



2200 North Glassell Street, Orange, CA 92865 • TEL 714/998-0900 • FAX 714/998-6059

May 6, 2017

Mr. Art Ida
Transportation Director
Culver CityBus
CULVER CITY TRANSPORTATION DEPARTMENT
4343 Duquesne Ave., Culver City, CA 90232

Ref: RFP # 1587 Culver CityBus: Bus Signal Priority Systems Project - BID PROTEST

Dear Mr. Ida:

Based upon Exhibit C of the Request for Proposal, (titled, "Standard Federal Solicitation Provisions / Required Contract Clauses Background"), section titled, *Bid Solicitation and Contract Administration*, Systems Integrated is filing a protest in regards to RFP# 1587. Per Exhibit C the following is the required information:

(a) Name, address, and telephone number of protestor:

Systems Integrated
2200 North Glassell Street
Orange, CA 92865
Tel: 714-998-0900

(b) Identification of contract solicitation;

RFP # 1587 Culver CityBus: Bus Signal Priority Systems Project

(c) A detailed statement of the legal and factual grounds of the protest, including copies of the relevant documents;

1. Award to Iteris will violate California Construction Law.

RFP # 1587, Exhibit A, Section 3.3.1.2 Intersection Equipment Installation, states, "*The Contractor shall install the WLAN communications equipment at the intersections on the project corridors in accordance with the approved detailed design plans ... pulling conductors through existing conduit runs or using spare conductor or fiber in existing interconnect cables, and for mounting equipment on poles and in the cabinets*". Based upon California Construction Law, "pulling conductors into existing conduits, mounting equipment on poles" is considered construction and requires that the contractor performing construction work on a public works project must a contractor's license for the work to be performed. The contractor cannot rely on the contractor license of any subcontractor performing the construction work: this is a violation of the California regulations, the Contractor must hold the contractor license. (Attached is a legal opinion on these requirements, issued by Finch, Thornton & Baird).

RFP #1587, Exhibit B, Section IV Compliance With Laws (page 71), it states that, "*The Contractor shall also comply with all Federal, OSHA, state, and local laws and ordinances applicable to any of the service involved in*

Mr. Art Ida
CULVER CITY TRANSPORTATION DEPARTMENT
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this Contract". The Contractor must have the specific Contractor's License to insure the equipment and wire installed meets the applicable codes and is responsible for performing the construction work being performed; that it meets Code, and ensure that it is performed safely.

The Contractor, Iteris, Inc., does not hold any California contractor licenses and based upon California Law, they cannot rely on a subcontractor's contractor license to satisfy this requirement. (Attached is a current snapshot from the California Therefore, the original Iteris bid was materially deficient and the City should have been rejected the Iteris bid and should not have pursued further negotiations with Iteris.

2. Culver City has not followed their published requirements within the original RFP regarding the submittal of redacted proposals.

Background: Pages 2 & 3 of RFP 1587, dated September 2016, it states that, *"To be considered, Proposers must send one original, one electronic (searchable PDF copy of entire proposal), and seven (7) hard copies of their proposal in a sealed envelope with the name of the company submitting the proposal and the title of "Culver CityBus: Bus Signal Priority Systems Project" by October 27, 2016, 3:00pm PST to:*

*City of Culver City
City Clerk
9770 Culver Blvd.
Culver City, CA 90232*

All hardcopies of the proposal must be in color. If any information in your proposal is confidential and/or proprietary, please further submit a separate, redacted copy for servicing public records requests."

In an April 4, 2016 email with from Diana Chang, she stated, *"The City will release the requested records after the negotiations have been completed and any necessary redactions have been made"*.

Discussion: The original RFP stated that bidders were to submit any redacted copy of their proposal with the submission of their RFP responses to protect their confidential/proprietary information. In the event a bidder did not submit a redacted copy at the proposal deadline by October 27, 2016, it would mean that the bidder did not have any confidential and/or proprietary information to protect in their proposal.

Subsequently, Systems Integrated requested information about the bid but based upon the April 4, 2016 email, the City has extended an exception to Iteris, post proposal submission, by allowing Iteris, after the fact, to create a redacted copy of their proposal documents (including the spreadsheet). If Iteris did not provide a redacted proposal on October 27, 2016 because it did not contain any confidential and/or proprietary information, their submitted proposal should be the document released upon a request.

On May 4, 2017, the City released various documents associated with the BSP bid. After review of these documents, it appears that Iteris did not submit a redacted proposal in October, and the City, rather than follow the procurement rules of the RFP, the City allowed Iteris to subsequently redact their proposal. One of the indications is that the dates on the document have all been redacted on the "original" Iteris proposal – what is proprietary about a date? Further, the name of the Iteris team members is redacted –what is proprietary about the names of the team members for a public works project? By allowing Iteris to subsequently redact their responses,

Mr. Art Ida
CULVER CITY TRANSPORTATION DEPARTMENT
May 6, 2017
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limits SI's ability to develop a complete review and a more complete protest has been denied by the City's actions.

Systems Integrated has been damaged as it is unable to fully identify all of the violations of the bid process, because SI has not been afforded access to the proposal documents as submitted.

3. Systems Integrated's proprietary design was released by the City to the other bidder during the BAFO process, thereby eliminating our competitive advantage.

SI received a letter from the City dated December 7, 2016 where, as part of the letter the SI design of interconnecting the signals using the existing communications infrastructure. This release of information was proprietary to SI, and, because of implementing the solution using this approach, significantly reduced the overall cost of the project. Systems Integrated spent a great deal of engineering time to insure that the communications infrastructure that would be provided by the McCain contract and the implementation time associated with its installation would support the bus prioritization system schedule. Further, SI identified the overall design weaknesses of the approach that was provided in the Request for Proposal, and provided significant additional information during the oral discussion as to why the approach being proposed by the City was flawed. Further, SI provided during that same oral presentation the unique advantages to the SI approach verses the City specified approach and the one that Iteris had implemented in all of its earlier projects for other agencies.

Upon receipt of the BAFO letter, it appeared to SI that the City may not be adhering to fair procurement practices since it had released SI intersection interconnect design (as SI's unique approach to the BSP project was appropriately identified proprietary to SI, as it provided a redacted copy of its proposal with this design element redacted). SI stated its concerns at the time with the City, by asking the City to confirm that there were separate BAFO questions tailored to each bidder's proposal. The request was via a letter sent to Diana Chang on December 14, 2016. In that letter, SI stated that its proposal contained a proprietary approach to accomplish the objectives of the City's BSP project, and, based upon the BAFO questions provided to SI, reflected the core design aspects of our proposal. The City, by releasing SI's proprietary design gave away SI's intellectual property that made our solution both unique and allowed for a lower cost. The City responded to SI's letter with an email dated December 16, 2017 stating that they were in compliance with the procurement process.

The May 4, 2017 release of documents, showed that the City sent out the same BAFO document to both bidders, which included SI's approach and thus gave Iteris the ability to lower their overall cost using the SI design.

Systems Integrated's initial proposal provided the City with a unique approach to the BSP project using specific equipment and a different method – this represents our competitive edge and our proprietary information. After the presentation of our proprietary approach and at the point of the BAFO, the City gave Systems Integrated's approach and intellectual property to our competition, thereby eliminating the competitive advantage of Systems Integrated.

Mr. Art Ida
CULVER CITY TRANSPORTATION DEPARTMENT
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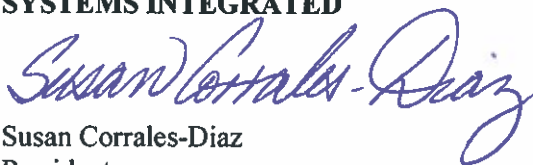
(d) A statement as to what relief is requested.

Based on these facts, Systems Integrated requests:

- As Iteris is not a licensed contractor, since this contract requires construction work to be performed, it would be a violation of the California Construction code therefore Iteris should be immediately disqualified for award on this project.
- As Systems Integrated does hold the proper licenses, identified this in its proposal and is legally able to perform the construction work associated with this project, that the contract be awarded to the only qualified bidder, Systems Integrated.
- The City has not only violated the rules defined in the RFP but they have shared Systems Integrated's intellectual property with an industry competitor. This action by the City has harmed SI in multiple ways not only on this present bid but on future similar bids. The only way for the City to partially compensate Systems Integrated is to award the BSP project to Systems Integrated.
- The City to provide Iteris's original "redacted" proposal at the time the bids were due and the BAFO redacted proposal submitted by Iteris: not the proposal documents that the City allowed Iteris to subsequently redact after the various due dates.
- Per the dispute clauses associated with this procurement, immediately remove from the May 8, 2017 City Council consent agenda (File # 16766/ Agenda #C-4), the award to Iteris for this project.

Sincerely,

SYSTEMS INTEGRATED



Susan Corrales-Diaz
President

Enclosures

Cc: Lisa A. Vidra, Senior Deputy City Attorney, City of Culver City

Enclosure 1

Award to Iteris will violate California Construction Law.

intersection plans <CDRL> shall be signed and sealed by a registered California Professional Engineer, and signature blocks shall also be provided for Culver City.

3.3.1.1 Equipment Configuration and Pre-Installation Checkout

The Contractor shall procure and configure all specified equipment based on the finalized and approved PDR. The Contractor shall perform a pre-installation checkout (PIC) prior to receiving authorization to proceed with any equipment installations subject to the requirements outlined in Section 7.6.1 of this specification. All procurement related decisions related to final hardware and quantities must be approved by CCB staff prior to actual procurement. Culver City reserves the right to adjust equipment procurement needs based upon the final detailed design requirements, operational changes, and other uncontrollable conditions.

Successful completion of the PIC is required before full-scale installation can begin. Satisfactory performance shall be determined and approved by the Contractor and participating local agencies.

3.3.1.2 Intersection Equipment Installation

The Contractor shall install the WLAN communications equipment at the intersections on the project corridors in accordance with the approved detailed design plans. The Contractor shall coordinate with Culver City staff for access to the traffic controller cabinets, for pulling conductors through existing conduit runs or using spare conductors or fiber in existing interconnect cables, and for mounting equipment on poles and in the cabinets, and to coordinate the installation of upgraded traffic signal control equipment including controllers, controller firmware, timing modifications to enable BSP, and controller cabinets.

3.4 SYSTEM DELIVERABLES

BSP deliverables provided by the Contractor shall include all Work required to deliver the system and system components in accordance with this Specification. This list is for convenience of the Contractor only and shall not be considered all-inclusive. See Appendix C for a list of required CDRLS.

3.4.1 OnStreet Subsystem

The Contractor shall provide upgrades-communication interfaces to the Culver City Traffic Signal Controllers as necessary to enable BSP at all intersections (105) within the City. The Contractor shall deploy a WLAN along all CCB routes and deploy interfaces (if necessary) such that a BSP equipped bus can transmit BSP messages to intersections along the corridor per the messaging standards found within this specification. The BSP related hardware shall be tested following installation based on the acceptance test plan. The delivery and installation of the OnStreet BSP enhancements shall be accomplished per the Contractor provided and CCB approved schedule.

create a level playing field for all potential offerors, assure that contract decisions are made in public, and to protect the integrity of the RFP / Bid Evaluation process. Violation of this provision may result in rejection of the offeror's proposal.

- III. **NON-DISCRIMINATION REQUIREMENTS:** In addition to any other obligations set forth in the specifications, Contractor shall not discriminate against any employee or applicant for employment because of gender, gender identity, gender expression, sexual orientation, sex, age, disability, medical condition, genetic information, marital status, race, color, religion, ancestry, or national origin. Contractor shall take affirmative action to ensure that employees are treated during employment without regard to their gender, gender identity, gender expression, sexual orientation sex, age, disability, medical condition, genetic information, marital status, race, color, religion, ancestry, or national origin. Such affirmative action shall include, but not be limited to, the advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Contractor shall post in a conspicuous place available to all employees and applicants for employment notices setting forth the provisions of this fair employment practices paragraph.
- IV. **COMPLIANCE WITH LAW:** The Contractor shall familiarize itself with and perform the service required under this contract in conformity with requirements and standards of the City, municipal and public agencies, public and private utilities, special districts, and railroad agencies whose facilities and services may be affected by service under this contract. The Contractor shall also comply with all Federal, OSHA, state, and local laws and ordinances applicable to any of the service involved in this Contract. The Contractor shall indemnify and save harmless the City against any claim arising from the violation of any such laws, ordinances and regulations whether by the Contractor or his employees.
- V. **PROTECTION OF RESIDENT WORKERS:** Protection of Resident Workers: The City of Culver City actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products

Protest Item C. 1
Department of Consumer Affairs
Contractors State License Board
May 6, 2017

Checked for Contractor License for Iteris/Iteris, Inc.
RESULTS – No license found in Search



Enter the Contractor Business Name to check the status of their license.

Contractor Name

[SEARCH](#)

SEARCH TIPS

If you cannot find the license by using the business name, and it contains a first and last name, type the last name first. For example: If the name is "John Smith Construction" type "Smith John Con". If the name is "John A Smith Construction" type "Smith John A Co".

This search will return up to 50 names. If your search request results in more than 50 names you can click on the next 50 names link at the bottom of the page.



Enter the Contractor Business Name to check the status of their license.

Contractor Name

[SEARCH](#)

SEARCH TIPS

If you cannot find the license by using the business name, and it contains a first and last name, type the last name first. For example: If the name is "John Smith Construction" type "Smith John Con". If the name is "John A Smith Construction" type "Smith John A Co".

This search will return up to 50 names. If your search request results in more than 50 names you can click on the next 50 names link at the bottom of the page.

CA.GOV | DEPARTMENT OF CONSUMER AFFAIRS | CONTRACTORS STATE LICENSE BOARD

Home | Online Services | Check a License | Home Search Results

Contractor Name Search Results

Select the license number you would like to check for status or return and enter another name search.

Contractor Name	ITES SERVICE CORPORATION
Name Type	Previous
License	531548
City	SACRAMENTO
Status	Expired

Contractor Name	ITES SERVICE CORPORATION
Name Type	Previous
License	531548
City	SACRAMENTO
Status	Expired

Contractor Name	ITES SERVICE CORPORATION
Name Type	DBA

Online Services (2 of 11)

- Check a License or HIS Registration
- Emergency Arbitration
- Fees and Applications
- Guides and Publications
- CSLB Laws and Regulations
- List of All CSLB Fees
- License Classifications
- Contractor Newsletter
- Application Status
- Application Status (Licenses)
- Application Status by Personnel Name
- Application Status by Business Name

Online Services

Memorandum

FINCH • THORNTON • BAIRD^{LLP}

ATTORNEYS AT LAW

Date: May 5, 2017
To: Systems Integrated
From: Jon F. Gauthier
Subject: Contractors' License Requirement for Culver City job

A CALIFORNIA CONTRACTORS' LICENSE IS REQUIRED TO BE HELD BY ANYONE WHO CONTRACTS TO PERFORM ANY WORK WHICH INCLUDES WORK FOR WHICH A LICENSE IS REQUIRED

A. A License is Required to be Held by Anyone Who Submits a Bid or Undertakes Work Including Work Requiring a License.

California Business & Professions Code section 7026 defines "contractor" as anyone who "... undertakes to ... or submits a bid to ... or does himself or by or through others" perform any construction work "or any part thereof." This section has been interpreted to exempt an agent of the owner (such as a construction manager) who neither contracts for performance of the work nor performs any of the work (by himself or through others). *The fifth Day LLC v. Boloti* (2009) 72 Cal.app.4th 939. However, it includes anyone who provides a bid for, signs a contract for, or actually performs any work for which a license is required. Since section 7026 uses the word "or", a license is required for any of those alternatives.

B. A License is Required to be Held by Anyone Who Subcontracts Work Including Work Requiring a License, Despite the Subcontractor Having the Required License.

The contractors' license law cannot be evaded by merely subcontracting to others (who are licensed) all work for which a license is required. *Mouris Ahdoubt v. Majid Hekmatjah* (2013) 213 Cal.App.4th 21, 31. *Ahdoubt* was decided by the Second District Court of Appeals, which covers Los Angeles County. Two other cases in the Bay Area held the same. *Vallejo Development Co. v. Beck Development Co.* (1994) 24 Cal.App.4th 929, 941; *Currie v. Stolzowitz* (1959) 169 Cal.App.2d 810, 815-816.

C. A License is Required to be Held by Anyone Who Submits a Bid or Undertakes Work Including Work Requiring a License, Even if Most of the Work Does Not Require a License.

A license is required to be held by anyone who submits a bid or undertakes work including work requiring a license, even if most of the work does not require a license. In *Franklin v. Nat C. Goldstone Agency* (1949) 33 Cal.2d 628, the California Supreme Court held that an interior decorator was required to be licensed, even though the painting work was only a small portion of his overall work. Similarly, a gardener who performed some "hardscape" and grading work was required to be licensed, even though most of his work was mere gardening. *People v. Vis* (1966) 243 Cal.App.2d 549. A contractor licensed in one trade may perform "incidental work of another trade. 16 Cal. Code of Regulations sections 830-831; however, this exception does not apply to anyone who holds no contractors' license at all.

- D. A License is Required to be Held by Anyone Whose Contract Includes Installation of Electrical Conduit or Pulling Wire Through Electrical Conduit.

16 Cal. Code of Regulations section 832.10 defines work requiring an electrical license as: "An electrical contractor places, installs, erects or connects any electrical wires, fixtures, appliances, apparatus, raceway, conduits, solar photovoltaic cells or any part thereof. . . ."

- E. Even if This Bidder Was to Act Only as the Owner's Agent (As a Construction Manager), it Would Need to Hold One of Three Alternative Licenses.

The bids are for a contract requiring the contractor to accept responsibility for performing actual construction work, not merely to supervise or direct such work. However, even if the contract were only for supervision or direction of the work, a public entity in California may award such work only to a contractor, engineer, or architect. 79 Op. Atty. Gen. Cal. 48, February 9, 1995 (interpreting California Government Code sections 4525 and 4529.5). So, if the bidder is not a licensed architect or engineer, the bid is defective even if it is argued that the bid is only to supervise or direct the work of others.

Enclosure 2

Culver City has not followed their published requirements within the original RFP regarding the submittal of redacted proposals.

**City of Culver City
City Clerk
9770 Culver Blvd.
Culver City, CA 90232**

All hardcopies of the proposal must be in color. If any information in your proposal is confidential and/or proprietary, please further submit a separate, redacted copy for servicing public records requests.

For a complete list of the City's RFP submittal terms and conditions, legal statements, and insurance requirements, please refer to "Exhibit B" attached hereto.

D. RFP Questions

Questions with regard to this RFP should be submitted by e-mail to Diana Chang, Senior Management Analyst/Transportation Planner, at diana.chang@culvercity.org by September 29, 2016. All firms sending questions will receive responses to all questions and any other addenda that may be released via e-mail by October 13, 2016. **To receive updates including addendums and responses to questions, all proposers must sign up to receive Bid Notices via GovDelivery (<https://service.govdelivery.com/accounts/CACULVER/subscriber/new>).**

E. Mandatory Pre-Proposal Conference

A mandatory pre-proposal conference will be held at Culver City Transportation Department Facility at 4343 Duquesne Ave., Culver City, CA 90232 on September 19th, 2016 at 8:30 AM (PST).

F. Schedule

The City reserves the right to make changes to the below schedule, but plans to adhere to the implementation of this bid process as follows:

RFP released:	September 8, 2016
Mandatory Pre-Proposal Meeting	September 19, 2016 @ 8:30 am PST
Deadline for receiving questions:	September 29, 2016
Response to questions:	October 13, 2016
Proposals due:	October 27, 2016 @ 3:00pm PST
Finalists selected:	November 9, 2016
Presentations/Interviews (if necessary):	Week of November 14, 2016
BAFO released (if necessary):	December 5, 2016
BAFO due (if necessary):	December 16, 2016
Vendor selected:	Week of January 16, 2017

At the City's discretion, the City may request the finalist proposers to submit a Best and Final Offer (BAFO). The City will then determine the final, winning proposer based on the discussions, interview, and BAFO (refer to VI.A. Best and Final Offer).

Susan Corrales-Diaz

From: Chang, Diana <diana.chang@culvercity.org>
Sent: Tuesday, April 4, 2017 7:28 PM
To: Susan Corrales-Diaz
Cc: Larry Pomatto
Subject: RE: Culver City City Council Meeting - March 27, 2017 - Agenda Item C-12

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Susan,

At this time, the negotiations with Iteris are ongoing and have not been completed. The City will release the requested records after the negotiations have been completed and any necessary redactions have been made. You will be notified when the negotiations have been finalized and the documents become available. We will also notify you of the date of the City Council meeting at which Transportation staff will make its recommendation to the City Council regarding the award of the contract for this RFP, once such date has been scheduled.

Best Regards,

Diana Chang

Diana Chang
Senior Management Analyst/Transportation Planner
Culver City Transportation Department

From: Chang, Diana
Sent: Thursday, March 30, 2017 5:31 PM
To: Susan Corrales-Diaz <scorrales-diaz@systemsintegrated.com>
Cc: Larry Pomatto <lpomatto@systemsintegrated.com>
Subject: RE: Culver City City Council Meeting - March 27, 2017 - Agenda Item C-12

Hi Susan,

We are in receipt of your email below. At this time, we are in the process of consulting with the City Attorney's Office to determine which records can be released, and we will get back to you as soon as possible.

Thank you,

Diana Chang

Diana Chang
Senior Management Analyst/Transportation Planner
Culver City Transportation Department

From: Susan Corrales-Diaz [<mailto:scorrales-diaz@systemsintegrated.com>]
Sent: Wednesday, March 29, 2017 8:18 PM
To: Chang, Diana <diana.chang@culvercity.org>
Cc: Larry Pomatto <lpomatto@systemsintegrated.com>
Subject: RE: Culver City City Council Meeting - March 27, 2017 - Agenda Item C-12

Diana, thank you for the confirmation of the postponement.

Also, previously I requested documents associated with RFP 1587, and have not yet received these documents. The protest requirements state that we need to provide a detailed statement of the legal & factual grounds of the protest and Systems Integrated cannot do so unless we have receipt of these documents.

Also, I had requested a debrief and would like to have this scheduled as soon as possible.

Please address these items, so we can be assured that our rights as a bid participant are not jeopardized.

Thank you,
Susan Corrales-Diaz
Systems Integrated

From: Chang, Diana [<mailto:diana.chang@culvercity.org>]
Sent: Wednesday, March 29, 2017 6:19 PM
To: Susan Corrales-Diaz <scorrales-diaz@systemsintegrated.com>
Cc: Clerk, City <city.clerk@culvercity.org>; Chan, Jane <Jane.Chan@culvercity.org>
Subject: RE: Culver City City Council Meeting - March 27, 2017 - Agenda Item C-12

Good evening, Susan.

The City Clerk forwarded your email to me.

Item C-12 was not presented to the City Council on March 27, 2017.

Regards,

Diana Chang

Diana Chang
Senior Management Analyst/Transportation Planner
Culver City Transportation Department

From: Susan Corrales-Diaz [<mailto:scorrales-diaz@systemsintegrated.com>]
Sent: Monday, March 27, 2017 7:50 PM
To: Clerk, City <city.clerk@culvercity.org>
Subject: Culver City City Council Meeting - March 27, 2017 - Agenda Item C-12

Dear Mr. Green,

I was advised that Agenda Item C-12 File # 16-766 (Contract award to Iteris) was going to be postponed on the City Council's March 27, 2017 Agenda.

Was this agenda item in fact postponed?

I would appreciate your response as soon as possible.

Thank you,

Susan Corrales-Diaz
President, Systems Integrated

Enclosure 3

Systems Integrated's proprietary design was released by the City to the other bidder during the BAFO process, thereby eliminating our competitive advantage



2200 North Glassell Street, Orange, CA 92865 • Tel 714/998-0900 • Fax 714/998-6059

December 14, 2016

Ms. Diana Chang
Senior Management Analyst/Transportation Planner
CULVER CITY TRANSPORTATION DEPARTMENT
4343 Duquesne Ave., Culver City, CA 90232

Ref: RFP # 1587 Culver CityBus: Bus Signal Priority Systems Project

Dear Diana:

I am contacting you to understand the Best & Final (BAFO) process for the above RFP, as well as other aspects of this procurement.

As a participant in this process, I would like to know whether all bidders were provided the same BAFO documents as were sent to Systems Integrated on December 7 (BAFO Notice with Questions; Revised Exhibit A Technical Specification and Exhibit D – Price Sheet), as well as the December 13 email with the BAFO clarifications and attachments (Culver City CCTV Sheet and Interconnect Map).

In the course of the City's RFP process, prior to the point of the BAFO, the bidder's had all received the same information. Systems Integrated's proposal provided the City with a unique approach to the BSP project using specific equipment and a different method – this represents our competitive edge and our proprietary information.

The RFP (page 3) advises bidder's, *"If any information in your proposal is confidential and/or proprietary, please further submit a separate, redacted copy..."* Systems Integrated provided the City with a redacted copy, however, the BAFO documents have incorporated proprietary information from our proposal.

In the interest of transparency and fairness to my company, I would appreciate your assurance that the BAFO documents, should they have been sent to others, protected Systems Integrated's proprietary information.

Also, Exhibit C of the RFP describes the Bid Bond Requirements (page C-28, Item 1.34) associated with this RFP. Please confirm that all bidders did in fact submit Bid Security with their proposal.

Systems Integrated is preparing our BAFO response but request this information regarding the bidding process prior to the Dec 19th submission date.

Sincerely,

SYSTEMS INTEGRATED

A handwritten signature in blue ink, reading 'Susan Corrales-Diaz', is written over the company name.

Susan Corrales-Diaz
President

SER: 5070-16b

Susan Corrales-Diaz

From: Purchasing <purchasing@culvercity.org>
Sent: Friday, December 16, 2016 5:01 PM
To: Susan Corrales-Diaz
Cc: Larry Pomatto; Chang, Diana
Subject: RE: Systems Integrated BAFO RFP 1587

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Susan Corrales-Diaz:

This email is in response to your inquiry regarding for RFP #1587 – Culver CityBus: Bus Signal Priority Systems Project. We have reviewed your concerns and trust the BAFO process as conducted has been in compliance with the City's Purchasing Code. We do not believe any proprietary or confidential information was shared through the BAFO process.

We recommend the evaluation of RFP #1587 proceed as documented. Your submission will remain subject to the December 19th deadline.

Thanks,
Purchasing Division
City of Culver City
9770 Culver Boulevard | Culver City, CA 90232-0507
voice: 310-253-6550 | www.culvercity.org

From: Susan Corrales-Diaz [<mailto:scorrales-diaz@systemsintegrated.com>]
Sent: Wednesday, December 14, 2016 4:47 PM
To: Chang, Diana <diana.chang@culvercity.org>
Cc: Larry Pomatto <lpomatto@systemsintegrated.com>
Subject: Systems Integrated BAFO RFP 1587
Importance: High

(Diana, below is a copy of the attached letter for ease of review).



CITY OF CULVER CITY

TRANSPORTATION DEPARTMENT

4343 DUQUESNE AVENUE, CULVER CITY, CA 90232

(310) 253-6500 • FAX (310) 253-6513

Culver CITY

Art A. Ida

Transportation Director

December 7, 2016

Larry Pomatto

Director of Engineering
Systems Integrated

Subject: Request for Best and Final Offer
RFP 1587 – Culver CityBus: Bus Signal Priority Systems Project

Dear Mr. Pomatto,

Culver CityBus has reviewed your initial proposal regarding the procurement of a Culver CityBus BSP System, your responses to our questions, and your technical interview. At this time, I would like to provide you with the opportunity to submit a Best and Final Offer (BAFO) based on and in response to this letter and the attached addendum to the SBS RFP. The changes to your proposal price should be based on the attached revised technical specifications.

The committee will score the proposals in accordance with the criteria and weights in the RFP. For informational purposes, below is the formula that will be used for the price evaluation.

Proposer's Price Score = Lowest Price / Proposer's Price * Price Points

Please provide the following as part of your BAFO response:

1. Please review the additional information from Culver City Public Works and provide an optional cost option, if utilizing the City's existing Actelis switches in the controller cabinets would better support your design. Please describe how your company will ensure there will be no interference to the City's existing traffic signal system, using this approach and continue to maintain the 90% message received rate.

"It is acceptable to connect BSP to the Actelis switches. We do not believe the BSP needs to be connected directly to the ATCS Ethernet port on the signal controller. The switches will be configured to support multiple VLAN with a connection to the signal controller."

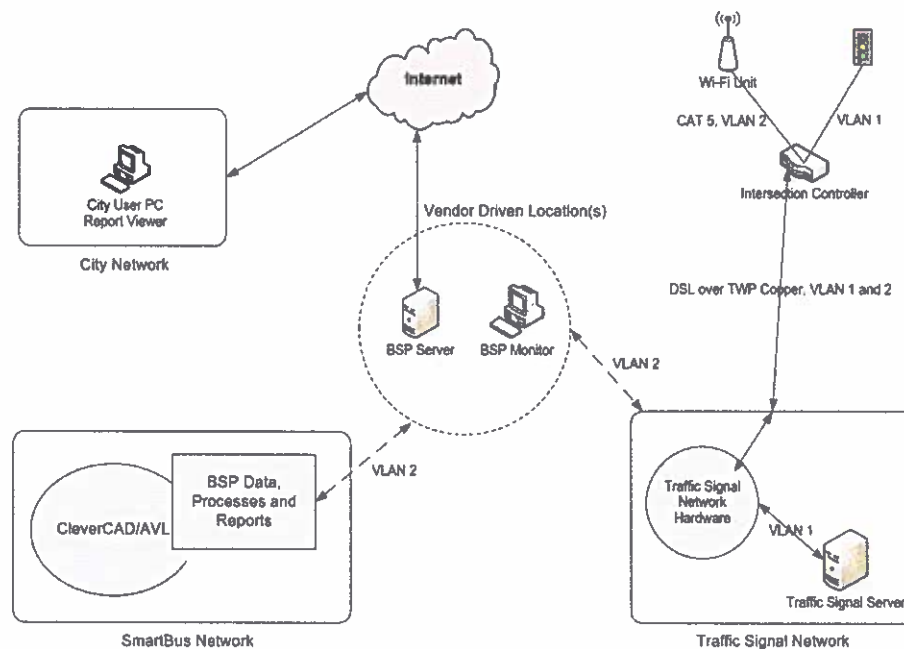
2. In addition to question 1, please review the additional information from Culver City Public Works and state (1) if your proposed BSP network can use the existing switches and (2) confirm that it will be independent of the Culver City traffic signal system.

"It is okay to have the BSP network interface with the traffic signal communication system and use the to-be established Ethernet over copper traffic signal network for transmit BSP data. However, the BSP network shall be independent from our traffic signal system. The BSP's condition shall not in any way impact the traffic signal network."

3. Has your team deployed your proposed architecture elsewhere? If so, please state where.
4. Please revise your responses and provide a revised compliance matrix based on the recent updated Technical Provisions. Also provide a list of the changes from your proposal response, including changes to the compliance matrix. Clearly list any exceptions that are taken.
5. Please provide a list of comparable signal priority projects your team has deployed with an Adaptive traffic control system.
6. Please describe any other potential BSP enhancements or solutions your team would like Culver City to consider for future enhancements along with the associated cost.
7. What reports are your team proposing to provide for real time and/or end of day logging?
8. Hypothetical questions, not a scope change: Please elaborate on how your BSP architecture would be able to support interoperability with other systems. Would other transit providers (i.e. Metro) be able to utilize the City's system if service was expanded? Also, would Culver CityBus service be able to operate outside the City if service was expanded.
9. Please explain how your BSP architecture would enable communication from an Access Point to downstream intersections.
10. Please explain how a route change by Culver City would impact your solution and any resulting costs.
11. Please provide a detailed description of analysis reports to be provided with the BSP Monitor and detailed descriptions for end of the day logging reports and costs for options for real-time automated reports that utilize data from Clever and the controllers for comprehensive system performance reports.

12. As a follow up to question 11, please confirm that BSP Monitor and its information can be accessed remotely.
13. Please provide your proposal and costs based on discussions during your Oral interview.
14. Assume the BSP Server will be on its own network independent of the City and SmartBus networks. Please provide changes to your proposal, if any.

15. Network Diagram (Clarification): The diagram below shows the different physical networks involved and also showing the BSP server and monitor. The purpose of this diagram is to explain and depict that we have 3 separate networks and to show what our requirements are as far as access. Access to all BSP reports from the City network is required (as shown in the diagram). Given the information above, how do you propose to meet our requirements in terms of BSP monitor system health status reporting and BSP data reports (signal priority request sent, received, granted & not granted)?



Responses to the request for final offer are due to the office of Diana Chang, Culver CityBus, 4343 Duquesne Ave, Culver City, California by 9AM on December 19, 2016.

Submission of an electronic copy of your BAFO is acceptable. If no response is received by that time, the Culver CityBus will consider your response to the original proposal to be your best and final offer.

Should you have any questions regarding this request, please contact me at diana.chang@culvercity.org or (310) 253-6566. Thank you and we look forward to receiving your response.

Sincerely,

A handwritten signature in cursive script that reads "Diana Chang". The ink is a dark purple or brown color. The signature is fluid and elegant, with a long, sweeping tail on the letter "g".

Diana Chang
Sr. Management Analyst/Transportation Planner



CITY OF CULVER CITY

TRANSPORTATION DEPARTMENT

4343 DUQUESNE AVENUE, CULVER CITY, CA 90232

(310) 253-6500 • FAX (310) 253-6513

Culver CITY

Art A. Ida

Transportation Director

December 7, 2016

Alek Hovsepian
Associate Vice President
Transportation Systems
Iteris

Subject: Request for Best and Final Offer
RFP 1587 – Culver CityBus: Bus Signal Priority Systems Project

Dear Mr. Hovsepian,

Culver CityBus has reviewed your initial proposal regarding the procurement of a Culver CityBus BSP System, your responses to our questions, and your technical interview. At this time, I would like to provide you with the opportunity to submit a Best and Final Offer (BAFO) based on and in response to this letter and the attached addendum to the SBS RFP. The changes to your proposal price should be based on the attached revised technical specifications.

The committee will score the proposals in accordance with the criteria and weights in the RFP. For informational purposes, below is the formula that will be used for the price evaluation.

Proposer's Price Score = Lowest Price / Proposer's Price * Price Points

Please provide the following as part of your BAFO response:

1. Please review the additional information from Culver City Public Works and provide an optional cost option, if utilizing the City's existing Actelis switches in the controller cabinets would better support your design. Please describe how your company will ensure there will be no interference to the City's existing traffic signal system, using this approach and continue to maintain the 90% message received rate.

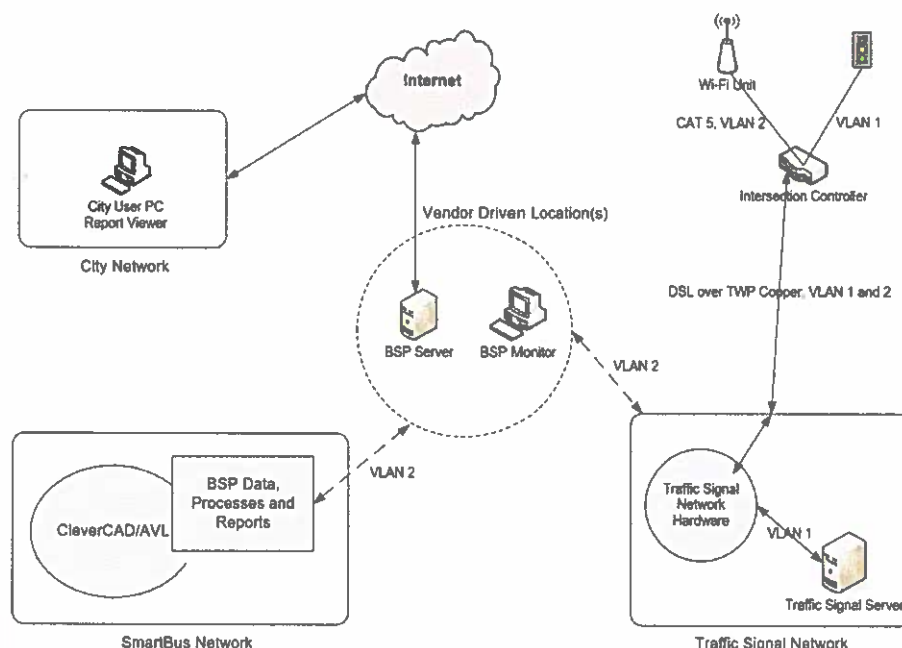
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3. Has your team deployed your proposed architecture elsewhere? If so, please state where.
4. Please revise your responses and provide a revised compliance matrix based on the recent updated Technical Provisions. Also provide a list of the changes from your proposal response, including changes to the compliance matrix. Clearly list any exceptions that are taken.
5. Please provide a list of comparable signal priority projects your team has deployed with an Adaptive traffic control system.
6. Please describe any other potential BSP enhancements or solutions your team would like Culver City to consider for future enhancements along with the associated cost.
7. What reports are your team proposing to provide for real time and/or end of day logging?
8. Hypothetical questions, not a scope change: Please elaborate on how your BSP architecture would be able to support interoperability with other systems. Would other transit providers (i.e. Metro) be able to utilize the City's system if service was expanded? Also, would Culver CityBus service be able to operate outside the City if service was expanded.
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Diana Chang
Sr. Management Analyst/Transportation Planner