



**MORONGO BASIN TRANSIT AUTHORITY
(BASIN TRANSIT)**

REQUEST FOR PROPOSAL (RFP) NO. 24-02

Short Range Transit Plan



TRANSMIT PROPOSALS TO:

Cheri Holsclaw, General Manager
Basin Transit
62405 Verbena Road
Joshua Tree CA 92252

Questions regarding the solicitation process and the scope of work should be directed to Cheri Holsclaw at cheri@basin-transit.com or 760.366.2986. All questions should be submitted in writing by mail, or e-mail no later than Tuesday, June 11, 2024, by 3:00pm. These questions, along with their answers, will be forwarded to all firms that have notified Basin Transit of their interest in submitting a proposal.

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SECTION I - RFP KEY DATES

Tuesday, May 28, 2024	RFP Issue Date
Tuesday, June 11, 2024 by 3:00pm	Question Submittal and Proposed Alternatives Deadline
Friday, June 14, 2024 by 5:00pm	Basin Transit Responses to Questions
Wednesday, July 3, 2024 by 3:00pm	Proposal Due Date
Week of July 8, 2024	Potential Consultant Interviews
Thursday, July 25, 2024	Recommendation to Basin Transit Board to Award
Friday, July 26, 2024	Notice to Proceed

Note that all times referenced in this Request for Proposal are based on Basin Transit's local time which is Pacific Standard Time (PST).

SECTION II – PROJECT OVERVIEW

A. INTRODUCTION

Morongo Basin Transit Authority (branded and operated as "Basin Transit") seeks proposals to provide a Short Range Transit Plan for fiscal years 2025-2029. The Consultant chosen will coordinate its study activities with the staff of Basin Transit and the San Bernardino County Transit Authority (SBCTA).

This RFP includes an “approved equals” process, allowing bidders to propose alternative products or solutions that meet or exceed the specified requirements. Detailed instructions for this process are provided in Section V – item A.

A budget of \$100,000 has been established to fund the study using non-federal funding.

B. BACKGROUND

Basin Transit is a joint powers authority and operates public transit services in 10 desert communities including Yucca Valley, Twentynine Palms, Joshua Tree, and unincorporated areas within San Bernardino County, extending south to Palm Springs in neighboring Riverside County. Much of the Morongo Basin’s residential and commercial development is along the State Route 62 corridor between Yucca Valley in the west and Twentynine Palms in the east. This development parallels the northern border of Joshua Tree National Park and is largely the service area for Basin Transit routes.

Basin Transit runs four types of routes: neighborhood shuttles, intercity service, commuter service to Palm Springs, and a demand response service we call Ready Ride. The majority of Basin Transit’s neighborhood shuttle routes run between 18 and 24 miles in length; Route 21 runs on a 48-mile loop; the intercity route runs between 27 and 43 miles; and the longer-distance routes run between 39 and 79 miles, depending on point of origin relative to Palm Springs.

While most bus routes have designated fixed stops, in some areas there are no posted bus stops, and passengers may flag the driver to board. Deviations to the fixed route are also available to passengers who are unable to get to regular fixed stops by reserving at least one hour in advance. All routes will deviate up to $\frac{3}{4}$ -mile, except for Route 21, which will deviate up to 1.5 miles. These deviations add slight variability and unpredictability both to the length of runs and blocks, and to the terrain over which the buses operate.

Basin Transit allows riders to purchase passes ahead of time using their phone with the Token Transit app, or by paying with cash when boarding the bus. Free fares are eligible for small children (age 5 or under) and students K-12 during FY2023/24 and FY2024/25. Fare discounts are available to senior citizens (age 60 and over) and people with disabilities. More details can be found at <http://basin-transit.com/fares/>.

SECTION III – SCOPE OF WORK

A. PHASE I

1. Service Analysis

To the degree necessary, the consultant will perform a focused service level analysis of Basin Transit’s fixed route, commuter, and demand response (Ready Ride) services and its related policies by which these services are provided. This evaluation of existing

operating conditions shall be in relation to service performance, running times, recovery times, recovery time locations, deadhead hours/miles, schedules, transfer connections, service needs, service strategies, service policies, performance standards, on-time performance, and stakeholder/customer needs.

Staff is particularly interested in the following areas:

- a. Transforming our Ready Ride services into a flexible microtransit system, with borders but not restricted by jurisdictions (Yucca Valley, Joshua Tree, 29 Palms, etc.). Additionally, we would like an analysis with a cost proposal to see if it's feasible to extend service hours beyond the 8-5, Monday through Friday schedule.
- b. An analysis to determine the feasibility of adding a bus stop at Buena Vista and 247 on Route 21.
- c. Assess the schedule and block for Route 1, aiming to eliminate the evening break in service. Additionally, please ensure that the 1B PM driver ends their shift in 29 Palms and the 1A PM driver ends their shift in Yucca Valley.
- d. Explore improved connections for Copper Mountain College students, including a possible CMC/CSUSB connection.
- e. Evaluate the need to start the commuter service earlier in the morning and add an additional loop in the afternoon.

Staff believes that any proposed adjustments to the current service will be aligned with available funding while trying to operate at peak efficiency. An analysis of service levels by route type and mode is requested. Consultant to determine if there are routes within the system that can be reduced that may provide an opportunity to reallocate resources to an area with greater demand and potential productivity. All strategies deemed useful to this analysis shall be undertaken by the Consultant.

2. Farebox Review

We request a comprehensive farebox review to be conducted by the Consultant. This review should include an evaluation of our current fare structure, with the goal of establishing a uniform fare across both fixed and neighborhood routes. Additionally, we would like the Consultant to assess the long-term sustainability of the Low Carbon Transit Operations Program (LCTOP) and its potential to continue for the foreseeable future and determine how to reduce bus fares using LCTOP as a fare supplement.

3. Financial and Capital Plan Analysis

The financial plan shall review the current and projected operating and capital costs, revenues and fare recovery standards over the immediate five-year period. This financial analysis should take into consideration uncertain local and state revenues and identify any other possible sources of funding. Financial projections will be supplied by Basin Transit or SBCTA but may also be supplemented by the Consultant's assessment of likely costs and revenues for Basin Transit's services. This report is to be provided in an Excel Spreadsheet for the ease of future modifications by Basin Transit's staff as well as bound and printed in the main report submitted to the authority.

4. Bus Stop Assessment

Assess identified bus stops and provide a prioritized rating based on criteria such as safety, accessibility, and usage. We request that you visit each bus stop, evaluate these factors, and compile your findings in an Excel Spreadsheet, which we will use to determine which stops require immediate attention, moderate attention, or are low

priority.

5. Organizational Review

Evaluation of all Basin Transit's current positions and functions, particularly in our dispatch department. Incorporate recommended changes into an alternative financial plan, distinct from one provided that assumes the current organizational structure is essentially unchanged.

Perform an analysis of Basin Transit's current organizational model and provide alternatives along with a supporting financial plan that ensures the most cost-effective method to deliver service is employed by the agency.

The Consultant is asked to specifically identify which member/s of the team will perform this component of the S RTP and identify their relative qualifications to successfully perform this task.

6. Summary of Findings

The results of the preceding tasks, along with any additional activities proposed and undertaken by the Consultant, should be documented in a comprehensive summary that includes findings and discussions of the relevant issues. This summary shall assess the current structure of Basin Transit services in terms of the degree of match and mismatch with the identified mobility needs and issues. This analysis should include a discussion of performance measures to assess the viability of individual services, measuring their effectiveness and efficiency against the required minimum farebox recover ratios as mandated by the Transportation Development Act (TDA). Coverage of the overall service area shall be addressed.

B. PHASE II

1. Identify Alternatives

The Consultant shall make recommendations based upon the review and discussion of issues from Phase I. These shall be developed in the context of existing identifiable funding levels but may also incorporate reasonable expectations of bringing in new funding sources, where such funds are identified. Issues to be addressed include:

- a. Minor modification of routes if and as needed
- b. Strategies to address potential reduction in funding levels
- c. Analysis of Fare recommendations
- d. "Lifeline" service recommendations
- e. Organizational recommendations
- f. Financial effects of any organizational recommendations are to be presented
- g. Ridership implications
- h. New markets/partners for providing any new/expanded services recommended
- i. Budgetary implications – operations and capital
- j. Implementation timeframe

2. Public Comment – Basin Transit Board Presentation/Workshop

Upon preparation of the outline of proposed service alternatives, the Consultant shall schedule and conduct a noticed public meeting. The meeting shall be held for purposes of providing the public with an opportunity to hear a summary of the key findings, proposed service goals and objectives, and a presentation of proposed service alternatives. The public will be invited to offer comment and observations on the proposed alternatives for consideration by the Consultant and staff in developing preferred alternatives. A Board presentation and/or workshop shall be scheduled to provide opportunity for Basin Transit

Board input. Prior to this, a presentation will also be made to the SBCTA Transit and Rail or Mountain and Desert Committee (at the discretion of SBCTA) on findings and recommendations.

C. PHASE III

1. Preparation of an Action Plan

Modified by input developed by Basin Transit Board and staff and responsive to comments or concerns raised by members of the public, the Consultant shall identify the preferred alternatives and prepare an action plan. The plan shall include at minimum:

- a. Short term recommendations
- b. Prioritized longer term recommendations
- c. Operations and capital budget requirements and funding plan including identification of funding sources
- d. Timeline for implementation
- e. Selected strategies and tools for implementation
- f. Organizational Review and findings
- g. Any immediate changes or additional proposed to the routing level and structure shall be accompanied by detailed graphic descriptions of route modifications

2. Timeline

Successful Consultant is to complete scope of work within 150 days from the date Notice to Proceed is issued.

3. Presentation of the Action Plan

The action plan, in draft and in finalized formats, shall be presented to the Basin Transit Board of Directors meeting. Eight (8) bound and electronic documents in “Word” and “pdf” formats of the draft and final documents shall be submitted to Basin Transit.

The signatory below represents that he/she has the authority to bind the company named below to the Bid submitted and any contract awarded as a result of this Solicitation.

Printed Name, Title

Company / Firm Name

Signature

Date

Proposing Firm Name:

Mailing Address:

Phone Number:

By:

SECTION IV - FORMAT OF PROPOSALS

All proposals must comply with the submittal requirements. Proposals that do not comply with the submittal requirements are considered non-responsive and will be rejected, at the discretion of Basin Transit. Proposals shall include the information and services requested and must be signed with the name and title of the person duly authorized to commit services by the firm.

Proposals shall be emailed to cheri@basin-transit.com with **SRTP RFP 24-02** in the subject line or on a thumb drive before July 3, 2024 at 3:00pm and sent to:

Basin Transit
Cheri Holsclaw, General Manager
RFP #24-02
62405 Verbena Road, Joshua Tree CA 92252

No proposal received after the submittal deadline will be considered, at the discretion of Basin Transit. Proposals will not be publicly opened and will be kept confidential. Proposals are required for the entire scope of services described. Proposals that do not address the entire scope of services or improperly written may be considered non-responsive and rejected.

A. PROPOSAL REQUIREMENTS AND ORGANIZATION

Firms shall review and base their proposals on the draft Scope of Services, Section III. Strict conformance to the specified proposal format and completeness of the required content are essential. Firms that do not address all of the required submittals and associated documentation may be considered non-responsive and will not be eligible for contract award. Each section of the proposal shall be tabbed in accordance with the numbering system shown below. Basin Transit strongly considers the Proposal content and completeness to be most important. Elaborate, decorative, extraneous, and non-recyclable materials are strongly discouraged. The proposal shall be submitted in an 8 ½ x 11 format and may use foldouts as necessary but shall not exceed 11 x 17. The cover shall clearly contain the project title, RFP number, and the firm's name. While the length of the proposal will not be limited, short and concise proposals are preferred. Excessive and wordy proposals could result in lower scores and non-selection. The firm's ability to prepare a complete but succinct proposal may be scored higher.

B. PROPOSAL FORMAT

1. Letter of Transmittal

This letter of transmittal shall be addressed to Cheri Holsclaw, including the following:

- a. RFP 24-02 shown above.
- b. An identification of the firm(s) involved in the Proposal and which firm of any joint venture is proposed as the prime Consultant.
- c. A statement acknowledging the receipt of all addenda to the RFP that have been issued by Basin Transit.
- d. A statement that the firm has reviewed and accepted the insurance requirements.
- e. A statement that the Proposal will remain in effect for 120 calendar days after the deadline for receipt of the Proposal by Basin Transit.
- f. A contact person who should be notified of the Selection Committee's decision, a telephone number, e-mail and mailing address.
- g. The name, title address, email and telephone number of the individual(s) with

authority to bind the company contractually and who may also be contacted during the period of the proposal evaluation.

- h. The legal form of the firm, i.e., sole proprietor, partnership, corporation, etc. If the firm is a corporation, the state in which the company was incorporated shall be identified.

2. Organization Chart

The Organization Chart shall show the relationship of all sub-Consultants to the prime Consultant and shall identify the staff member, responsibility, and firm name for each category and/or task. The chart shall be limited in format, i.e. one (1) pdf page. The proposing firm shall agree that any changes to personnel identified in the proposal must be approved by Basin Transit in writing.

3. Consultant Team Qualifications

The Consultant shall provide a summary of their team's qualifications and experience managing and executing projects of similar scope and purpose. This section is limited to two (2) pages. It is strongly encouraged that extraneous and over-stated qualifications be eliminated.

4. Project Understanding and Approach

The Consultant shall discuss in detail their understanding and approach of Basin Transit's goals and objectives for the Project. From this, a complete and thorough approach is to be developed to demonstrate the Consultant's ability to provide Basin Transit with a cost-effective and successfully executed project.

Using the draft Scope of Services from Section III, the Consultant should review and may make revisions as they see necessary. The proposed Scope of Services will be used for a final contract unless otherwise revised by Basin Transit during contract negotiations.

5. Project Management

The Consultant shall demonstrate their abilities to manage the Project, not only for the prime Consultant but how their relationship/processes with sub-Consultants will be managed. This section shall at a minimum include the methods and means for project controls, QA/QC, resource allocation, and staff availability.

6. Resumes

The Consultant shall provide resumes of key personnel that will be assigned to the Project. Resumes should describe what tasks the person performed on a project and not just a list of projects the person works on. Only show relevant information keeping resumes as short as possible.

7. Related Experience

The Consultant shall provide sufficient descriptions of related experience that will demonstrate their team's ability to perform the work as described in Sections 3 and 4 above, limited to no more than 10 projects. Each related project shall be a maximum of one page long and clearly show the following items:

- a. Project Description
- b. Client
- c. Contract Amount of Consultant Services Provided
- d. Consultant Services Provided as Prime or Sub-Consultant

- e. Duration of Services Provided
- f. Reference – Contact name, address, phone number and email address. This as well as other sources may be used as a reference check of the Consultant’s past performance

8. Appendices / Miscellaneous / Supporting Documentation

This section may be used by the Consultant to include miscellaneous items as they think are necessary to demonstrate their team’s qualifications that are not required above.

9. Insurance Requirements

- a. **Workers' Compensation Insurance.** Proof of Workers' Compensation Insurance and Employer's Liability Insurance on any employees of Consultant performing services for Basin Transit is to be provided. **This insurance cannot be waived, but does not apply if Consultant is a sole proprietor and provides a written statement to that effect.**
- b. **General Liability and Property Damage Insurance.** Unless expressly waived and such waiver is evidenced by the signature of the requisite officers of the client designated in this paragraph, Consultant shall maintain general liability insurance and property damage insurance in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 annual aggregate. When this coverage is required, the Client shall be named as an additional insured on a separate endorsement to the insurance policy. The endorsement shall require the insurance company to provide Client a minimum of ten (10) days’ notice of the cancellation of the policy.

SECTION V - EVALUATION PROCESS

A selection team composed of Basin Transit staff, staff of the San Bernardino County Transit Authority (SBCTA) and neighboring agencies will be established to review all proposals submitted pursuant to the terms of this RFP. Members of this team are expected to participate, if possible, in any interviews to be conducted with selected Consultants. The evaluation of proposals will be based on the following criteria and relative value established by Basin Transit.

A. EVALUATION OF APPROVED EQUALS

Bidders are allowed to propose alternatives to the specified products, equipment, or services, provided that these alternatives meet or exceed the specifications outlined in this RFP. All such proposals must be submitted to cheri@basin-transit.com by June 13, 2024 at 3:00pm for approval in accordance with the following process:

1. A detailed description of the proposed alternative
2. Technical specifications and performance data
3. Evidence demonstrating that the proposed alternative meets or exceeds the required specifications
4. Any additional information that supports the equivalence of the proposed alternative

B. SUBMITTAL DEADLINE

Only those proposals received by the submittal deadline on or before the date identified in RFP Key Dates, outlined in Section I. Proposals will be evaluated by an Evaluation Committee. Postmarks will be accepted in lieu of receiving the proposals by the date and time specified. Proposals received after the date and time specified may be returned to the firm without further consideration or evaluation.

C. EVALUATION CRITERIA

Basin Transit intends to use a Best Value method to determine which proposal is most advantageous to the agency's goals. Technical and Financial merit will be evaluated simultaneously, and scores will be combined on the following criteria, noting that scores may be fractions and that ratings will be scaled so that the best proposal in each element will receive the maximum points for that element.

There is no financial component to the evaluation as the Consultants are asked to submit a proposal that falls within the project budget as described within the scope of work.

Category A: Technical	Evaluation Criteria	Maximum Points
	<ol style="list-style-type: none">1. Completeness of the proposal submitted and compliance with the terms and conditions of the RFP (Incomplete or vague proposals may be rejected).2. Demonstrated understanding of the RFP as shown by the Consultant's technical proposal.3. Project Approach and Methodology proposed by consulting firm and any other additions to the scope of work as described by Basin Transit.	60
Category B: Organization and Management	<ol style="list-style-type: none">1. Experience and qualifications of the proposed project team.2. Experience and qualifications of the Consultant indicating demonstrated levels of expertise based on the proposal and responses to the reference checks.	40
Total Maximum Points to be Awarded		100

SECTION VI - GENERAL INFORMATION

A. GENERAL INSTRUCTIONS

1. In submitting a proposal, Consultants must comply with the performance criteria as set forth in the following instructions. All proposals will be reviewed thoroughly prior to any selection to determine if Consultants have met all proposal condition criteria as set forth in this RFP.
2. The words "Basin Transit" and/or "Morongo Basin Transit Authority" are used in these instructions interchangeably, to reference the funding and operating Agency. The words "offer", "contract proposal", and "proposal" are synonymous, and it is understood that once Basin Transit accepts the same, the document may be incorporated as part of the contract contemplated by these instructions.

B. PROTESTS

Basin Transit has the authority to resolve protested solicitations and awards. In the event a Consultant desires to protest the proposal or an award, the following procedure shall be used.

1. Any protest must be submitted in writing within ten calendar days after the notice of intent to contract to cheri@basin-transit.com with subject RFP 24-02 Protest.
2. To be considered valid, the bid protest shall:
 - i. be submitted within ten calendar days after Basin Transit issues a notice of intent to contract;
 - ii. contain a complete, detailed statement of the basis for the protest;
 - iii. include all relevant, supporting documentation; and
 - iv. identify the name, address, and telephone number of the person representing the protesting party.
3. In addition, the party filing the protest shall transmit a copy of the protest and any supporting documentation to all other parties with a direct financial interest in the award of the contract and/or the outcome of the contract protest. Such parties shall include all other Consultants who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.
4. If Basin Transit determines that a protest is frivolous, the party originating the protest may be determined to be irresponsible and thus ineligible for future contract awards by Basin Transit.
5. The procedure and time limits set forth in this paragraph are mandatory and are the Consultant's sole and exclusive remedy in the event of protest. Failure to comply with these procedures shall constitute a waiver of any right to further pursue the bid protest or other legal proceedings.

C. DEBRIEFING

Any Consultant who wishes a debriefing shall submit a written request no later than ten calendar days after award by the Basin Transit Board to cheri@basin-transit.com.

D. PUBLIC RECORDS ACT

Proposals may be subject to public disclosure under the California Public Records Act and other public records laws. Proposals become the property of Basin Transit when submitted and, by submitting a proposal, the Consultant agrees that Basin Transit may use any information, documentation or writing contained in the proposal for any Basin Transit purpose. All Basin Transit public records, as such, may be subject to public review. Documents protected by law from public disclosure will not be disclosed by Basin Transit if clearly marked with the word "CONFIDENTIAL" on each applicable page. Trade secrets may be marked as "CONFIDENTIAL" only to the extent they meet the requirements of California Government Code Section 6254.7. Only information claimed to be a trade secret at the time of submittal to Basin Transit and clearly identified as "CONFIDENTIAL" will be treated as a trade secret. Entire Proposals in which every page is marked "CONFIDENTIAL" may be rejected by Basin Transit if each and every page does not meet the California Government Code Section 6254.7. Consistent with 49 U.S.C. 5325(b)(3)(D), before requesting or using indirect cost rate data, Basin Transit shall first notify and obtain written permission from any Consultant or firm subject to an indirect cost rates audit. If Basin Transit receives a Public Records Act request for a Consultant's or firm's indirect cost rates, pursuant to Government Code Section 6250 et seq., Basin Transit shall also take the above-described precautionary steps.

E. DISADVANTAGED BUSINESS ENTERPRISES (DBE).

Basin Transit encourages the use of small and disadvantaged firms in its contracting purposes. Basin Transit's annual DBE goal is 6.3%. Refer to information contained in

F. FURNISHED MATERIALS

All software, data, reports, and other documents furnished to the awarded firm, or generated during the course of the Project, or for the firm's use in the performance of work or services under this contract shall be made available only for the use in performing this assignment and shall remain the sole property of Basin Transit. All such materials shall be returned to Basin Transit upon completion of the work, termination of the contract, or at any such time that Basin Transit determines. Consultant shall not utilize in print, in its materials or in the media, any Basin Transit data, reports, documents or information without prior written consent of Basin Transit.

G. REGULATION CONFORMANCE

Consultant is bound by the same terms and conditions of applicable federal, state and local regulations that are imposed on Basin Transit for proper administration of this project. All applicable provisions, whether identified herein or not, shall pertain to the project.

H. DEBARMENT CERTIFICATION

The Consultant shall certify that it is not included in the U.S. General Service Administration's list of ineligible Consultants.

I. PRE-CONTRACTUAL EXPENSES

Basin Transit shall not be liable for any pre-contractual expenses incurred by Consultant and its team, in preparation or submittal of their proposal. The Consultant shall not include any such expenses in their proposal. Prohibited pre-contractual expenses include any and all expenses incurred by the Consultant and its team prior to executing a contract and Basin Transit issuing a Notice to Proceed (NTP).

ATTACHMENT 1 – DISADVANTAGED BUSINESS ENTERPRISE

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

Although this Agreement is not subject to Title 49, Part 26 of the Code of Federal Regulations (49 CFR 26) entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs". Basin Transit does participate in DBE tracking and reporting to the State of California and the Federal Government. In order to ensure the California Department of Transportation (Caltrans) achieves its federally mandated statewide overall Disadvantaged Business Enterprise (DBE) goal, the Agency encourages the participation of DBEs, as defined in 49 CFR 26, in the performance of Agreements financed in whole or in part with federal funds. The Consultant shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

As required by federal law, Caltrans has established a statewide overall DBE goal. In order to ascertain whether that statewide overall DBE goal is being achieved, Caltrans is tracking DBE participation on all federally assisted contracts. **Basin Transit's annual DBE goal is 6.3%.** To assist Consultants in ascertaining DBE availability for specific items of work, the Agency advises that it has determined that DBEs could reasonably be expected to compete for subcontracting opportunities on this project and the likely DBE Availability Advisory Percentage is 4 percent, consistent with Caltrans' objective. The Agency also advises that participation of DBEs in the specified percentage is not a condition of award. The Consultant has agreed to carry out applicable requirements of Title 49 CFR 26, in the award and administration of federally assisted Agreements. The regulations in their entirety are incorporated herein and by reference. The Consultant should notify the Basin Transit's General Manager in writing, of any changes to its anticipated DBE participation. This notice should be provided prior to the commencement of that portion of the work.

DBE as defined in Title 49 CFR 26 and other small businesses are encouraged to participate in the performance of agreements financed in whole or in part with federal funds. The Consultant or sub-Consultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Consultant shall carry out the applicable requirements of 49 CFR, Part 26, in the award and administration of U.S. Department of Transportation assisted contracts. Failure by the Consultant to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as recipient deems appropriate. Any subcontract entered into as a result of the Agreement shall contain all the provisions of this section.