BID closing date.
- 3). Protests arising out of the ranking of artists/artist teams must be filed within three (3) days of the date the Omnitrans Board approves the issuance of an RFP for artist/artists teams to provide public art at transit stations for the Omnitrans sbX E Street Corridor BRT project.
- 4). The initial protest filed with Omnitrans shall:

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- a). Include the protester's name, address, and phone number;
 - b). Identify the number of the solicitation contract;
 - c). Contain the basis for the protest and any supporting facts or documentation. The grounds for the protest must be supported to the fullest extent feasible. Additional materials in support of an initial protest will be considered only if filed within the time limits specified; and
 - d). Indicate the ruling or relief desired from Omnitrans.
- 5). No formal briefs or other technical forms of pleading or motion are required, but a protest and other submissions should be concise, logically arranged, clear, and legible.

ADHERENCE TO PROCEDURES FOR FILING

- 1). Protests must be filed in strict adherence to the time, basis, and procedure set forth herein.
- 2). A protest may be considered, even if the initial filing is late, in the following circumstances:
 - a). Good cause based on a compelling reason beyond the protester's control, whereby the lateness is due to the fault of Omnitrans in the handling of his/her protest submission;
 - b). Omnitrans determines the protest-raised issues significant to a procurement practice or procedure;
 - c). The FTA directs Omnitrans to consider or reconsider a protest; and
 - d). A court of competent jurisdiction requests, expects, or otherwise expresses interest in Omnitrans' decision.

TIME FOR SUBMISSION OF ADDITIONAL INFORMATION

- 1). Additional information requested or required by Omnitrans from the protester or interested parties shall be submitted expeditiously;
- 2). In no case later than five (5) days after the receipt of such request unless specifically accepted by Omnitrans.

CONFIDENTIALITY

- 1). Materials submitted by a protester will not be withheld from any interested party apart from Omnitrans or from any Government agency that may be involved in

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the protest, except to the extent that the withholding of information is permitted or required by law or regulation.

- 2). If the protester considers that the protest contains proprietary material, a statement must be affixed to the front page of the protest document and the alleged proprietary information must be so identified wherever it appears.

FURNISHING INFORMATION ON PROTESTS

- 1). Omnitrans shall make available, upon request, to any interested party, information bearing on the substance of the protest that has been submitted by the protester, or interested parties;
- 2). Except to the extent that withholding of information is permitted or required by law or regulation.

WITHHOLDING OF AWARD

- 1). When a protest has been filed before the contract award, Omnitrans will not make an award prior to the resolution of the protest.
- 2). When a protest has been filed before the date for opening RFQ submittals, Omnitrans will not open submittals prior to the resolution of the protest.
- 3). When a protest has been filed after the award of a contract and prior to the resolution of the protest, Omnitrans will notify the Contractor to suspend activity.
- 4). The following exceptions apply to withholding award:
 - a). The items to be procured are urgently required; or
 - b). Delivery or performance will be unduly delayed by failure to either make the award promptly or to continue with the procurement; or
 - c). Failure to make prompt award or to continue with the procurement will otherwise cause undue hardship to Omnitrans or other local, state or Federal governments.

PROTEST REVIEW, LEVEL ONE

- 1). Upon receipt of a protest, the CEO/General Manager will create an ad hoc Agency Protest Review Panel to review all relevant materials associated with the protest. The Panel shall be composed of two representatives of Omnitrans

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appointed by the CEO/General Manager. The Panel shall determine the validity of the protest and what actions will be taken.

- 2). The Panel will prepare a written report within fifteen (15) days notifying the protester and interested parties of their findings, actions, and of the procedures for requesting reconsideration. The report shall include:
 - a). Copies of all relevant Bids;
 - b). A copy of the BID including pertinent provisions of the specifications;
 - c). A copy of the abstract of Bids;
 - d). Any other documentation that pertains to the protest, including correspondence with the bidderOFFERORS; and
 - e). A statement explaining its reasons and corresponding actions.
- 3). A conference on the merits of the protest with members of the Panel may be held at the request of the protester. The request for a conference should be made expeditiously as to not interfere with the resolution of the protest and in no case later than ten (10) days after the initial protest was filed.

PROTEST REVIEW, LEVEL TWO

- 1). Reconsideration of a decision by Omnitrans may be requested by the protester or any interested party. The request for reconsideration shall contain a detailed statement of the factual and legal grounds upon which reversal or modification is deemed warranted, specifying any errors of law made or information not previously considered.
- 2). The request for the reconsideration of the Protest Review Panel's decision shall be filed with the CEO/General Manager within ten (10) days after the Panel issues its written report. The protest shall not be considered pending during the ten-day period specified in this paragraph.
- 3). Upon receipt of the request for reconsideration, the CEO/General Manager shall schedule an informal administrative hearing with the protester and the Protest Review Panel. The hearing shall be held not later than fifteen (15) days after the receipt of the request for reconsideration.
- 4). The CEO/General Manager shall issue Omnitrans' final written determination of the reconsidered protest within five (5) days of the administrative hearing.

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EFFECT OF JUDICIAL PROCEEDINGS

- 1) Omnitrans may refuse to decide any protest wherein litigation is before a court of competent jurisdiction or has been decided the merits by such a court. The foregoing shall not apply where the court requests, expects, or otherwise expresses interest in Omnitrans' decision.

FTA PROTEST PROCEDURES

- 1) A protester who wants to file a protest with FTA should consult FTA Circular 4220.1F Protests for details on FTA's BID protest procedures.
- 2) For a copy of FTA Circular 4220.1F, contact the Regional Administrator:
Federal Transit Administration Region IX
Mission Street, Suite 2210
San Francisco, California 94105

Or at http://www.fta.dot.gov/documents/C4220_1E_Annotated.doc

- 3) Omnitrans shall not be responsible for any protest not filed on time with FTA or the FTA's failure to follow its established solicitation protest procedures.