

I. Unsolicited Proposal

- A. An "Unsolicited proposal" is a proposal which is not submitted in response to a procurement solicitation and is for the purpose of proposing a partnership or concept new to WeGo. To be considered by WeGo, the proposer of the Unsolicited proposal must furnish the information required and is subject to the process as specified herein.
 - i. Unsolicited proposals may be submitted by businesses (including startups and small businesses), labor unions, municipalities, academic institutions, philanthropic foundations, non-profit organizations, and other entities.
 - ii. Unsolicited proposals may be submitted regarding the acquisition, lease, sale, or shared use of WeGo property. Other guidelines may apply if the property was funded by the Federal Transit Administration.
 - iii. An Unsolicited proposal may not be submitted as a response to a procurement solicitation.
 - iv. An Unsolicited proposal may not be submitted as a policy proposal or a proposal for a recommendation for an operating procedure.
- B. An Unsolicited proposal shall demonstrate its capability to carry out the proposal by stating:
 - i. Technical and financial resources to provide the proposal; and
 - ii. The ability to contract with WeGo if the proposal is accepted.
- C. The unsolicited proposal shall address and provide the following:
 - i. Innovative and practical nature of the proposal.
 - ii. Potential to significantly reduce WeGo's operating and/or capital expenses for an ongoing or a new service.
 - iii. Any independent, original concept developed by the proposer.
 - iv. Ability to provide proposal without WeGo's supervision, endorsement, direction, or direct involvement; and
 - v. Sufficient details to demonstrate the benefits the proposal brings for WeGo's mission and responsibilities.
 - vi. Contact information, mailing address, phone number and email.
- D. After WeGo's receipt of an Unsolicited proposal, WeGo may pursue a competitive procurement regarding the Unsolicited proposal per the established procurement policy and procedures.

II. Process and Requirements

- A. WeGo will review and evaluate an Unsolicited proposal using a two-phased approach.
 - i. Phase One: Conceptual evaluation of the proposal. If the proposal is deemed to have some merit, it will proceed to Phase Two.

- ii. Phase Two: The proposal will undergo further assessment to determine benefits, cost impacts, and operational impact.

B. Phase One Process

- i. WeGo will use its best efforts to acknowledge receipt of the proposal within five business days via email: and
- ii. WeGo shall determine whether the proposal meets the threshold requirements of an Unsolicited proposal, including whether the proposal:
 - a. Satisfies the definition of an Unsolicited proposal.
 - b. Demonstrates in detail the customer benefit, operating expense savings and/or avoided capital expense to WeGo.
 - c. Includes all required content.
 - d. Contains sufficient detail to enable WeGo to perform an adequate evaluation of feasibility and/or potential costs and benefits.
 - e. Demonstrates the capability of the proposer to deliver and implement the proposed action(s).
 - f. Has been approved by a responsible official or other representative with the proposing organization authorized to contractually obligate the proposer; and
 - g. Complies with WeGo requirements for use and disclosure of data.
- iii. If the proposal meets the threshold requirements, WeGo staff will take the following steps:
 - a. Inception: WeGo staff will log the proposal and assign it a number.
 - b. Notification: WeGo will set and notify the proposer of the schedule for internal evaluation.
 - c. Form Evaluation Team: WeGo will assemble an evaluation team with technical and financial subject-matter experts and experience relevant to the conceptual proposal.
 - d. Request for Further Information (Optional): WeGo will schedule a meeting with the proposer, if it is determined that a

meeting would be helpful to more fully understand the proposal.

- e. Evaluation: WeGo will facilitate the evaluation process as needed.
- f. Notification: WeGo will notify the proposer of the WeGo's decision. The possible outcomes may be to discontinue the process, proceed to Phase Two, or pursue a competitive procurement. WeGo will provide the proposer with a general explanation of the reasons for the decision. WeGo will use its best efforts to complete Phase One within 45 business days of acknowledgement of receipt of the proposal: and
- g. Disclosure: WeGo will post a public notice or posting which will list the identity of the proposer and the general area or theme of the proposal.

C. Phase Two Process

- i. If successful in Phase One, WeGo may request a more detailed proposal to proceed to Phase Two. The request may include the following:
 - a. Essential terms and conditions that could be part of a subsequent agreement between WeGo and the proposer.
 - b. A goal for participation of disadvantaged/small business enterprises (DBE/SBE).
 - c. A schedule and impoWeGont deadlines for the proposer.
- ii. Evaluation criteria to be used during Phase Two; and
- iii. Requests for specific information, modifications, or clarifications to the scope of the original proposal, including, but not limited to, specific questions or information that is essential to consideration of the detailed proposal.
- iv. Information required in Proposer's Phase Two documentation ("Phase 2 Information") must include, at minimum:
 - a. Names and professional information of the proposer's key personnel who would be committed to the project.
 - b. Type of support needed from WeGo (e.g., facilities, equipment, materials, or personnel resources).
 - c. Type of support being provided by the proposer.

- d. A sufficiently detailed description of the scope of work being offered to allow WeGo to evaluate the value received for the price proposed.
 - e. Proposed price or total estimated cost for the effort and/or the revenue generated in sufficient detail for meaningful evaluation and cost analysis, including an annual cash flow for the project and annual or future costs to operate and maintain.
 - f. A schedule for the implementation, including specific details for any property and/or services to be provided by WeGo; and
 - g. Proposed duration of effort.
 - h. Supporting information that includes:
 - Nature of relationship between the proposer and the WeGo, including potentially the type of contract being sought by the proposer.
 - Description of the proposer's organization, previous experience in the field, and facilities to be used.
 - Required statements and disclosures, if applicable, about organizational conflicts of interest and environmental impacts; and
 - More detailed Information demonstrating to WeGo that the proposer has the necessary financial resources to complete the project, as determined by WeGo staff. Such information may include, but is not limited to financial statements, including an auditor's report letter or an accountant's review letter, balance sheets, statements of oncome and stockholder's equity, and a statement of change in financial position.
- v. Evaluation Criteria will consist of, at a minimum:
- a. The proposer's capabilities, related experience, facilities, techniques, or unique combinations of these which are integral factors for achieving the proposal objectives.
 - b. The proposer's financial capacity to deliver the goods or services defined in the proposal.
 - c. Viability of the proposed schedule and WeGo's ability to meet activities required.

- d. WeGo's capacity to enter a contract under its current debt authorization.
- e. The qualifications, capabilities, and experience of key personnel who are critical in achieving the proposal objectives.
- f. The relative costs and benefits of the proposal with respect to improving mobility and accessibility in WeGo service area.
- g. The specific details of the cost/revenue generated; and
- h. Any other factors appropriate for the proposal.

III. Dedication to Full and Open Competition

WeGo's receipt of a Phase 2 Information does not indicate or justify a contract award without full and open competition. If the Phase 2 Information offers a proprietary concept that is essential to contract performance, it may be deemed a Sole Source (see below). If not, the WeGo shall pursue a competitive procurement per its established procurement policy and procedures to obtain any or part of the services or goods incorporated in the Unsolicited Proposal.

IV. Sole Source Award

If a description of the property or services offered would reveal proprietary information or disclose the originality of thought or innovativeness of the property or services sought, as solely determined by WeGo, then WeGo may make a sole source award, as provided in the WeGo's Sole Source Award procedures.

V. Contract Resulting from an Unsolicited Proposal

Nothing in this policy or otherwise requires WeGo to act or enter a contract based on an Unsolicited Proposal. WeGo may return and/or reject an Unsolicited Proposal at any time during the process in its sole discretion.

VI. Prerequisites to Contract Negotiation

- A. The contracting officer or other designated WeGo representative(s) may commence negotiations only after the following prerequisites have been met:
 - i. An Unsolicited Proposal has received a favorable comprehensive evaluation including in comparison to any Proposals received following publication as provided in this policy.

- ii. WeGo office sponsoring the contract supports its recommendation, furnishes the necessary funds, and provides a sole-source justification (if applicable); and
- iii. WeGo Senior Staff and CEO approval.
- iv. Unsolicited proposals exceeding \$150,000 in total cost will require the approval of the WeGo's Board prior to implementation.

VII. Use of Confidential Information

WeGo personnel will not use any data, or any proprietary part of an Unsolicited Proposal or confidential technical or financial proprietary information as the basis, or part of the basis, for a solicitation or in negotiations with any other firm, unless the proposer is notified of and agrees to the intended use. The proposer's concepts or ideas are not considered proprietary by WeGo.