

Solicitation 65a0350

Slow for the Cone Zone Campaign

State of California

Bid 65a0350

Slow for the Cone Zone Campaign

Bid Number 65a0350
Bid Title Slow for the Cone Zone Campaign

Bid Start Date Oct 29, 2009 4:06:36 PM PDT
Bid End Date Dec 1, 2009 3:00:00 PM PST
Question & Answer End Date Nov 18, 2009 5:00:00 PM PST

Bid Contact Dennis Siebert
916-227-6071
dennis_siebert@dot.ca.gov

Standard Disclaimer The State of California advises that prospective bidders periodically check the websites, including but not limited to Bidsync, and/or other state department links for modifications to bid documents. The State of California is not responsible for a prospective bidder's misunderstanding of the bid solicitation or nonresponsive bid due to failure to check these websites for updates or amendments to bid documents, and/or other information regarding the bid solicitations. Failure to periodically check these websites will be at the bidder's sole risk.

The information published and/or responded to on these websites is public information. Confidential questions/issues/concerns should be directed to the contact on the ad.

Changes made on Nov 4, 2009 10:03:39 AM PST

New Documents 65a0350 - Addendum One.pdf

Changes were made to the following items:

[Slow for the Cone Zone Campaign](#)

Changes made on Nov 5, 2009 1:58:22 PM PST

New Documents 65a0350 - Addendum Two.pdf

Changes were made to the following items:

[Slow for the Cone Zone Campaign](#)

Description

Contractor shall organize and coordinate a statewide advertising campaign and marketing program, and provide public relations activities to promote safety awareness in and near highway work zones. Disadvantaged Business Enterprise (DBE) goal requirements are present in this solicitation. This is scheduled to be a two-year contract.

Added on Nov 4, 2009:

Please see attached Addendum One.

Added on Nov 5, 2009:

Please see attached Addendum Two.

Changes made on Nov 4, 2009 10:03:39 AM PST

Changes made on Nov 5, 2009 1:58:22 PM PST

If any portion of the bid package cannot be downloaded, it is the proposer's responsibility to request hard copies from the Bid Unit at: (916) 227-6075 or by faxing a request to (916) 227-1950.

Department of Transportation
RFP Number 65a0350
Page 1 of 17

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

DIVISION OF PROCUREMENT AND CONTRACTS MS-65
1727 30TH STREET
SACRAMENTO, CA 95816-7006
PHONE (916) 227-6000
FAX (916) 227-6155
TTY (800) 735-0193 or 711
INTERNET <http://caltrans-opac.ca.gov>



*Flex your power!
Be energy efficient!*

October 29, 2009

REQUEST FOR PROPOSAL
Notice to Prospective Proposers
RFP Number 65a0350

You are invited to review and respond to this Request for Proposal (RFP) Number 65a0350, entitled 'Slow for the Cone Zone Campaign'. In submitting your proposal, you must comply with the instructions found herein.

Disadvantaged Business Enterprise (DBE) participation applies to this RFP. The Caltrans DBE overall goal is **13.5 percent**, of which the Underutilized DBE (UDBE) goal is **6.75 percent**. See Section C, Item 1, in this RFP for requirements.

Note that all Contracts (Agreements) entered into with the State of California will include by reference General Terms and Conditions that may be viewed and downloaded at Internet site <http://www.ols.dgs.ca.gov/Standard+Language/default.htm>. If you do not have Internet access, a hard copy can be provided by contacting the Bid Unit: Phone (916) 227-6075, Fax Number (916) 227-1950.

The designated contact person for this RFP is:

Dennis Siebert
Department of Transportation
(916) 227-6071
(916) 227-6927 (fax)

Please note that no *verbal* information given will be binding upon the State unless such information is issued in writing as an official addendum.

*Technical questions regarding this solicitation will be addressed, in writing, in accordance with the Questions and Answers portion of this RFP. See Section B, Item 2 - Questions and Answers for more details.

Dennis Siebert
Acquisition Analyst

Table of Contents

SECTION	PAGE
A) Purpose and Description of Service	3
B) Proposal Requirements and Information	3
1. Time Schedule	3
2. Questions and Answers	4
3. Technical Proposal Requirements	4
4. Cost Proposal Requirements	8
5. Darfur Contracting Act	9
6. Submission of Proposal	9
7. Evaluation Process	12
8. Award and Protest	14
9. Disposition of Proposals	15
10. Standard Conditions of Service	15
C) Special Programs	16
1. Disadvantaged Business Enterprise (DBE)	16
Attachments	
1. Cost Proposal Worksheet	
2. Contractor Certification Clauses (CCC 307)	
3. Proposal/Proposer Certification Sheet	
4. Darfur Contracting Act	
5. Subcontracting Provisions/List	
6. Disadvantaged Business Enterprise (DBE) Requirements	
7. Criteria for Evaluation of Consultant Technical Proposals	
8. Required Attachment Check List	
9. Proposed Form of Agreement, STD 213:	
Exhibit A, Scope of Work	
Exhibit B, Budget Detail and Payment Provisions	
Exhibit C, General Terms and Conditions (GTC)	
Exhibit D, Special Terms and Conditions	
Exhibit E, Additional Provisions	
10. California Highway Safety Awareness Survey Wave #1	
11. California Highway Safety Awareness Survey Wave #2	

A) Purpose and Description of Services

The Department of Transportation (Caltrans) anticipates construction activity in California to undergo a massive increase due to the fact that California is expected to receive approximately \$2.57 billion for highways, local streets and roads, freight and passenger rail, and port infrastructure projects from the American Recovery and Reinvestment Act (ARRA).

In recent years, Caltrans has increased its efforts to make highway work areas a safer place for the public, Caltrans employees, and construction workers. Such efforts have included the development of the 'Slow for the Cone Zone' public awareness campaign.

The primary focus of the project is to reduce the number of injuries, deaths, and collisions in highway work zones.

Caltrans' Project Goals to be achieved by September 2011 include:

- 1) Reduce the total number of annual collisions in California highway work zones by a minimum of 10% from the 2007 baseline of 5,163 work zone collisions.
- 2) To reduce the number of persons killed in a California Highway Work Zone by 10% from the calendar 2007 base year total of 47 to 42 by September 30, 2010, and an additional 10% to 38 by September 30, 2011.
- 3) To reduce the number of persons injured in a California Highway Work Zone by 10% from the calendar 2007 base year total of 2339 to 2100 by September 30, 2010, and an additional 10% to 2012 by September 30, 2011.
- 4) To increase the awareness of work zone safety issues by drivers, measured by a pre-campaign and post campaign survey as a measurement tool.

Refer to the Scope of Work in Attachment #9, Sample Standard Agreement, Exhibit A. The estimated budget for this project is \$2,612,000.00. It is estimated that this will be a two-year Agreement with two one-year optional extensions.

B) Proposal Requirements and Information

1. Time Schedule

It is recognized that time is of the essence. All proposers are hereby advised of the following schedule and will be expected to adhere to the required dates and times.

Department of Transportation
RFP Number 65a0350
Page 4 of 17

EVENT	DATE	TIME (Pacific Time)
RFP available to prospective Proposers	10/29/09	
Written Question Submittal	11/18/09	
Final Date for Proposal Submission	12/1/09	3:00 pm
Oral Interviews	Week of 12/7/09	
Posting of Notice of Intent to Award	12/10/09	
DBE Evaluation	12/15/09	
Proposed Agreement Award Date (estimate)	12/16/09	
Proposed Agreement Term (estimate)	1/1/10 – 12/31/11	

2. Questions and Answers

Questions regarding this RFP must be submitted in writing. Bidders are encouraged to submit their written questions by November 18, 2009.

Written questions must include the individual's name, firm name, complete address and must reference RFP No. 65a0350. Questions must be sent to the following address:

E-MAILED OR FAXED OR MAILED TO:

E-Mail: dennis_siebert@dot.ca.gov

Fax No.: (916) 227-6927

Department of Transportation, MS-65
Division of Procurement and Contracts
Attention: Dennis Siebert
1727 30th Street
Sacramento, CA 95816

Written responses to all questions will be collectively compiled and mailed, as an Addendum, to each individual or firm who downloaded this RFP from the Internet or who requested this RFP by calling the recorded bid line: (916) 227-6090. Hard copy responses are disseminated by mail, and an electronic version is uploaded to the Department of Transportation's website. Refer Section B (1), **Time Schedule**, to get this RFP's schedule of events and dates. It is the responsibility of the Proposer to inquire about an expected Addendum if the Addendum is not received. Proposer can contact the Contract Analyst named above or check the Department of Transportation's website:

<http://www.caltrans-opac.ca.gov/contract.htm>

3. Technical Proposal Requirements

An original proposal marked "ORIGINAL COPY" and 7 copies will be required for the Technical Proposal. Each Technical Proposal shall contain at a minimum, all required items listed below. Each requirement's location must be listed in a Technical Proposal, Table of Contents. Also see section B (6), **Submission of Proposal**, for submittal details.

A. Management

Proposer shall designate, by name, the Project Manager to be employed. The selected Contractor shall not substitute the Project Manager without prior notification to the State.

B. Methodology

The prospective Contractor shall describe the overall approach to the work, specific techniques that will be used, and the specific administrative and operational management and expertise that will be employed. Proposal shall include the methodology to implement the work plan included in the proposal.

C. Work Plan and Work Schedule

- 1) Proposer shall effectively incorporate occupant protection, inattentive driving and anti-speeding messages to California motorists. Proposer shall demonstrate its ideas to include creative incorporation of the 'Slow for the Cone Zone' messages and educational advertisement materials for English, Spanish and Teen audiences. 'Slow for the Cone Zone' is a registered trademark.
- 2) Proposer shall develop a timeline for each phase of the campaign based on a start date of December 2009 through September 2011. Identify each major task, necessary subtasks and specific milestones by which progress can be measured and payments made. The work plan or schedule shall specify the estimated hours to accomplish each task. The work plan should reflect the actual proposal. The objective of the work plan is to give Caltrans an opportunity to study how the proposer would schedule various elements and distribute workload among staff and/or subcontractors.
- 3) In order to demonstrate the capability to provide traffic safety public relations, advertising and marketing services, the Proposer must describe methods, strategies and approaches for completing the work plan.
- 4) Proposer must include samples of past projects demonstrating creativity, competency, successes, challenges, managerial experience as well as demonstrate the ability to meet deadlines.
- 5) Proposer shall propose a comprehensive marketing campaign to carry out the public awareness campaign, while reaching the most people and gaining

Department of Transportation
RFP Number 65a0350
Page 6 of 17

the biggest recognition in the most economical way. At a minimum elements of the campaign shall include:

- Targeted Hispanic outreach (non-English speaking)
 - Targeted teenage, young adult driver outreach (15-24)
 - General market outreach (18-49)
 - Non-traditional Media (i.e. newspaper, television)
 - Live Traffic and News sponsorships
 - Radio Outreach
 - Public/Private Sponsorships
- 6) Proposer shall demonstrate how it will to build strategic public/private partnerships that will help maximize resources and increase effectiveness of campaign. Proposer should outline plans to recruit public/private funding (added value, including media) and discuss the potential to partner with other state agencies in common traffic safety goals. Knowledge and experience in developing cooperative relationships that leverage the state's financial resources are important. Dollar value shall be represented at a 1:1 ratio where the value is compared to paid advertising costs, or retail value. Example: if added value includes a :30 radio spot, value should be the cost if the :30 spot were sold.
- 7) Proposer shall include commitments received to partner with the "Slow for the Cone Zone" highway safety campaign and its value. Include commitment letters **as well as** letters of intent.
- 8) Proposer shall demonstrate how it will conduct market research (such as using focus groups and intercepts) to test Proposer's creative ideas.
- 9) Proposer shall demonstrate how it will achieve the Scope of Work requirement of measuring campaign effectiveness through the use of an awareness study by July 31, 2011. The statistics emanating from this study will be compared, by the winning Proposer, to the findings of the May 2008 final report (done for a previous campaign) for long-term tracking of campaign effectiveness. Please see **Attachments 10 and 11** for past survey results.
- 10) Proposer will demonstrate its approach to assisting with the annual Caltrans Workers Memorial. The event is tentatively scheduled for April 29, 2010 on the west steps of the State Capitol. The winning Proposer will be responsible for arranging media coverage and assisting in the coordination of the event (facilitating rental materials, set up day of event, program outline, and other event requirements). The 2009 Caltrans Workers Memorial can be viewed at on our main website page under highlights at <http://dot.ca.gov/>.

Department of Transportation

RFP Number 65a0350

Page 7 of 17

- 11) The Proposer shall demonstrate how it will participate in a minimum 15 outreach activities, reaching 100,000 people during the Slow for the Cone Zone public awareness campaign, by September 30, 2011.
- 12) The Proposer will shall demonstrate how it will develop and coordinate safety awareness presentations and perform other activities to reach out to teenage drivers through other venues (than listed above) including presentations at a minimum of 10 venues (e.g. high schools), reaching 2,000 students during the Slow for the Cone Zone public awareness campaign, by September 30, 2011.
- 13) The Proposer shall demonstrate how it will distribute public information and education materials on driving safely in work zones to high schools and drivers education classes, reaching 10,000 people during the Slow for the Cone Zone public awareness campaign, by September 30, 2011.

D. Personnel

The Proposer shall list pertinent personnel who will be working on the project. Include their titles, qualifications, a summary of similar work or studies performed, a resume for each professional, a statement indicating how many hours each professional will be assigned to the Agreement and what tasks each professional will perform. The Proposer shall not substitute members of the project without prior notification to and consent of the Caltrans Contract Manager.

E. Experience

Proposer should demonstrate its experience in all of the following areas:

- Experience in developing, managing and tracking public relations and advertising campaigns.
- Experience with multi-million dollar advertising campaigns.
- Experience recruiting and establishing public/private partnerships to leverage Caltrans advertisement resources.
- Experience with media buys and/or media buying house.
- Experience with conducting marketing surveys (such as focus groups, intercepts, and mail surveys).

F. References

Proposer shall provide at least three (3) clients for whom the Proposer has performed work similar to that proposed in this request. Each reference must have:

Department of Transportation

RFP Number 65a0350

Page 8 of 17

- Firm Name,
- Contact Name,
- Street Address,
- City, State, Zip Code,
- Telephone Number,
- Brief Description of Service provided,
- Service Dates, and
- the Service Value/Cost.

G. Subcontracts

If subcontractors are to be used, the prospective Contractor must include in the Technical Proposal, a description of each person or firm and the work to be done by each subcontractor. No work shall be subcontracted unless listed in the proposal. The cost of the subcontract work is to be itemized in the Cost Proposal as described below in the section entitled **Cost Proposal Requirements**. (Section B (6)).

The Contractor must obtain the advance written approval of the Department's Contract Manager before substituting subcontractors.

H. Page Headers and Page Numbering

All pages of the Technical Proposal, including cover pages, Table of Contents, references and resumes, shall have the following header and page numbering format in the upper right-hand corner:

Technical Proposal

Date

Contract No. 65a0350

Attachment 3

Page # of ##

- I. Brochures, tapes, drawings, etc. being submitted with Technical Proposals shall be clearly identified as to the name of the Proposer and the RFP number.

4. Cost Proposal Requirements

A. Cost Detail Format

- 1) The proposed work should be broken down into the outline in the Work Plan and Work Schedule [refer to Section 3 C above] for the purpose of this proposal. The resultant Agreement cannot exceed the budgeted allocations of \$2,612,000.00. The Cost Proposal, and only the Cost Proposal, shall itemize all items that will be charged to the State including necessary travel charges that will be included in the bid amount. Costs shall be segregated to show actual salary costs including hours, rates, classifications, administrative overhead and fringe benefit expenses.
- 2) Cost Proposals shall follow the Cost Proposal format provided in **Attachment 1**.

B. Subcontracts

The breakdown of subcontract costs shall follow the same format.

C. Page Headers and Page Numbering

All pages of the Cost Proposal, including cover pages, Table of Contents, and if applicable, Special Programs documents such as DBE forms and the Subcontracting Provisions/List if appropriate shall have the following header and page numbering format in the upper right-hand corner.

5. Darfur Contracting Act

- A. Effective January 1, 2009, all solicitations for goods or services must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475, *et seq.*; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with "scrutinized" companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.
- B. A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).
- C. Therefore, Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a "scrutinized" company when it submits a bid or proposal to a State agency.
- D. A scrutinized company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b).

6. Submission of Proposal

- A. Proposals should provide straightforward and concise descriptions of the proposer's ability to satisfy the requirements of this RFP. The proposal must be complete and accurate. Omissions, inaccuracies or misstatements will be sufficient cause for rejection of a proposal.
- B. The original proposal must be single sided and marked "ORIGINAL COPY". All documents contained in the original proposal package **must have original signatures and must be signed by a person who is authorized to bind the proposing firm**. All additional proposal sets may contain photocopies of the original package. Due to limited storage space, the proposal package should be prepared in the least expensive method (i.e., cover page with staple in upper left-hand corner, no fancy bindings: spiral binding, 3-hole punch, etc.).
- C. The State does not accept alternate Agreement language from a prospective contractor. A proposal with such language will be considered a counter proposal and will be rejected. The State's General Terms and Conditions (GTC)

Department of Transportation

RFP Number 65a0350

Page 10 of 17

are not negotiable. The GTC 307 may be viewed at Internet site www.dgs.ca.gov/contracts.

- D. Responses to this RFP shall be submitted in one sealed package/envelope containing:

Original Technical and Cost Proposal and 7 copies, all other required forms.

- E. Proposals must be submitted no later than **3:00 P.M.**, December 1, 2009 and addressed as follows (reference B.1, Time Schedule):

Proposals received **after** this date and time will **not** be considered and will be rejected unopened.

The proposal package/envelope must be plainly marked with the RFP number and title, your firm name, address, and must be marked with "DO NOT OPEN", as shown in the following example:

SEALED PACKAGE/ENVELOPE	
Agency/Firm Name	
Address	
RFP Number 65a0350	
Slow for the Cone Zone Campaign	
RFP PROPOSAL	
DO NOT OPEN	

Proposals not submitted under sealed cover and marked as indicated may be rejected. If the proposal is made under a fictitious name or business title, the actual legal name of Proposer must be provided.

- F. All proposals shall include the documents identified in this RFP's **Required Attachment Checklist, Attachment 8**. Proposals not including the proper "required attachments" shall be deemed non-responsive. A non-responsive proposal is one that does not meet the basic proposal requirements.
- G. Proposals must be submitted for the performance of all services described herein. Any deviation from the work specifications will not be considered and will cause a proposal to be rejected.
- H. Both of the individually sealed and labeled Proposals (Technical and Cost Proposal) can be packaged and mailed together. Label (as instructed below) and Mail or deliver package to the following location.

MAILED OR *DELIVER TO:

Department of Transportation, MS-65
 Division of Procurement and Contracts
 Attention: Dennis Siebert
 1727 30th Street
 Sacramento, CA 95816

In the upper portion of the sealed mailing envelope, label outer package:

RFP 65a0350

Department of Transportation

RFP Number 65a0350

Page 11 of 17

Slow for the Cone Zone Campaign

Firm Name: _____

DO NOT OPEN

- * If your proposal is hand delivered, you must date and time stamp it immediately upon arrival. The date/time stamp machine is located in the lobby of the first floor to the right of the security guard station at the address noted above. After date/time stamping, proposals should be placed in the locked bid cabinet located below the time stamp. If the proposal package is too large to be electronically stamped, date/time stamp one of the labels provided and attach it to the proposal package. When the proposal package is too large for the locked bid cabinet, ask the security guard to call the Contracts' reception desk at 227-6000 to have your bid package picked up by Contracts' staff.
- I. Each prospective Contractor's Technical Proposal will be reviewed to determine if it meets the proposal requirements contained in the section **Technical Proposal Requirements** (Section 3 C above). Failure to meet the requirements for the RFP shall be cause for rejection of the proposal.
- J. A proposal may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. The State may reject a proposal that is not responsive, does not meet the technical standards, or is not from a responsible proposer, or may reject all proposals. The State may also waive any immaterial deviation in a proposal. The State's waiver of immaterial defect shall in no way modify the RFP document or excuse the Proposer from full compliance with all requirements if the Proposer is awarded the Agreement.
- K. Costs for developing proposals and in anticipation of award of the Agreement are entirely the responsibility of the Proposer and shall not be charged to the State of California.
- L. Only an individual who is authorized to contractually bind the proposing firm shall sign the Proposal/Proposer Certification Sheet, **Attachment 3**. The signature must indicate the title or position that the individual holds in the firm. The proposer's proposal may be rejected if the Proposal/Proposer Certification Sheet is not signed.
- M. A Proposer may modify a proposal after its submission by withdrawing its original proposal and resubmitting a new proposal prior to the proposal submission deadline. Proposal modifications offered in any other manner, oral or written, will not be considered.
- N. A Proposer may withdraw its proposal by submitting a written withdrawal request to the State that is signed by the Proposer or an authorized agent. A Proposer may thereafter submit a new proposal prior to the proposal submission deadline. Proposals may not be withdrawn without cause subsequent to proposal submission deadline.
- O. The Department of Transportation may modify the RFP up to the specified time of the date fixed for submission of proposals by the issuance of an addendum to all parties who received a proposal package. All addenda prior to the submission

Department of Transportation
RFP Number 65a0350
Page 12 of 17

deadline are also posted on the Department's website: www.caltrans-opac.ca.gov/contract.htm.

- P. The State reserves the right to reject all proposals for reasonable cause.
- Q. Proposers are cautioned to not rely on the State during the evaluation to discover and report to the Proposer any defects and errors in the submitted documents. Before submitting their documents, Proposers should carefully proof them for errors and adherence to the RFP requirements.
- R. Where applicable, Proposer should carefully examine work sites and specifications. Proposer shall investigate conditions, character, and quality of surface or subsurface materials or obstacles that might be encountered. No additions or increases to the agreement amount will be made due to a lack of careful examination of work sites and specifications.
- S. More than one proposal from an individual, firm, partnership, corporation or association under the same or different names, will not be considered. Reasonable grounds for believing that any Proposer has submitted more than one proposal for the work contemplated herein will cause the rejection of all proposals submitted by that Proposer. If there is reason for believing that collusion exists among the Proposers, none of the participants in such collusion will be considered in this or future procurements.

7. Evaluation Process

- A. At the time of proposal opening, each proposal will be checked for the presence and/or absence of required information in conformance with the submission requirements of this RFP.
- B. The State will evaluate each proposal to determine its responsiveness to the State's needs. Technical proposals and, if applicable, oral presentations will be rated by an evaluation committee using a consensus process (DOT's RFP Evaluation Standards and Procedures) for determining final scores.
- C. Proposals that contain false or misleading statements, or which provide references, which do not support an attribute or condition claimed by the Proposer, shall be rejected.
- D. The final selection will be made on the basis of the highest scored proposal that meets the minimum technical standards.
- E. An evaluation committee will evaluate those Technical Proposals that meet the proposal submission requirements. The evaluation will be based on the criteria shown on Criteria for Evaluation of Consultant Technical Proposals, **Attachment 7**. The proposal evaluation will be a combined evaluation of the Technical Proposal, an Oral Presentation, and the Cost. Proposers will be contacted to schedule a date and time. It is anticipated that Oral Presentations will be held in the City of Sacramento.

Department of Transportation

RFP Number 65a0350

Page 13 of 17

- F. The cost will be evaluated on a sliding scale, with the lowest bidder receiving 130 points. The other proposals will be scored in relation to the lowest price proposal using the following formula:

$$\text{(Low Bid Proposal / Other Proposer's Bid)} \times 100 = \text{Points Awarded}$$

- G. If no proposals are received containing bids offering a price, which in the opinion of the Department is a reasonable price, the Department is not required to award an Agreement (Public Contract Code 10344 (d)).
- H. The prospective Contractor is advised that should this RFP result in an award of an Agreement, the Agreement will not be in force and no work shall be performed until the Agreement is fully approved by the State and the Contractor is notified by the Contract Manager to begin work.
- I. In the event of a precise tie, lots will be drawn, or if applicable, the tie will be broken in accordance with Government Code 14838 (f).
- J. Pre-Award/Post-Award Audit

Prior to award of the Agreement, or after the execution of an Agreement, a pre-award or post-award audit may be performed. The pre-award/post-award audit will be conducted in accordance with generally accepted governmental auditing standards as promulgated by the United States General Accounting Office. The scope of the audit will consist of such tests as the auditors consider necessary to assure that the Contractor satisfactorily meets the requirements outlined in Items 1-3 below prior to execution of the Agreement. Upon completion of a pre-award/post-award audit, if, in the Department's judgment, one or more of these requirements is not satisfactorily met, Agreement award/Agreement may be canceled.

1. At the time of the pre-award/post-award audit, the prospective Contractor must demonstrate through actual historical data that its accounting system is capable of accumulating and segregating reasonable, allocable and allowable costs. For new businesses, if actual historical data is unavailable or the accounting system is newly implemented, the system will be tested to determine whether the accounting system is adequate and, if necessary, recommend that an interim audit be performed. At a minimum, the Contractor must have an accounting system that meets the following objectives:
 - a. The ability to record and report financial data in accordance with generally accepted accounting principles and the Code of Federal Regulations, Title 48, Federal Acquisition Regulations System (FAR), Chapter 1, Part 31.
 - b. The ability to accumulate and segregate reasonable, allocable and allowable costs through the use of a cost accounting system.
 - c. A system of record keeping ensuring that costs billed to the Department of Transportation will be supported by adequate documentation and in

Department of Transportation

RFP Number 65a0350

Page 14 of 17

compliance with the terms of the Agreement and applicable Federal and State regulations.

- d. Procedures to retain accounting records and source documentation as required by the terms of the Agreement and applicable Federal and State regulations.
 - e. A system of internal control, which provides reasonable assurance that assets are protected; financial data, records and statements are reliable; and errors and irregularities are promptly discovered, reported and corrected.
- 2. The prospective Contractor must be financially capable of performing the work.
 - 3. The costs proposed must be reasonable.

8. Award and Protest

- A. Notice of Intent to Award shall be posted at the Department of Transportation, 1727 30th Street, Sacramento, 95816 (1st floor Lobby display case), and on the following Internet site: www.caltrans-opac.ca.gov/contract.htm for five (5) working days prior to awarding the Agreement.
- B. Proposers have the right to protest the award of Department of Transportation Agreements subject to the following grounds, processes and procedures.
 - 1) If any Proposer, prior to the award of Agreement, files a protest with the Department of Transportation on the grounds that the (protesting) Proposer would have been awarded the Agreement had the Agency correctly applied the evaluation standard in the RFP, or if the Agency followed the evaluation and scoring methods in the RFP, the Agreement shall not be awarded until either the protest has been withdrawn or the State has decided the matter. It is suggested that you submit any protest by certified or registered mail to:

Department of Transportation Division of Procurement & Contracts, MS 65 Attention: Protest and Dispute's Manager 1727 30 th Street Sacramento, CA 95816 Phone Number: (916) 227-6096 Fax Number: (916) 227-6155	
--	--

- 2) Within five (5) days after filing the initial protest, the protesting Proposer shall file with the Department of Transportation a full and complete written statement specifying the grounds for the protest. It is suggested that you submit this complete written statement by certified or registered mail.
- C. Upon award of the Agreement, Contractor must complete and submit to the Department of Transportation the Payee Data Record (STD 204), to determine if the Contractor is subject to state income tax withholding pursuant to California

Revenue and Taxation Code Sections 18662. This form can be found on the Internet at www.osp.dgs.ca.gov under the heading FORMS MANAGEMENT CENTER. No payment shall be made unless a completed STD 204 has been returned to the Department.

- D. Upon award of the Agreement, Contractor must sign and submit to the Department of Transportation, page one (1) of the Contractor Certification Clauses (CCC), **Attachment 2**, or the form can be obtained via the Internet at www.dgs.ca.gov/contracts.

9. Disposition of Proposals

Upon proposal opening, all documents submitted in response to this RFP will become the property of the State of California, and will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public. The State cannot prevent the disclosure of public documents. However, the contents of all proposals, draft proposals, correspondence, agenda, memoranda, working papers, or any other medium which discloses any aspect of a proposer's proposal, shall be held in the strictest confidence until the "Notice of Intent to Award" is posted. We recommend that you copyright any proprietary material submitted.

10. Standard Conditions of Service

- A. Service shall be available no sooner than the express date set by the Department of Transportation and the Contractor, after all approvals have been obtained and the Agreement is fully executed. Should the Contractor fail to commence work at the agreed upon time, the Department of Transportation, upon five (5) days written notice to the Contractor, reserves the right to terminate the Agreement. In addition, the Contractor shall be liable to the State for the difference between Contractor's Proposal price and the actual cost of performing work by the second lowest Proposer or by another Contractor.
- B. All performance under the Agreement shall be completed on or before the termination date of the Agreement.
- C. No oral understanding or agreement shall be binding on either party.
- D. Antitrust Provisions
- 1) In submitting a bid to a public purchasing body, the proposer offers and agrees that if the proposal is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act Chapter 2, commencing with Section 16700, of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the proposer for sale to the purchasing body pursuant to the proposal. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the proposer. (See Government Code section 4552)

Department of Transportation

RFP Number 65a0350

Page 16 of 17

- 2) If the awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid
 - 3) Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. (See Government Code section 4554)
- E. If the bidder is awarded the contract and refuses to sign the contract presented for signature within the time and manner required, the bidder will be liable to the Caltrans for actual damages resulting to the Department therefrom or ten percent (10%) of the amount bid, whichever is less.

C) Special Program(s)

The following Special Program(s) are applicable to this RFP.

1. Disadvantaged Business Enterprise (DBE) Program

- A. This solicitation and resultant agreement is financed in whole or in part with federal funds and therefore subject to Title 49, Code of Federal Regulations, Part 26 (49 CFR 26) entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." In compliance with 49 CFR 26, Caltrans set an overall annual DBE goal comprising both race neutral and race conscious elements. To ensure equal participation for Disadvantaged Business Enterprise (DBE) groups specified in 49 CFR 26.5, Caltrans specifies a contract goal for Underutilized DBE (UDBE) participation. **The required goal for UDBE participation in this solicitation is 6.75%.**
- B. A UDBE is a DBE firm as defined in 49 CFR 26 **that is also** one of the following groups: African Americans, Asian-Pacific Americans, Native Americans, or Women. Only UDBE participation will count toward the contract goal for this solicitation. References to DBEs include UDBEs, but references to UDBEs do not include all DBEs. DBE participation will count toward Caltrans' federally mandated overall annual DBE goal. In order to ascertain whether its overall annual DBE goal is being achieved, Caltrans tracks DBE participation on all federal-aid contracts.
- C. It is the bidder's responsibility to verify that the UDBE firm is certified as a DBE at due date and time of bid submittal. For a list of DBEs certified by the California United Certification Program (CUCP), go to:
http://www.dot.ca.gov/hq/bep/find_certified.htm

Department of Transportation

RFP Number 65a0350

Page 17 of 17

- D. See **Attachment 6** for detailed information and the required forms. Required forms will be made a part of the Agreement. Failure to meet the DBE/UDBE goal or Good Faith Effort requirements and provide required DBE/UDBE participation will result in the bid being rejected as non-responsive.
- E. The requirement to advertise for the purpose of identifying potential DBEs/UDBEs is not waived.

Department of Transportation

RFP Number 65a0350

Page 1 of 2

ATTACHMENT 1
COST PROPOSAL WORKSHEET

DIRECT LABOR Please list Position Titles and Names	HOURS	RATE	TOTAL
Program Manager	@	\$	\$
Account Personnel	@	\$	\$
Media Buyer	@	\$	\$
Other	@	\$	\$
Subtotal, Direct Labor			\$

INDIRECT COSTS (Consultant's Overhead and Fringe Benefits)	As a percentage of the Direct Labor Subtotal		
Overhead	%	\$	\$
Fringe Benefits	%	\$	\$
Subtotal, Indirect Costs			\$

(Itemize Type of Subcontracting Work & total Cost. Attach Separate Cost Proposal for Each Subcontractor)			
---	--	--	--

OTHER DIRECT COSTS (Except Labor)	% of Direct Costs (non- labor)		Total
Advertising Production if applicable to proposal (Inclusive costs to produce advertisements i.e. talent, studio time, etc.)	%		\$
Net Media Buys (profit on media buys are to be included in profit)	%		\$

Department of Transportation

RFP Number 65a0350

Page 2 of 2

General Market Outreach collateral materials (e.g. brochures or posters)	%		\$
Multilingual Outreach collateral materials, (e.g. brochures or posters)	%		\$
Teen Outreach collateral materials, etc. (e.g. brochures or posters)	%		\$
Market Research	%		\$
Post-Awareness Study	%		\$
Travel*	%		\$
Other Direct Costs (Except Labor) – Itemize any expenses over \$500 on a separate attachment	%		\$
SUBTOTAL, OTHER DIRECT COSTS			\$
Profit on Media Buys	%		\$
Profit with the exception of media buys	%		\$
SUBTOTAL, PROFIT			\$
GRAND TOTAL			\$

* All Travel Expenses will be paid at Department of Personnel (DPA) rates for Travel and Per Diem

Department of Transportation
RFP Number 65a0350
Attachment 2
Page 1 of 4

ATTACHMENT 2

CONTRACTOR CERTIFICATION CLAUSES

CCC-307

CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

<i>Contractor/Bidder Firm Name (Printed)</i>	<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County of</i>

CONTRACTOR CERTIFICATION CLAUSES

1. **STATEMENT OF COMPLIANCE**: Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 8103) (Not applicable to public entities.)

2. **DRUG-FREE WORKPLACE REQUIREMENTS**: Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

b. Establish a Drug-Free Awareness Program to inform employees about:

- 1) the dangers of drug abuse in the workplace;
- 2) the person's or organization's policy of maintaining a drug-free workplace;
- 3) any available counseling, rehabilitation and employee assistance programs; and,
- 4) penalties that may be imposed upon employees for drug abuse violations.

c. Every employee who works on the proposed Agreement will:

- 1) receive a copy of the company's drug-free workplace policy statement; and,
- 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the

Department of Transportation

RFP Number 65a0350

Attachment 2

Page 2 of 4

Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)

4. CONTRACTS FOR LEGAL SERVICES \$50,000 OR MORE- PRO BONO REQUIREMENT: Contractor hereby certifies that contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lessor of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. EXPATRIATE CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. SWEATFREE CODE OF CONDUCT:

a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).

7. DOMESTIC PARTNERS: For contracts over \$100,000 executed or amended after January 1, 2007, the contractor certifies that contractor is in compliance with Public Contract Code Section 10295.3.

DOING BUSINESS WITH THE STATE OF CALIFORNIA

The following laws apply to persons or entities doing business with the State of California.

1. **CONFLICT OF INTEREST**: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. **LABOR CODE/WORKERS' COMPENSATION**: Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. **AMERICANS WITH DISABILITIES ACT**: Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

4. **CONTRACTOR NAME CHANGE**: An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will

Department of Transportation

RFP Number 65a0350

Attachment 2

Page 4 of 4

process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.

Department of Transportation
RFP Number 65a0350 – Attachment 3
Page 1 of 2

ATTACHMENT 3
PROPOSAL/PROPOSER CERTIFICATION SHEET

Only an individual who is authorized to bind the bidding firm contractually shall sign the Proposal/Proposer Certification Sheet. The signature must indicate the title or position that the individual holds in the firm. This Proposal/Proposer Certification Sheet must be signed and returned along with all "required attachments" as an entire package with original signatures. The bid must be transmitted in a sealed envelope in accordance with IFB instructions.

- A. Our all-inclusive bid is submitted in a sealed envelope.
- B. All required attachments are included with this certification sheet.
- C. The signature affixed hereon and dated certifies compliance with all the requirements of this bid document. The signature below authorizes the verification of this certification.
- D. The signature and date affixed hereon certifies that this bid is a firm offer for a 90-day period.

An Unsigned Proposal/Proposer Certification Sheet May Be Cause for Bid Rejection

1. Company Name	2. Telephone Number ()	2a. Fax Number ()
3. Address		
Indicate your organization type:		
4. ☐ Sole Proprietorship	5. ☐ Partnership	6. ☐ Corporation
Indicate the applicable employee and/or corporation number:		
7. Federal Employee ID No. (FEIN)	8. California Corporation No.	
Indicate applicable license and/or certification information:		
9. Contractor's State Licensing Board Number	10. PUC License Number CAL-T-	11. Required
12. Bidder' Name (Print)		13. Title
14. Signature		15. Date
16. Are you certified with the Department of General Services, Office of Small Business and Disabled Veteran Business Enterprise Services (OSDS) as: a. Small Business Enterprise Yes ☐ No ☐ If yes, enter certification number: _____ b. Disabled Veteran Business Enterprise Yes ☐ No ☐ If yes, enter your service code below: _____		
NOTE: A copy of your Certification is required to be included if either of the above items is checked "Yes". Date application was submitted to OSDS, if an application is pending: _____		
17. Are you a Non-Small Business committing to the use of 25% Certified Small Business Subcontractor Participation? Yes ☐ No ☐ If Yes, complete and return the Bidder Declaration form, GSPD-05-105 with your bid.		

Department of Transportation
RFP Number 65a0350 – Attachment 3
Page 2 of 2

Completion Instructions for PROPOSAL/PROPOSER CERTIFICATION SHEET

Complete the numbered items on the
Proposal/Proposer Certification Sheet by following the instructions below.

Item Numbers	Instructions
1, 2, 2a, 3	Must be completed. These items are self-explanatory.
4	Check if your firm is a sole proprietorship. A sole proprietorship is a form of business in which one person owns all the assets of the business in contrast to a partnership and corporation. The sole proprietor is solely liable for all the debts of the business.
5	Check if your firm is a partnership. A partnership is a voluntary agreement between two or more competent persons to place their money, effects, labor, and skill, or some or all of them in lawful commerce or business, with the understanding that there shall be a proportional sharing of the profits and losses between them. An association of two or more persons to carry on, as co-owners, a business for profit.
6	Check if your firm is a corporation. A corporation is an artificial person or legal entity created by or under the authority of the laws of a state or nation, composed, in some rare instances, of a single person and his successors, being the incumbents of a particular office, but ordinarily consisting of an association of numerous individuals.
7	Enter your federal employee tax identification number.
8	Enter your corporation number assigned by the California Secretary of State's Office. This information is used for checking if a corporation is in good standing and qualified to conduct business in California.
9	Complete if your firm holds a California contractor's license. This information will be used to verify possession of a contractor's license for public works agreements.
10	Complete if your firm holds a PUC license. This information will be used to verify possession of a PUC license for public works agreements.
11	Complete, if applicable, by indicating the type of license and/or certification that your firm possesses and that is required for the type of services being procured.
12, 13, 14, 15	Must be completed. These items are self-explanatory.
16	If certified as a Small Business Enterprise, place a check in the "yes" box, and enter your certification number on the line. If certified as a Disabled Veterans Business Enterprise, place a check in the "Yes" box and enter your service code on the line. If you are not certified to one or both, place a check in the "No" box. If your certification is pending, enter the date your application was submitted to OSBCR.
17	Check the applicable box. Complete and return GSPD-05-105 with your Bid.

Attachment 4 Darfur Contracting Act

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a "scrutinized" company as defined in Public Contract Code section 10476.

Therefore, to be eligible to submit a bid or proposal, please complete only one of the following three paragraphs (via initials for Paragraph # 1 or Paragraph # 2, or via initials and certification for Paragraph # 3):

1. _____ We do not currently have, or we have not had within the previous
Initials three years, business activities or other operations outside of the
United States.

OR

2. _____ We are a scrutinized company as defined in Public Contract Code
Initials section 10476, but we have received written permission from the
Department of General Services (DGS) to submit a bid or proposal
pursuant to Public Contract Code section 10477(b). A copy of the
written permission from DGS is included with our bid or proposal.

OR

3. _____ We currently have, or we have had within the previous three years,
Initials business activities or other operations outside of the United States,
+ certification but we certify below that we are not a scrutinized company
below as defined in Public Contract Code section 10476.

CERTIFICATION For # 3.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder to the clause listed above in # 3. This certification is made under the laws of the State of California.

<i>Proposer/Bidder Firm Name (Printed)</i>	<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County and State of</i>

ATTACHMENT 8

ATTACHMENT CHECKLIST

A complete Proposal package will consist of the items identified below. Complete this checklist to confirm the items in your Proposal. Place a check mark or "X" next to each item that you are submitting to the State. All attachments identified below are applicable to this RFP and must be returned, as instructed, or your Proposal may be considered non-responsive. **Return this checklist with your package.**

Technical Proposal and Attachments

Attachments

Attachment Name/Description

Technical Proposal as stated in this RFP (This shall be incorporated into the contract as **Attachment 3**)

Darfur Contract Act, (**RFP Attachment 4**)

Proposal Attachment Checklist (**RFP Attachment 8**)

Contractor Certification Clauses (CCC 307). The CCC 307 can also be found on the Internet at <http://www.dgs.ca.gov/contracts>. Page one (1) must be signed and submitted prior to the award of the Agreement. (**RFP Attachment 2**)

Proposal/Proposer Certification Sheet (**RFP Attachment 3**)

Cost Proposal (**RFP Attachment 1**)

Documentation of DBE Program Requirements (**RFP Attachment 6**)

Subcontracting Provisions/List, ADM-1511 (**RFP Attachment 5**)

Department of Transportation

RFP Number 65a0350

Page 1 of 3

ATTACHMENT 7
CRITERIA FOR EVALUATION OF PROPOSALS

PROPOSER:	Maximum Possible Score (Weighted Score)	Consensus Determination - %	Score
I. PROPOSER'S TECHNICAL PROPOSAL EVALUATION –140 points HOW ADEQUATE IS THE PROPOSER'S TECHNICAL PROPOSAL TO MEETING TECHNICAL PROPOSAL REQUIREMENTS AND SCOPE OF WORK?			
A. Detailed Work Plan and/or schedule for task completion based on the RFP Technical Requirements	15 pts		
B. Outline of advertising plan	10 pts		
C. Creative incorporation of 'Slow for the Cone Zone' in proposed messages and educational advertisement materials for English, teen, and Hispanic audiences	25 pts		
D. Creative suggestions and/or samples of Collateral or print materials (literature) for English, teen, and Hispanic audiences	15 pts		
E. Outline of plans to develop safety awareness programs for teen drivers	10 pts		
F. Outline of plans to recruit, establish public/private partnerships to leverage Caltrans advertisement resources	15 pts		
G. Use of innovative media	15 pts		
H. Dollar value and quality/reputability of commitments to partner with the "Slow for the Cone Zone" Campaign	25 pts		
I. Methodology	10 pts		
SUBTOTAL - SECTION I	140 pts	----	

NARRATIVE

II. PROPOSER'S QUALIFICATIONS & EXPERIENCE EVALUATION – 90 points HOW ADEQUATE IS THE PROPOSER'S EXPERIENCE?			
A. Developing, managing, and tracking public relations and advertising campaigns	15 pts		
B. Forming and maintaining cooperative partnerships to leverage resources	25 pts		
C. Handling multi-million dollar advertising campaigns	15 pts		
D. Ability to select, negotiate, secure, and place advertisements in various markets including	20 pts		

Department of Transportation
RFP Number 65a0350
Page 2 of 3

those targeted to teen and Spanish audiences			
E. Conducting focus groups or marketing Surveys	10 pts		
F. Staff resumes detailing dates and descriptions of work experience relative to the Scope of Work	5 pts		
SUBTOTAL – SECTION II	90 pts	----	

TOTAL FOR TECHNICAL PROPOSAL 230 pts

NARRATIVE

III. ORAL PRESENTATION EVALUATION

EFFECTIVENESS AND COMPLETENESS OF ANSWERS TO QUESTIONS REGARDING PROPOSER'S WORK PLAN

A. Demonstrate an understanding of the Project Scope of Work	10 pts		
B. Demonstrate experience, knowledge and abilities to develop and effectively manage a multi-million dollar media advertising campaign	10 pts		
C. Demonstrate past experiences and current abilities to select, negotiate, secure, and place advertisements in various markets	15 pts		
D. Demonstrate past and current experiences and abilities to form various partnerships, co-operatives, etc. to successfully leverage resources	20 pts		
E. Provided an organized, clear, concise oral presentation consistent with the Technical Proposal	10 pts		

TOTAL FOR ORAL PRESENTATION 65 pts

NARRATIVE

IV. COST 130 pts

NARRATIVE

Department of Transportation
RFP Number 65a0350
Page 3 of 3

FINAL SCORES	MAXIMUM POSSIBLE	PROPOSER'S SCORE
TECHNICAL PROPOSAL	230	
ORAL PRESENTATION	65	
COST PROPOSAL	130	
TOTAL	425	

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

SUBCONTRACTING PROVISIONS/LIST

Form ADM 1511 (REV. 9/06)

ATTACHMENT 5

List all subcontractors that will be used in this Agreement. All subcontractors listed below must be used in accordance with the Agreement. This includes, if applicable, compliance with the subcontracting provisions and any Underutilized Disadvantaged Business Enterprise (UDBE), Disabled Veteran Business Enterprise (DVBE), Small Business, and Micro-Business subcontractors. If none, bidder to write "NONE" in this space.

NAME	BUSINESS ADDRESS	DESCRIPTION OF PORTION OF WORK WHICH WILL BE DONE BY EACH CONTRACTOR*

DEPARTMENT OF TRANSPORTATION

DIVISION OF PROCUREMENT AND CONTRACTS MS-65

1727 30th STREET

SACRAMENTO, CA 95816-7006

PHONE (916) 227-6000

FAX (916) 227-6155

INTERNET <http://caltrans-opac.ca.gov>*Flex your power!
Be energy efficient*

October 9, 2009

NOTICE TO BIDDERS/PROPOSERS**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM
AND
UNDERUTILIZED DBE (UDBE) PARTICIPATION GOAL**

Title 49, Code of Federal Regulations, Part 26 (49 CFR 26) requires that all recipients of United States Department of Transportation (USDOT), Federal Highway Administration (FHWA) federal-aid shall establish an overall annual Disadvantaged Business Enterprises (DBE) goal. The State of California, Department of Transportation (Caltrans) is required to report to FHWA the DBE participation for all federal-aid contracts each year so that the overall annual DBE goal attainment efforts may be evaluated. Caltrans encourages DBE participation in the performance of agreements financed in whole or in part with federal funds.

Bidders and proposers are advised that Caltrans has established a federally mandated overall annual DBE goal comprising both race neutral and race conscious elements to ensure equal participation of DBE groups specified in 49 CFR 26.5. In compliance with 49 CFR 26, Caltrans set a contract goal for UDBEs participating in this solicitation expressed as a percentage of the total dollar value of the resultant agreement.

The goal for UDBE participation in this solicitation is 6.75%.

A UDBE is a DBE firm as defined in 49 CFR 26 that is also one of the following groups: African Americans, Asian-Pacific Americans, Native Americans, or Women. Only the participation of UDBEs will count toward the contract goal. For information on the forms to be completed and returned with your bid, please refer to the attached Kform15 document titled "Disadvantaged Business Enterprise (DBE) and Underutilized Disadvantaged Business Enterprise (UDBE) Information for Bidders."

The bidder/proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

Please read this Notice and Attachments very carefully as bidder/proposer is responsible to ensure bid submittal documents are complete and accurate.

"Caltrans improves mobility across California"

NOTICE TO BIDDERS/PROPOSERS

October 9, 2009

REQUIRED DOCUMENTS

It is imperative that bidder/proposer ensures the completed *Disadvantaged Business Enterprise (DBE) Information/Underutilized DBE (UDBE) Participation* form, ADM 0227F, and/or the *Bidder/Proposer Underutilized Disadvantaged Business Enterprise (UDBE) Good Faith Efforts Documentation* form, ADM 0312F, is submitted with the bid, cost proposal, price and/or rate schedule by the bid due date and time. Refer to instructions in the solicitation. **Failure to complete and submit the required DBE/UDBE information and forms, may be grounds for finding the bid/proposal non-responsive and cause for rejection of the bid/proposal.**

AWARD

Award of the Agreement will be to the responsive and responsible bidder/proposer:

- (1) With the lowest price in response to an Invitation for Bid (IFB) or Request for Proposal (RFP) Primary Method solicitation, **or** proposer with the highest score in response to an RFP Secondary Method solicitation, **and**
- (2) Whose bid complies with all of the requirements set forth herein, **and**
- (3) Who meets the contract goal for UDBE participation **or** demonstrates to the satisfaction of Caltrans that the bidder/proposer made good faith efforts (GFE) to do so.

The bidder/proposer awarded the Agreement shall be responsible for implementing the applicable requirements of 49 CFR 26 in performance of the Agreement.

PROTEST AND DISPUTES

The right to protest the award of an agreement is afforded any bidder/proposer who claims it should have been awarded the Agreement because it was either the responsive and responsible (1) bidder/proposer with the lowest price in response to an IFB or RFP Primary Method, or 2) proposer with the highest score in response to an RFP Secondary Method, who met the solicitation specifications. If the apparent successful bidder failed to meet the goal or document GFE to meet the goal, the bidder/proposer has five (5) working days after notification by Caltrans to provide written documentation or argument concerning the issue of whether it met the goal or made GFE to do so.

Written protest and dispute documentation must be submitted to:

State of California
Department of Transportation
Division of Procurement and Contracts
1727 30th Street, MS 65,
Sacramento, CA 95816-7006
Attention: Protest and Disputes Officer

"Caltrans improves mobility across California"

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

DISADVANTAGED BUSINESS ENTERPRISE (DBE) / UNDERUTILIZED DBE (UDBE) INFORMATION AND INSTRUCTIONS FOR BIDDERS

(CONTRACTS FULLY OR PARTIALLY FEDERAL FUNDED)

Kform15 (Rev. 03/02/2009) Page 3 of 8) RFP Number 65a0350 Attachment 6

I. AUTHORITY AND BIDDER'S RESPONSIBILITY

It is the policy of the State of California, Department of Transportation (Caltrans) that Disadvantaged Business Enterprises (DBEs), as defined in Title 49, Code of Federal Regulations, Part 26 (49 CFR 26) entitled "PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN DEPARTMENT OF TRANSPORTATION FINANCIAL ASSISTANCE PROGRAMS", shall be encouraged to participate in the performance of Agreements financed in whole or in part with federal funds. The Contractor should ensure that DBE firms as defined in 49 CFR 26 have an opportunity to participate in performance of this solicitation and shall take all necessary and reasonable steps, as set forth in 49 CFR 26 for this assurance. The bidder/proposer (bidder) shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

This solicitation is subject to 49 CFR 26. Bidders shall be fully informed of the requirements of the regulations and Caltrans' DBE Program developed pursuant to the regulations.

Terms as used in this document:

- 'Caltrans' means 'State of California, Department of Transportation'
- 'Agreement' also means 'Contract'
- 'Bidder' also means 'proposer' or 'offerer'
- Underutilized Disadvantaged Business Enterprise (UDBE) means a DBE firm as defined in 49 CFR 26 **that is also** one of the following groups: African American, Asian-Pacific American, Native American, or Woman. References to DBEs include UDBEs, but references to UDBEs do not include all DBEs.

It is the bidder's responsibility to make work available to DBEs/UDBEs and select work parts or material needs consistence with available DBEs/UDBEs, to meet the contract goal for UDBE participation in this solicitation or to provide information to establish, that prior to bidding, the bidder made adequate good faith efforts (GFE) to meet the goal.

To be eligible for award of the Agreement, the bidder shall demonstrate that the contract goal for UDBE participation will be met or that, prior to bidding, adequate GFE to meet the goal were made. Final determination of goal attainment or GFE by the bidder will be at Caltrans' discretion.

Bidder is cautioned that even though its submittal indicates it will meet the stated UDBE goal, its submittal should also include its GFE documentation along with UDBE goal information to protect its eligibility for award of the Agreement in the event Caltrans, in its review, finds that the goal has not been met.

It is the bidder's responsibility to verify DBE and UDBE certifications.

II. SUBMISSION OF DBE INFORMATION/UDBE PARTICIPATION

The required UDBE goal information shall be submitted on the Disadvantaged Business Enterprise (DBE) Information/ Underutilized DBE (UDBE) Participation form, ADM 0227F, and as described herein. Use the Bidder/Proposer Underutilized Disadvantaged Business Enterprise (UDBE) Good Faith Efforts Documentation form, ADM 0312F, to document any good faith efforts (GFE). Both ADM 0227F and ADM 0312F are attached to this package. Bidder is responsible for carefully reviewing and following all instructions for the ADM 0227F and/or ADM 0312F.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

DISADVANTAGED BUSINESS ENTERPRISE (DBE) / UNDERUTILIZED DBE (UDBE) INFORMATION AND INSTRUCTIONS FOR BIDDERS

(CONTRACTS FULLY OR PARTIALLY FEDERAL FUNDED)

Kform15 (Rev. 03/02/2009 Page 4 of 8) RFP Number 65a0350 Attachment 6

- A. UDBE GOAL INFORMATION:** In page 1 of the ADM 0227F, bidder shall provide the required information and documentation as instructed in page 2 of the ADM 0227F. Bidder is responsible to ensure all information in the ADM 0227F is complete and accurate.
- B. GOOD FAITH EFFORTS:** Using ADM 0312F, bidder shall provide sufficient documentation to demonstrate adequate GFEs were made as instructed in the ADM 0312F. Bidder is responsible for ensuring all information in the ADM 0312F is complete and accurate. For disqualification examples, refer to the Instructions to Bidder/Proposer in page 1 of the ADM 0312F.

III. DBE CERTIFICATION REQUIREMENTS

It is the bidder's responsibility to be fully informed regarding the requirements of 49 CFR 26 and Caltrans' DBE Program developed pursuant to the regulations. Particular attention is directed to the following:

1. A DBE must be a small business firm defined pursuant to Section 3 of the Federal Small Business Act **and** certified through the California Unified Certification Program (CUCP). A UDBE firm is a DBE certified through CUCP. In accordance with 49 CFR 26, the DBE must be certified by bid opening date of the Invitation for Bid (IFB), the Request for Proposal (RFP), or the Architectural and Engineering (A&E) Request for Quotations (RFQ), before credit may be considered toward meeting the DBE goal. It is the bidder's (prime contractor's) responsibility to verify that DBEs are certified by accessing the CUCP database.
2. The CUCP database includes DBEs certified from all certifying agencies participating in the CUCP. If a firm is certified that cannot be located on the database, please contact the Caltrans Office of Certification toll free number 1-866-810-6346 for assistance.
3. Access the CUCP database from the Department of Transportation, Civil Rights, Office of Business and Economic Opportunity (OBEO) web site at: <http://www.dot.ca.gov/hq/bep/>.
 - Click on the link in the left menu titled Find a Certified Firm
 - Click on Query Form link, located in the first sentence
 - Click on Certified DBEs (UCP) located on the first line in the center of the page
 - Click on Click To Access DBE Query Form
 - Searches can be performed by one or more criteria
 - Follow instructions on the screen (read about NAICS definitions below)
 - "Start Search", "Requery", "Civil Rights Home", and "Caltrans Home" links are located at the bottom of the query form

MUST USE EITHER INTERNET EXPLORER 5.5 OR NETSCAPE 7 (OR GREATER) FOR THIS DATABASE.

Resources to Obtain a List of Certified DBEs for Caltrans Solicitations

Contractors bidding on Caltrans solicitations with a contract goal for UDBE participation may contact the DBE supportive services consultant or obtain lists of certified DBEs from the CUCP database referenced above.

Hint - Helpful Link Regarding NAICS Definitions

The North American Industry Classification System (NAICS) work codes are used to identify the type of work performed by DBEs. You will need to have the NAICS work code numbers before querying. The United States (US) Census Bureau has developed cross-references from Standard Industrial Classification (SIC) codes to the NAICS codes. Please visit the US Census Bureau web site for more information concerning work areas related to NAICS 237310 Highway, Street, and Bridge Construction, at the following location: <http://www.census.gov/epcd/naics02/def/ND237310.HTM>.

How to Obtain a Quarterly List of Certified DBEs without Internet Access

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

DISADVANTAGED BUSINESS ENTERPRISE (DBE) / UNDERUTILIZED DBE (UDBE) INFORMATION AND INSTRUCTIONS FOR BIDDERS

(CONTRACTS FULLY OR PARTIALLY FEDERAL FUNDED)

Kform15 (Rev. 03/02/2009 Page 5 of 8) RFP Number 65a0350 Attachment 6

If you do not have Internet access, Caltrans also publishes a quarterly directory of certified DBE firms extracted from the on-line database. A copy of the quarterly directory of certified DBEs may be ordered from the Caltrans' Division of Procurement and Contracts/Material and Distribution Branch/Publication Unit by calling (916) 445-3520.

4. In order to be considered a responsible and responsive bidder, the bidder must make a good faith effort to meet the contract goal for UDBE participation established for the Agreement. The bidder can meet this requirement in one of two ways:
 - a. Meet the contract goal and document commitments for participation by UDBE firms.
 - b. If the contract goal is not met or is partially met, the bidder must document an adequate GFE.
5. A bidder (**prime contractor**), **who is not a certified DBE**, will be required to document one or a combination of the following:
 - a. The bidder will meet the contract goal for UDBE participation through work performed by UDBE subcontractors, suppliers, or trucking companies.
 - b. Prior to bidding, the bidder made an adequate GFE to meet the contract goal for UDBE participation.
6. A certified DBE may participate as a prime contractor, subcontractor, joint venture partner, as a vendor of material or supplies, or as a trucking company.
7. A certified DBE bidder not bidding as a joint venture with a non-DBE, is required to document one or more of the following:
 - a. The DBE bidder will meet the goal by performing work with its own forces.
 - b. The bidder will meet the contract goal for UDBE participation through work performed by UDBE subcontractors, suppliers, or trucking companies.
 - c. Prior to bidding, the bidder made adequate GFEs to meet the contract goal for UDBE participation.
8. A DBE joint venture partner must be responsible for specific Agreement items of work, or portions thereof. Responsibility means actually performing, managing, and supervising the work with its own forces.
9. The DBE joint venture partner must share in the capital contributions, control, management, risks and profits of the joint venture. The DBE joint venture must attach and submit the joint venture agreement with the ADM 0227F as instructed in page 2 of the form.
10. A DBE must perform a Commercially Useful Function (CUF), pursuant to 49 CFR 26, i.e., must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing, and supervising the work involved. To perform a CUF, the DBE must also be responsible for materials and supplies to be used on the Agreement for negotiating price, determining quality, and quantity, installing (where applicable), and paying for the material itself.
11. The bidder (prime contractor) shall list only one subcontractor for each portion of work as defined in its bid/proposal and all DBE subcontractors must be listed in the bid/cost proposal list of subcontractors.
12. Any dollar amount of work, service or supplies proposed for DBE/UDBE participation can be counted only once. That is, any further subcontracting or spending for DBE/UDBE work, service or supplies already credited once for DBE participation cannot be counted again.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

DISADVANTAGED BUSINESS ENTERPRISE (DBE) / UNDERUTILIZED DBE (UDBE) INFORMATION AND INSTRUCTIONS FOR BIDDERS

(CONTRACTS FULLY OR PARTIALLY FEDERAL FUNDED)

Kform15 (Rev. 03/02/2009 Page 6 of 8) RFP Number 65a0350 Attachment 6

13. A prime contractor who is a certified DBE is eligible to claim all of the work in the Agreement toward the goal except that portion of the work to be performed by non-DBE subcontractors.
14. If the bidder performs and documents an adequate GFE to meet the goal, the award cannot be denied on the basis that the bidder failed to meet the goal.

IV. CREDIT: MATERIALS – SUPPLIES – TRUCKING COMPANIES**A. CREDIT FOR MATERIALS OR SUPPLIES PURCHASED FROM DBEs/UDBEs WILL BE AS FOLLOWS:**

1. If the materials or supplies are obtained from a DBE/UDBE manufacturer, 100 percent of the cost of the materials or supplies will count toward the DBE/DBE goal.
2. A DBE/UDBE manufacturer is a firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required under the Agreement and of the general character described by the Agreement.
3. If the materials or supplies are purchased from a DBE/UDBE regular dealer, 60 percent of the cost of the materials or supplies will count toward the DBE/UDBE goal.
4. A DBE/UDBE regular dealer is a firm that owns, operates or maintains a store, warehouse or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the Agreement are bought, kept in stock and regularly sold or leased to the public in the usual course of business.
5. To be a DBE/UDBE regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A person may be a DBE/UDBE regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone or asphalt without owning, operating or maintaining a place of business as provided in this paragraph if the person both owns and operates distribution equipment for the products.
6. Any supplementing of regular dealers' own distribution equipment shall be a long-term lease Agreement and not on an ad-hoc or Agreement by Agreement basis.
7. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not DBE/UDBE regular dealers within the meaning of this paragraph.
8. Credit for materials or supplies purchased from a DBE/UDBE which is neither a manufacturer nor a regular dealer will be limited to the entire amount of fees or commission charged for assistance in the procurement of the materials and supplies or fees or transportation charges for the delivery of materials or supplies required on a job site, provided the fees are reasonable and not excessive as compared with similar fees charged for services. The cost of materials or supplies is not counted toward the DBE/UDBE goal in this instance.

B. CREDIT FOR DBE/UDBE TRUCKING COMPANIES WILL BE AS FOLLOWS:

1. The DBE/UDBE must manage and supervise the entire trucking operation for which it is responsible on a particular Agreement and there cannot be a contrived arrangement for the purpose of meeting the DBE/UDBE goal.
2. The DBE/UDBE must itself own and operate at least one fully licensed, insured, and operational truck used on the Agreement.
3. The DBE/UDBE will receive credit for the total value of the transportation services it provides on the Agreement using trucks it owns, insures, and operates using drivers it employs.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

DISADVANTAGED BUSINESS ENTERPRISE (DBE) / UNDERUTILIZED DBE (UDBE) INFORMATION AND INSTRUCTIONS FOR BIDDERS

(CONTRACTS FULLY OR PARTIALLY FEDERAL FUNDED)

Kform15 (Rev. 03/02/2009 Page 7 of 8) RFP Number 65a0350 Attachment 6

4. The DBE/UDBE may lease trucks from another DBE/UDBE firm, including an owner-operator who is certified as a DBE/UDBE. The DBE/UDBE who leases trucks from another DBE/UDBE receives credit for the total value of the transportation services the lessee DBE/UDBE provides on the Agreement.
5. The DBE/UDBE may also lease trucks from a non-DBE firm, including an owner-operator. The DBE/UDBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement. The DBE/UDBE does not receive credit for the total value of the transportation services provided by the lessee, since these services are not provided by a DBE/UDBE.
6. A lease must indicate that the DBE/UDBE has exclusive use and control over the truck. This does not preclude the leased truck from being used by others during the term of the lease with the consent of the DBE/UDBE, as long as the lease gives the DBE/UDBE absolute priority for use of the leased truck.
7. Leased trucks must display the name and identification number of the DBE/UDBE.

V. USE OF PROPOSED DBEs

If awarded the Agreement, the successful bidder must use the DBE/UDBE subcontractor(s) and or supplier(s) proposed in its bid/proposal.

The Contractor may not substitute, add or terminate a subcontractor, supplier or, if applicable, a trucking company, listed in the original bid/proposal without the prior written approval of the Contract Manager.

The Contractor must make an adequate GFE to find another certified DBE subcontractor to substitute for the original DBE. The GFE shall be directed at finding another DBE to perform at least the same amount of work under the Agreement as the DBE that was substituted or terminated to the extent needed to meet the established contract goal for UDBE participation.

The requirement that DBEs must be certified by the bid opening date does not apply to DBE substitutions after award of the Agreement. Substitutions of DBEs after award must be certified at the time of the substitution or addition.

Authorization to use other subcontractors or suppliers may be requested for the following reasons:

1. The listed DBE, after having had a reasonable opportunity to do so, fails or refuses to execute a written Agreement, when such written Agreement, based upon the general terms and conditions for this Agreement or on the terms of such subcontractor's or supplier's written bid, is presented by the Contractor.
2. The listed DBE becomes bankrupt or insolvent.
3. The listed DBE fails or refuses to perform the subcontract or furnish the listed materials.
4. The Contractor stipulated that a bond was a condition of executing a subcontract and the listed DBE subcontractor failed or refuses to meet the bond requirements of the Contractor.
5. The work performed by the listed subcontractor is substantially unsatisfactory and is not in substantial conformance with the scope of work to be performed, or the subcontractor is substantially delaying or disrupting the progress of the work.
6. When it would be in the best interest of the State.

VI. SUMMARY OF ATTACHMENTS

Caltrans forms that are attached to these instructions:

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

DISADVANTAGED BUSINESS ENTERPRISE (DBE) / UNDERUTILIZED DBE (UDBE) INFORMATION AND INSTRUCTIONS FOR BIDDERS

(CONTRACTS FULLY OR PARTIALLY FEDERAL FUNDED)

Kform15 (Rev. 03/02/2009 Page 8 of 8) RFP Number 65a0350 Attachment 6

ADM 0227F Disadvantaged Business Enterprise (DBE) Information / Underutilized DBE (UDBE)
Participation form

ADM 0312F Bidder/Proposer Underutilized Disadvantaged Business Enterprise (UDBE) Good Faith Efforts
Documentation form

Additional copies of the forms can be obtained by contacting the analyst listed in the solicitation.

STATE OF CALIFORNIA

STANDARD AGREEMENT

STD 213 (Rev 06/03)

Department of Transportation

RFP Number 65a0350

ATTACHMENT #9
Sample Consulting Services Agreement (Federal)

AGREEMENT NUMBER 65a0350
REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

Department of Transportation

CONTRACTOR'S NAME

TBD**Note to Bidders:**

The following 26 pages represent a sample of the Agreement that will be awarded, if any, from this RFP. Please review it carefully and present any questions in writing to the contact identified for this RFP.

2. The term of this **TBD** through **TBD** Agreement is:

3. The maximum amount **TBD** of this Agreement is:

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work	3 Pages
Exhibit B – Budget Detail and Payment Provisions	3 Pages
Exhibit C* – General Terms and Conditions (GTC 307)	
Exhibit D - Special Terms and Conditions	17 Pages
Exhibit E – Additional Provisions	2 Pages
Attachment 1 - Cost Proposal	Pages
Attachment 2 – Contractor Certification Clauses (CCC-307)	Pages
Attachment 3 – Technical Proposal	Pages
Attachment 4 – Subcontracting Provisions/List	Pages
Attachment 5 – DBE Participation (ADM-0227f)	

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this Agreement as if attached hereto. These documents can be viewed at <http://www.ols.dgs.ca.gov/Standard+Language/default.htm>

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)

TBD

BY (Authorized Signature)



DATE SIGNED(Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

STATE OF CALIFORNIA

AGENCY NAME

Department of Transportation

BY (Authorized Signature)



DATE SIGNED(Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

*California Department of General
Services Use Only*

☒ Exempt per: PCC 10295 - 100%
federally funded

EXHIBIT A
Consulting Services Agreement (Federal)

SCOPE OF WORK

1. The work to be performed under this Agreement shall be in accordance with the Contractor's Technical Proposal entitled (NAME) dated (DATE), **Attachment 3**, the Contractor's Cost Proposal dated (DATE), **Attachment 1**, and the Scope of Work in this Agreement. If there is any conflict between the Contractor's proposals and this Agreement, this Agreement shall take precedence.

Contractor agrees to provide consulting services to the Department of Transportation (Caltrans), as described herein:

2. The services shall be performed Statewide.
3. This Agreement will commence on January 1, 2010 (estimate) as presented herein or upon approval by Caltrans, whichever is later and no work shall begin before that time. This Agreement is of no effect unless approved by Caltrans. The Contractor shall not receive payment for work performed prior to approval of the Agreement and before receipt of notice to proceed by the Caltrans Contract Manager (Contract Manager). This Agreement shall expire on December 31, 2011 (estimate). The services shall be provided during business hours, Monday through Friday, except holidays. The parties may amend this agreement as permitted by law.
4. All inquiries during the term of this Agreement will be directed to the project representatives listed below:

Department of Transportation	Contractor:
Section/Unit:	Section/Unit:
Contract Manager:	Project Manager:
Address:	Address:
Phone: ()	Phone:
Fax: ()	Fax:

5. Detailed description of work to be performed and duties of all parties:

Scope of Work

Contractor shall organize and coordinate a statewide advertising campaign and marketing program, and provide public relations activities to promote safety awareness in and near highway work zones.

- 1) The Contractor shall proceed according to its submitted work plan (included in **Attachment 3**) for task completion based on a start date of 12/1/09.

EXHIBIT A
Consulting Services Agreement (Federal)

- 2) The Contractor shall proceed according to its Technical Proposal (**Attachment #3**). Elements of the campaign include:
- Targeted Hispanic outreach (non-English speaking)
 - Targeted teenage, young adult driver outreach (15-24)
 - General market outreach (18-49)
 - Non-traditional Media (i.e. newspaper, television)
 - Live Traffic and News sponsorships
 - Radio Outreach
 - Public/Private Sponsorships
- 3) The Contractor shall, on an ongoing basis, continue to build strategic public/private partnerships that will help maximize resources, or added value, and increase the effectiveness of the campaign.
- 4) The Contractor shall conduct market research (such as focus groups, intercepts, and mail surveys) to test Contractor's proposed creative ideas.
- 5) The Contractor shall measure effectiveness of campaign by conducting an awareness study by July 31, 2011. "Awareness" is still being considered a lead indicator for a decrease in collisions, fatalities and injuries in work zones. These awareness statistics will be compared, by the Contractor, to the May 2008 final report from a prior campaign for long-term tracking of campaign effectiveness.
- 6) The Contractor shall assist with the annual Caltrans Workers Memorials. The ceremony for 2010 is being held April 29, 2010 on the west steps of the State Capitol. The Contractor will be responsible for arranging media coverage as well as assisting in the coordination of the event (such as arranging for rental equipment, setting up on the actual day, program schedule, and other event requirements.). The 2009 Caltrans Workers Memorial can be viewed on Caltrans main website page under 'Highlights' at <http://dot.ca.gov/>
- 7) The Contractor shall effectively incorporate occupant protection, inattentive driving and anti-speeding messages to California motorists. The current message is "Slow for the Cone Zone" and must be incorporated in all creative messaging.
- 8) The Contractor shall prepare a press release announcing the kick-off of the project within 30 days after contract execution. The press release (and related media advisories, alerts, and materials) must be forwarded to the Contract Manager for approval two weeks prior to the issuance date of the release.
- 9) The Contractor shall use the following standard language in all press, media, and printed materials: "Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration".

Sample Standard Agreement No. 65a0350

Page 3 of 3

EXHIBIT A
Consulting Services Agreement (Federal)

- 10) The Contractor shall obtain approval to participate in an event or program from Contract Manager at least one month in advance.
- 11) The Contractor shall submit quarterly reports, on 01/10/10, 04/10/10, 07/10/10, 10/10/09, 01/10/11, 04/10/11, 07/10/11, 09/30/11, to the Caltrans Contract Manager documenting activities that have taken place for the previous quarter.
- 12) The Contractor shall participate in a minimum 15 outreach activities, reaching 100,000 people during the Slow for the Cone Zone public awareness campaign, by September 30, 2011.
- 13) The Contractor shall develop and coordinate safety awareness presentations and perform other activities to reach out to teenage drivers through other venues (than listed above) including presentations at a minimum of 10 venues (e.g. high schools), reaching 2,000 students during the Slow for the Cone Zone public awareness campaign, by September 30, 2011.
- 14) The Contractor shall distribute public information and education materials on driving safely in work zones to high schools and drivers education classes, reaching 10,000 people during the Slow for the Cone Zone public awareness campaign, by September 30, 2011.
- 15) The Contractor shall develop a final report, including conclusions, findings, and recommendations for future outreach by September 30, 2011.
- 16) The Contractor shall prepare press releases and media advisories, alerts, and forward to Contract Manager for approval 14 days prior to the issuance date of the release.

EXHIBIT B
Consulting Services Agreement (Federal)

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. For services satisfactorily rendered and approved by the Contract Manager, and upon receipt and approval of the invoices, the State agrees to compensate the Contractor for actual expenditures incurred in accordance with the rates in **Attachment 1**. Incomplete or disputed invoices shall be returned to the Contractor, unpaid, for correction.
- B. Invoices shall be itemized per **Attachment 1**, include the Agreement Number, date(s) of service, and type of work completed, and shall be submitted in quadruplicate not more frequently than monthly in arrears to:

Department of Transportation
Office/Unit Name, MS Number
Attention: Contract Manager's Name
Street Address/P.O. Box
City, CA Zip Code

- C. Any subcontract entered into as a result of this Agreement shall contain all of the provisions of this article.

2. Budget Contingency Clause

- A. It is mutually understood between the parties that this Agreement may have been written before ascertaining the availability of congressional or legislative appropriation of funds, for the mutual benefit of both parties in order to avoid program and fiscal delays that would occur if the Agreement were executed after that determination was made.
- B. This Agreement is valid and enforceable only if sufficient funds are made available to the State by the United States Government or the California State Legislature for the purpose of this program. In addition, this Agreement is subject to any additional restrictions, limitations, conditions, or any statute enacted by the Congress or the State Legislature that may affect the provisions, terms or funding of this Agreement in any manner.
- C. It is mutually agreed that if the Congress or the State Legislature does not appropriate sufficient funds for the program, this Agreement shall be amended to reflect any reduction in funds.
- D. The State has the option to terminate the Agreement under the 30-day termination clause or to amend the Agreement to reflect any reduction of funds.

EXHIBIT B
Consulting Services Agreement (Federal)

3. Prompt Payment Clause

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

4. Rates

Rates for these services may be found on **Attachment 1** of this document.

5. Allowable Costs and Payments

- A. The method of payment for this Agreement will be based on actual costs plus fixed fee (Profit). Caltrans will reimburse the Contractor for actual costs (including labor costs, employee benefits, travel, overhead and other direct costs) incurred by the Contractor in performance of the work, exclusive of any fixed fee (Profit), not to exceed the amount of \$TBD. Actual costs shall not exceed the estimated wage rates and other estimated costs set forth in the Contractor's cost proposal without prior written Agreement between Caltrans and the Contractor.
- B. In addition to the actual costs, the State will pay the Contractor a fixed fee (Profit) of \$TBD. The fixed fee (Profit) is nonadjustable for the term of the Agreement except in the event of a significant change in the scope of work and such adjustment is made by Agreement amendment.
- C. Transportation and subsistence costs shall not exceed rates authorized to be paid non-represented State employees under current State Department of Personnel Administration rules.
- D. The Contractor shall not commence performance of work or services until this Agreement has been approved by the Caltrans. No payment will be made prior to approval nor for any work performed prior to approval of this Agreement.
- E. The total amount payable by Caltrans, including the fixed fee (Profit), shall not exceed \$TBD.

6. Cost Principles

- A. The Contractor agrees that Title 48 Code of Federal Regulations (CFR) Part 31, Contract Cost Principles and Procedures (48 CFR 31), shall be used to determine the allowable individual items of cost.
- B. The Contractor also agrees to comply with Federal procedures in accordance with Title 49 CFR Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (49 CFR 18).

EXHIBIT B
Consulting Services Agreement (Federal)

- C. Any costs for which payment has been made to Contractor that are determined by subsequent audit to be unallowable under 48 CFR 31 or 49 CFR 18 are subject to repayment by Contractor to State.
- D. Any subcontract entered into as a result of this Agreement shall contain all of the provisions of this Section.

7. Excise Tax

The State of California is exempt from federal excise taxes, and no payment will be made for any taxes levied on employees' wages. The State will pay for any applicable State of California or local sales or use taxes on the services rendered or equipment or parts supplied pursuant to this Agreement. California may pay any applicable sales and use tax imposed by another state.

8. Materials/Supplies

Contractor costs associated with the purchase and installation of materials/supplies are considered as a component of the Contractor's hourly rate for services that include wages, overhead, general and administrative expenses and profit.

EXHIBIT D
Consulting Services Agreement (Federal)

SPECIAL TERMS AND CONDITIONS

1. The **Contractor's Certification Clause, CCC 307** is attached hereto, **Attachment 2** and made a part of this Agreement.

2. Settlement of Disputes

- A. Any dispute concerning a question of fact arising under this Agreement that is not disposed of by agreement shall be decided by the Department's Contract Officer, who may consider any written or verbal evidence submitted by the Contractor. The decision of the Contract Officer, issued in writing, shall be the final decision of the Department.
- B. Neither the pendency of a dispute nor its consideration by the Contract Officer will excuse the Contractor from full and timely performance in accordance with the terms of the Agreement.

3. Evaluation of Contractor

Performance of the Contractor under this Agreement will be evaluated. The evaluation shall be prepared on Contract/Contractor Evaluation Sheet (STD 4), and maintained in the Office file, and the Department of General Services, Office of Legal Services, if it is negative and over \$5,000.

4. Subcontractors

- A. Nothing contained in this Agreement or otherwise, shall create any contractual relation between the State and any subcontractors, and no subcontract shall relieve the Contractor of its responsibilities and obligations hereunder. The Contractor agrees to be as fully responsible to the State for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor. The Contractor's obligation to pay its subcontractors is an independent obligation from the State's obligation to make payments to the Contractor.
- B. The contractor shall perform the work contemplated with resources available within its own organization and no portion of the work shall be subcontracted except for subcontractors listed on **Attachment 4**, Subcontracting Provisions/List.
- C. Any subcontract in excess of \$25,000, entered into as a result of this Agreement, shall contain all the provisions stipulated in this Agreement to be applicable to subcontractors.
- D. Contractor shall pay its subcontractors within ten (10) calendar days from receipt of each payment made to the Contractor by Caltrans.
- E. Any substitution of subcontractors must be approved in writing by the Department's Contract Manager in advance of assigning work to a substitute subcontractor.

EXHIBIT D
Consulting Services Agreement (Federal)

5. Contractor's Reports and/or Meetings

- A. The Contractor shall submit progress reports at least once a month to allow the Contract Manager to determine if the Contractor is performing to expectations or is on schedule, to provide communication of interim findings and to afford occasions for airing difficulties or special problems encountered so that remedies can be developed.
- B. The Contractor shall meet with the Contract Manager as needed to discuss progress on the Agreement.
- C. Prior to completion of the Agreement, the Contractor shall hold a final meeting with the Contract Manager to present findings, conclusions and recommendations and shall submit a comprehensive final report on the project.
- D. Any document or written report prepared as a requirement of this Agreement shall contain, in a separate section preceding the main body of the document, a list of all Contracts and subcontracts (including dollar amounts) relating to the preparation of those documents or reports if the combined costs for work by non-employees of the Contractor exceed \$5,000.

6. Publication

- A. The Contractor shall not copyright any deliverables developed and funded under this Agreement.
- B. The Contractor shall have the right to publish any and all information, conclusions, and developments (except that which is designated as **CONFIDENTIAL** by the State) resulting from work conducted under this Agreement.
- C. Any publication by Contractor shall give proper credit to the State. All publications shall bear an appropriate inscription acknowledging the State's copyright ownership to the Work and Deliverable(s) (including but not limited to all reports, design materials, advertisements, training materials, writings, articles, computer programs, inventions and any documentation related to the Agreement) consisting of a © in a circle followed by the four-digit year in which the Work or Deliverable was produced, followed by the words "California Department of Transportation. All rights reserved."
- D. The Contractor shall submit to the State any materials released for publication simultaneously with submission to the publisher for the purpose or comment and review by the State with respect to the presence of patentable, confidential and/or proprietary subject matter within the materials released for publication.
- E. The State will take all reasonable steps to have United States Patent Applications, or other appropriate protection of intellectual property, filed prior to the time the information, conclusions, or developments are published or otherwise made available to the public.
- F. The Contractor agrees to keep confidential any proprietary information supplied to it by the State during the course of this Agreement and designated in writing as "**CONFIDENTIAL**". Such information will not be included in any published material with the prior written approval of the parties.

EXHIBIT D
Consulting Services Agreement (Federal)

- G. All publications shall contain the following disclaimer in a separate section preceding the main body of the document.

"The contents of this report reflect the views of the author who is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the State of California or the Federal Highway Administration. This report does not constitute a standard, specification, or regulation."

7. Confidentiality of Data

- A. All financial, statistical, personal, technical, or other data and information relative to the Department's operations, which is designated confidential by the Department and made available to the Contractor in order to carry out this Agreement, shall be protected by the Contractor from unauthorized use and disclosure.
- B. Permission to disclose information on one occasion or public hearing held by the Department relating to this Agreement shall not authorize the Contractor to further disclose such information or disseminate the same on any other occasion.
- C. The Contractor shall not comment publicly to the press or any other media regarding this Agreement or the Department's actions on the same, except to the Department's staff, Contractor's own personnel involved in the performance of this Agreement, at public hearings, or in response to questions from a Legislative committee.
- D. The Contractor shall not issue any news release or public relations item of any nature whatsoever regarding work performed or to be performed under this Agreement without prior review of the contents thereof by the Department and receipt of the Department's written permission.
- E. All information related to the construction estimate is confidential and shall not be disclosed by the Contractor to any entity, other than the Department.
- F. Any subcontract, entered into as a result of this Agreement, shall contain all of the provisions of this clause.

8. State-Owned Data - Integrity and Security

- A. Contractor shall comply with the following requirements to ensure the preservation, security, and integrity of State-owned data on portable computing devices and portable electronic storage media:
 - 1. Encrypt all State-owned data stored on portable computing devices and portable electronic storage media using government-certified Advanced Encryption Standard (AES) cipher algorithm with a 256-bit or 128-bit encryption key to protect California Department of Transportation (Department) data stored on every sector of a hard drive, including temp files, cached data, hibernation files, and even unused disk space.

Data encryption shall use cryptographic technology that has been tested and

EXHIBIT D
Consulting Services Agreement (Federal)

approved against exacting standards, such as FIPS 140-2 Security Requirements for Cryptographic Modules.

2. Encrypt, as described above, all State-owned data transmitted from one computing device or storage medium to another.
 3. Maintain confidentiality of all State-owned data by limiting data sharing to those individuals contracted to provide services on behalf of the State, and limit use of State information assets for State purposes only.
 4. Install and maintain current anti-virus software, security patches, and upgrades on all computing devices used during the course of the Agreement.
 5. Notify the Contract Manager immediately of any actual or attempted violations of security of State-owned data, including lost or stolen computing devices, files, or portable electronic storage media containing State-owned data.
 6. Advise the owner of the State-owned data, the agency Information Security Officer, and the agency Chief Information Officer of vulnerabilities that may present a threat to the security of State-owned data and of specific means of protecting that State-owned data.
- B. Contractor shall use the State-owned data only for State purposes under this Agreement.
- C. Contractor shall not transfer State-owned data to any computing system, mobile device, or desktop computer without first establishing the specifications for information integrity and security as established for the original data file(s). (State Administrative Manual (SAM) section 5335.1).

9. Ownership of Work Product and Rights

- A. For the purposes of this Item 9 (Ownership of Work Product and Rights) and the following Item 10 (Vesting of Copyright Right), the following definitions shall apply:
- 1) Work: As delineated in Exhibit A of the Agreement.
 - 2) Work Product: As defined in Exhibit A of the Agreement, including, but not limited to radio spots, artwork, and all other task Deliverables conceived of made, or made, or made hereafter conceived or made, either solely or jointly with others during the term of this Agreement and during a period of six (6) months after the termination thereof, which relates to the Work commissioned or performed under this Agreement.
- B. Contractor agrees to perpetually assign all Work Product derived by the Work performed under this Agreement, including but not limited to patent rights, copyrights, and the solicitation and securing of talent rights, to all inventions, original works of authorship, developments, improvements, ideas, design, models, drawing, reports, discoveries, advertisements, surveys, videos, commercials, radio

EXHIBIT D
Consulting Services Agreement (Federal)

commercials, market research, and deliverables, and any and all work relating to the performance of this contractual Agreement, which the Contractor conceived, made, or developed, either solely or jointly with others. Under this provision such intellectual property, regardless of whether such patent or copyright protection is sought, are and shall be the sole and exclusive property of the California Department of Transportation. The Department shall own United States and international copyrights in the Work Product.

- C. As such, all Work Product shall contain, in a conspicuous place, a copyright designation consisting of a 'c' in a circle followed by the four-digit year in which the Work Product was produced, followed by the words 'California Department of Transportation'. For example, a Work Product created in the year 2004 would contain the copyright designation © 2004 California Department of Transportation.

10. Vesting of Copyright Rights

Contractor agrees to assign, and upon creation of each Work Product automatically assigns, to Caltrans, its successors and assignees, ownership of all United States and international copyrights in each and every Work Product, insofar as any such Work Product, by operation of law, may not be considered work made for hire by the Contractor from Caltrans. From time to time upon Caltrans' request, the Contractor and/or its employees, shall confirm such assignments by execution and delivery of such assignments, confirmations or assignment, or other written instruments as Caltrans may request. Caltrans, its successors and assignees, shall have the right to obtain and hold in its or their own name(s) all copyright registrations and other evidence of rights that may be available for Work Product. Contractor hereby agrees to waive all moral rights relating to identification of authorship restriction or limitation on use, or subsequent modifications of the Work.

11. Avoidance of Infringement

In performing services under this Agreement, Contractor and its employees agree to avoid designing or developing any items that infringe any intellectual property rights of any third party. If Contractor or its employees becomes aware of any such possible infringement in the course of performing any Work under this Agreement. Contractor or its employees shall immediately notify the Department in writing.

12. Confidentiality and Information

Department may provide its own intellectual property, confidential business and technical information to the Contractor in connection with the work to be performed by the Contractor under this Agreement and its Task Orders. Such intellectual property and information shall be designated as confidential upon or prior to disclosure by the Department. In addition, the preparation and specifications of the Deliverables shall in all instances be treated as confidential, unless and until disclosed publicly by the Department. All confidential written materials shall be marked with the legend "California Department of Transportation – Confidential." The Contractor shall use its best efforts to prohibit any use or disclosure of the Department's confidential

EXHIBIT D
Consulting Services Agreement (Federal)

information, except as necessary to perform work under this Agreement and its Task Orders. In the event that Contractor is an entity or otherwise will be causing individuals in its employ or under its supervision to participate in the rendering of the Work, Contractor warrants that it shall cause each of such individuals to execute a Confidentiality Agreement.

13. Additional Conditions

SUBCONTRACTORS: The Contractor shall affirmatively bind by contract all subcontractors or service vendors providing services under this contract to conform to the provisions of this Exhibit. Contractor shall then provide the signed contract to the Department's Contract Manager prior to the commencement of any work.

14. Talent

Caltrans shall perpetually own all unlimited, unrestricted, irrevocable intellectual property rights to all talent, photography, creative artwork, music, and script used in the creation of any media spots or advertisements under this contract.

15. DBE Information and Contract Goal Requirement for UDBE Participation

- A. This agreement is subject to Title 49, Code of Federal Regulations, Part 26 (49 CFR 26), entitled "Participation by Disadvantaged Business Enterprises (DBEs) in Department of Transportation Financial Assistance Programs," in the award and administration of federally assisted Agreements. The regulations in their entirety are incorporated by reference and made part of this Agreement as if attached hereto.
- B. A UDBE is a firm which meets the definition of a DBE as specified in 49 CFR 26 that is also one of the following groups: African Americans, Asian-Pacific Americans, Native Americans, or Women. Only the participation of UDBEs will count toward any contract goal.
- C. **The contract goal for UDBE participation for this Agreement is 6.75%.** Participation by DBE prime and subcontractors shall be in accordance with the information contained in the *Disadvantaged Business Enterprise (DBE) Information / Underutilized DBE (UDBE) Participation* (form ADM 0227F) attached hereto and incorporated as part of this Agreement.
- D. Non-compliance by Contractor or Subcontractor(s) with the requirements of the regulations is a material breach of this Agreement and may result in termination of the Agreement or other such appropriate remedy for a breach of this Agreement, as the Caltrans deems appropriate.
- E. Contractor or subcontractor shall not discriminate on the basis of race color, national origin or sex in the performance of this Agreement. Each subcontract signed by and between Contractor and Subcontractor(s) in the performance of this Agreement must include this assurance.

EXHIBIT D
Consulting Services Agreement (Federal)

16. Performance of DBE Contractors and other DBE Subcontractors/Suppliers

- A. A DBE performs a Commercially Useful Function (CUF) when it is responsible for execution of the work of the Agreement and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a CUF, the DBE must also be responsible for materials and supplies used on the Agreement, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. To determine whether a DBE is performing a CUF, evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the Agreement is commensurate with the work it is actually performing, and other relevant factors.
- B. A DBE does not perform a CUF if its role is limited to that of an extra participant in a transaction, Agreement, or project through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is such an extra participant, examine similar transactions, particularly those in which DBEs do not participate.
- C. If a DBE does not perform or exercise responsibility for at least thirty percent (30%) of the total cost of its Agreement with its own work force, or the DBE subcontracts a greater portion of the work of the Agreement than would be expected on the basis of normal industry practice for the type of work involved, presume that it is not performing a CUF.
- D. DBE subcontractors shall perform the work and supply the materials which they have listed in their response to the Agreement award requirements specified in the form ADM 0227F, attached, unless Contractor has received prior written authorization to perform the work with other forces or to obtain the materials from other sources as set forth in the Section 8 below entitled, "DBE/UDBE Substitution".
- E. Contractor shall not be entitled to any payment for such work or material unless it is performed or supplied by the listed DBE or by other forces (including those of Contractor) pursuant to prior written authorization of the Contract Manager.

17. Exclusion of Retention

- A. In conformance with 49 CFR 26.29 (b) (1), the retention of proceeds required by Public Contract Code (PCC), Section 10261 shall not apply.
- B. In conformance with Public Contract Code (PCC) Section 7200 (b), in subcontracts between Contractor and a Subcontractor and in subcontracts between a Subcontractor and any Subcontractor thereunder, retention proceeds shall not be withheld, and the exceptions provided in PCC Section 7200 (c), shall not apply. At the option of Contractor, Subcontractor(s) may be required to furnish payment and performance bonds issued by an admitted surety insurer.

EXHIBIT D
Consulting Services Agreement (Federal)

- C. Any subcontract entered into as a result of this Agreement shall contain all of the provisions of this section.

18. Payment to DBE and Non-DBE Subcontractor(s)

- A. Contractor shall pay its DBE Subcontractor(s) and non-DBE Subcontractor(s) within ten (10) calendar days from receipt of each payment made to Contractor by the State.
- B. Prior to the fifteenth of each month, Contractor shall submit documentation to the Caltrans Contract Manager showing the amount paid to DBE trucking companies listed in Contractor's DBE information. This monthly documentation shall indicate the portion of the revenue paid to DBE trucking companies, which is claimed toward DBE participation. Contractor shall also obtain and submit documentation to the Caltrans Contract Manager showing the amount paid by DBE trucking companies to all firms, including owner-operators, for the leasing of trucks. The DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement. The records must confirm that amount of credit claimed toward DBE participation conforms to the requirements of Section 8 below entitled, "DBE/UDBE Substitutions."
- C. Contractor shall also submit to the Caltrans Contract Manager documentation showing the truck number, name of owner, California Highway Patrol CA number and if applicable, the DBE certification number of the truck owner for all trucks used during that month for which DBE participation will be claimed. This documentation shall be submitted on the Monthly DBE Trucking Verification form provided to Contractor by the Caltrans Contract Manager
- D. Contractor shall return all moneys withheld in retention from a Subcontractor within thirty (30) days after receiving payment for work satisfactorily completed, even if other Agreement work is not completed and has not been accepted in conformance with the terms of the Agreement. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to Contractor or Subcontractor in the event of a dispute involving late payment or non-payment to Contractor or deficient subcontract performance or noncompliance by a Subcontractor.

19. DBE Records

- A. Contractor shall maintain records of all subcontracts entered into with certified DBE Subcontractor(s) and records of materials purchased from certified DBE supplier(s). The records shall show the name and business address of each DBE Subcontractor or vendor and the total dollar amount actually paid each DBE Subcontractor or vendor, regardless of tier. The records shall show the date of payment and the total dollar figure paid to all firms. DBE (prime) Contractor shall also show the date of work performed by their own forces along with the corresponding dollar value of the work.

EXHIBIT D
Consulting Services Agreement (Federal)

- B. Upon completion of the Agreement, a summary of these records shall be prepared and submitted on the form entitled, *Final Report- Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subcontractors*, and certified correct by the Contractor or Contractor's authorized representative, and shall be furnished to the Caltrans Contractor Manager. The form shall be furnished to the Caltrans Contract Manager with the final invoice. Failure to provide the summary of DBE payments with the final invoice will result in twenty-five percent (25%) of the dollar value of the invoice being withheld from payment until the form is submitted. The amount will be returned to Contractor when a satisfactory *Final Report Utilization of Disadvantaged Business Enterprises (DBE), First Tier Subcontractors* is submitted to the Caltrans Contract Manager.

20. DBE/UDBE Substitutions

- A. Contractor may not substitute a listed DBE Subcontractor, supplier or, if applicable, a trucking company, without the prior written approval of the Caltrans Contract Manager. Failure to obtain approval of substitute subcontractors before work is performed, supplies are delivered, or services are rendered may result in payment being denied by Caltrans.
- B. Contractor must make an adequate good faith effort (GFE) to find another certified DBE/UDBE subcontractor to substitute for the original DBE/UDBE Subcontractor. GFE shall be directed at finding another DBE/UDBE subcontractor to perform at least the same amount of work under the Agreement as the DBE/UDBE subcontractor that was substituted or terminated to the extent needed to meet the contract goal for DBE/UDBE participation established for the Agreement.
- C. The requirement that DBEs must be certified by the bid opening date does not apply to DBE substitutions after award of the Agreement. DBEs substituted after award must be certified at the time of the substitution.
- D. Contractors shall submit requests for substitution to the Caltrans Contract Manager. Authorization to use other subcontractors or suppliers may be requested for the following reasons:
- 1) Listed DBE, after having had a reasonable opportunity to do so, fails or refuses to execute a written Agreement, when such written Agreement, based upon the terms and conditions for this Agreement or on the terms of such subcontractor's or supplier's written bid, is presented by Contractor.
 - 2) Listed DBE becomes bankrupt or insolvent.
 - 3) Listed DBE fails or refuses to perform subcontract or furnish listed materials.
 - 4) Contractor stipulated that a bond was a condition of executing subcontract and listed DBE Subcontractor failed or refuses to meet the bond requirements of Contractor.
 - 5) Work performed by listed subcontractor is substantially unsatisfactory and is not in substantial conformance with scope of work to be performed, or subcontractor is substantially delaying or disrupting the progress of work.

EXHIBIT D
Consulting Services Agreement (Federal)

- 6) When it would be in the best interest of the State.
- E. At a minimum, Contractor's substitution request to the Caltrans Contract Manager must include a:
- 1) Written explanation of the substitution reason; and if applicable, Contractor must also include the reason a non-DBE Subcontractor is proposed for use.
 - 2) Written description of the substitute business enterprise, include its business status, DBE certification number, and status as a sole proprietorship, partnership, corporation, or other entity.
 - 3) Written notice detailing a clearly defined portion of the work identified both as a task and as a percentage share/dollar amount of the overall Agreement that the substitute firm will perform.
- F. Prior to the approval of Contractor's substitution request, the Caltrans Contract Manager must give written notice to the Subcontractor being substituted by Contractor. A copy of the notice sent by the Caltrans Contract Manager must be sent to the Division of Procurement and Contracts (DPAC). The notice must do all of the following:
- 1) Give the reason Contractor is requesting substitution of the listed subcontractor;
 - 2) Give the listed subcontractor five working days within which to submit written objections to DPAC and copies to the Caltrans Contract Manager;
 - 3) Notify the subcontractor that if a written objection is not received or received past the due date, such failure will constitute consent to the substitution; and
 - 4) Be served by certified or registered mail to the last known address of the listed Subcontractor.
- G. The listed subcontractor, who has been so notified, shall have five working days within which to submit written objections to the substitution to the Caltrans Contract Manager. Failure to submit a written objection shall constitute the listed Subcontractor's consent to the substitution.
- H. If written objections are filed by the listed Subcontractor, DPAC will render a written decision. DPAC shall give written notice of at least five (5) working days to the listed Subcontractor of a hearing by Caltrans on Contractor's request for substitution.

21. DBE Certification and De-certification Status

- A. If a DBE Subcontractor is decertified during the life of the Agreement, the decertified Subcontractor shall notify Contractor in writing with the date of decertification. If a Subcontractor becomes a certified DBE during the life of the Agreement, the Subcontractor shall notify Contractor in writing with the date of certification.
- B. Contractor shall report any changes to the Caltrans Contract Manager within 30 days.

EXHIBIT D
Consulting Services Agreement (Federal)

22. DBE/UDBE Eligibility

- A. The dollar value of work performed by a UDBE is credited/counted toward the goal only after the UDBE has been paid.
- B. Credit for UDBE Prime Contractors

Contractor, if a certified UDBE, is eligible to claim all of the work toward the goal except that portion of the work to be performed by non-UDBE Subcontractors.

- C. Credit for Material or Supplies

Credit for materials or supplies purchased from DBEs will be as follows:

- 1) If the materials or supplies are obtained from a DBE manufacturer, one hundred percent (100%) of the cost of the materials or supplies will count toward the DBE goal. A DBE manufacturer is a firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required under the Agreement and of the general character described by the specifications.
- 2) If the materials or supplies purchased from a DBE regular dealer, sixty percent (60%) of the cost of the materials or supplies will count toward the DBE goal. A DBE regular dealer is a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the Agreement are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a DBE regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A person may be a DBE regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone or asphalt without owning, operating or maintaining a place of business provided in this paragraph.
- 3) If the person both owns and operates distribution equipment for the products, any supplementing of regular dealers' own distribution equipment shall be by a long-term lease agreement and not an ad hoc or Agreement by Agreement basis. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not DBE regular dealers within the meaning of this paragraph.
- 4) Credit for materials or supplies purchased from a DBE which is neither a manufacturer nor a regular dealer will be limited to the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on the job site, provided the fees are reasonable and not excessive as compared with fees charged for similar services.

EXHIBIT D
Consulting Services Agreement (Federal)

D. Credit for DBE trucking companies will be as follows:

- 1) The DBE must manage and supervise the entire trucking operation for which it is responsible. There cannot be a contrived arrangement for the purpose of meeting the DBE/UDBE goal.
- 2) The DBE must itself own and operate at least one fully licensed, insured and operational truck used on the Agreement.
- 3) The DBE receives credit for the total value of the transportation services it provides on the Agreement using trucks it owns, insures, and operates using drivers it employs.
- 4) The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the Agreement.
- 5) The DBE may also lease trucks from a non-DBE firm, including an owner-operator. The DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement. The DBE does not receive credit for the total value of the transportation services provided by the lessee, since these services are not provided by the DBE.
- 6) For the purposes of this paragraph, a lease must indicate that the DBE has exclusive use and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, as long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

23. Termination of DBE/UDBE

A. In conformance with 49 CFR 26.53 (f) (1) and 26.53 (f) (2), Contractor shall not:

- 1) Terminate for convenience a listed DBE Subcontractor and then perform that work with its own forces (personnel), or those of an affiliate, unless Contractor has received prior written authorization from the Caltrans Contract Manager to perform the work with other forces (other than Contractor's own personnel) or to obtain materials from other sources;
- 2) If a DBE Subcontractor is terminated or fails to complete its work for any reason, Contractor will be required to replace that original DBE subcontractor with another DBE subcontractor; and
- 3) If a UDBE Subcontractor is terminated or fails to complete its work for any reason, Contractor will be required to make GFE to replace the original UDBE Subcontractor with another UDBE Subcontractor to the extent needed to meet the Agreement goal.

EXHIBIT D
Consulting Services Agreement (Federal)

- B. Noncompliance by Contractor with the requirements of this section is considered a material breach of this Agreement and may result in termination of the Agreement or other such appropriate remedies for a breach of this Agreement as Caltrans deems appropriate.

24. Termination

- A. The Department of Transportation reserves the right to terminate this Agreement without cause upon thirty (30) days written notice to the Contractor or immediately in the event of material breach by the Contractor.
- B. In the event that the total contract amount is expended prior to the expiration date, the State may, at its discretion, terminate this contract with 30 days notice to contractor.

25. Retention of Records/Audits

- A. For the purpose of determining compliance with Public Contract Code Section 10115, et. seq. and Title 21, California Code of Regulations, Chapter 21, Section 2500 et. seq., when applicable, and other matters connected with the performance of the Agreement pursuant to Government Code Section 8546.7, the Contractor, subcontractors and the State shall maintain all books, documents, papers, accounting records, and other evidence pertaining to the performance of the Agreement, including but not limited to, the costs of administering the Agreement. All parties shall make such materials available at their respective offices at all reasonable times during the Agreement period and for three years from the date of final payment under the Agreement. The State, the State Auditor, FHWA, or any duly authorized representative of the Federal government having jurisdiction under Federal laws or regulations (including the basis of Federal funding in whole or in part) shall have access to any books, records, and documents of the Contractor that are pertinent to the Agreement for audits, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested.
- B. Any subcontract entered into as a result of this Agreement shall contain all the provisions of this article.

26. Federal Lobbying Activities Certification

- A. The Contractor certifies, to the best of his or her knowledge and belief, that:
- No State or Federal appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of any State or Federal agency, a Member of the State Legislature or United States Congress, an officer or employee of the Legislature or Congress, or any employee of a Member of the Legislature or Congress in connection with the awarding of any State or Federal Agreement, the making of any State or Federal grant, the making of any State or Federal loan, the entering into of any Cooperative Agreement, and the extension, continuation, renewal, amendment, or modification of any State or Federal Agreement, Grant, loan, or cooperative agreement.

EXHIBIT D
Consulting Services Agreement (Federal)

- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal Agreement, grant, loan, or cooperative agreement, the Contractor shall complete and submit Standard Form-LL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- C. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- D. The Contractor also agrees by signing this document that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000, and that all such subcontractors shall certify and disclose accordingly.

27. Rebates, Kickbacks and Other Unlawful Consideration

The Contractor warrants that this Agreement was not obtained or secured through rebates, kickbacks or other unlawful consideration either promised or paid to any state agency employee. For breach or violation of this warranty, the State shall have the right, in its discretion, to terminate the Agreement without liability, to pay only for the value of work performed, or to deduct from the Agreement price or otherwise recover the full amount of each rebate, kickback or other unlawful consideration.

28. Prohibition From Bidding

This Agreement is subject to the provisions of Section 10365.5 of the Public Contract Code which states: "No contractor who has been awarded a consulting services Agreement may submit a bid for, nor be awarded an Agreement for, the provision of services, goods and supplies, or any other related action which is required, suggested or otherwise deemed appropriate in the end product of the original consulting services Agreement."

29. Consultant Contractor's Rights and Obligations

The Contractor is advised that the provisions of Public Contract Code Sections 10335 through 10381 pertaining to the duties, obligations and rights of a consultant service Contractor are applicable to this Agreement.

30. Audit Review Procedures

- A. Any dispute concerning a question of fact arising under an interim or post audit of this Agreement that is not disposed of by Agreement shall be reviewed by the Chairperson of the Audit Review Committee (ARC). The ARC will consist of the Deputy Director, Audits & Investigations (Chairperson); Deputy Director of the functional Program area; the Chief Counsel, Legal Division, or their designated alternates; and if the Department chooses, two representatives of the Department's choosing, from private industry. The

EXHIBIT D
Consulting Services Agreement (Federal)

two representatives from private industry will be advisory in nature only and will not have voting rights. Additional members or their alternates may serve on the ARC.

- B. Not later than thirty (30) days after issuance of the final audit report, the Contractor may request a review by the ARC of unresolved audit issues. The request for review will be submitted in writing to the Chairperson of the ARC. The request must contain detailed information of the factors involved in the dispute as well as justifications for reversal. A meeting by the ARC will be scheduled if the Chairperson concurs that further review is warranted. After the meeting, the ARC will make recommendations to the appropriate Chief Deputy Director. The Chief Deputy Director will make the final decision for the Department. The final decision will be made within three (3) months of receipt of the notification of dispute.
- C. Neither the pendency of a dispute nor its consideration by Caltrans will excuse the Contractor from full and timely performance, in accordance with the terms of this Agreement.

31. Debarment and Suspension Certification

- A. The Contractor's signature affixed herein shall constitute a certification under penalty of perjury under the laws of the State of California, that the Contractor or any person associated therewith in the capacity of owner, partner, director, officer, or manager:
 - 1. is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
 - 2. has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three (3) years;
 - 3. does not have a proposed debarment pending; and
 - 4. has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years.
- B. Any exceptions to this certification must be disclosed to the Department of Transportation. Exceptions will not necessarily result in denial of recommendation for award, but will be considered in determining bidder responsibility. Disclosures must indicate the party to whom the exceptions apply, the initiating agency, and the dates of agency action.

32. APPENDIX A

During the performance of this Agreement, the Contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

- A. **Compliance with regulations:** The Contractor shall comply with regulations relative to Title VI (nondiscrimination in federally-assisted programs of the Department of Transportation - Title 49 Code of Federal Regulations Part 21 - Effectuation of Title VI of the 1964 Civil Rights Act). Title VI provides that the recipients of federal assistance will implement and maintain a policy of nondiscrimination in which no person in the state of California shall, on the basis of

EXHIBIT D
Consulting Services Agreement (Federal)

race, color, national origin, religion, sex, age, disability, be excluded from participation in, denied the benefits of or subject to discrimination under any program or activity by the recipients of federal assistance or their assignees and successors in interest.

- B. Nondiscrimination:** The Contractor, with regard to the work performed by it during the Agreement shall act in accordance with Title VI. Specifically, the Contractor shall not discriminate on the basis of race, color, national origin, religion, sex, age, or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the U.S. DOT's Regulations, including employment practices when the Agreement covers a program whose goal is employment.
- C. Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color or national origin.
- D. Information and Reports:** The Contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State Department of Transportation or any duly authorized representative of the Federal Government to be pertinent to ascertain compliance with such regulations or directives. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the State Department of Transportation, or any duly authorized Federal Agency as appropriate, and shall set forth what efforts it has made to obtain the information.
- E. Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this Agreement, the State Department of Transportation shall impose such Agreement sanctions as it or any Federal funding agency may determine to be appropriate, including, but not limited to:
- 1) Withholding of payments to the Contractor under the Agreement until the Contractor complies, and/or
 - 2) Cancellation, termination or suspension of the Agreement, in whole or in part.
- F. Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (A) through (F) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The Contractor will take such action with respect to any subcontractor or procurement as the State Department of Transportation or any Federal funding agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor

Sample Standard Agreement No. 65a0350

Page 17 of 17

EXHIBIT D
Consulting Services Agreement (Federal)

or supplier as a result of such direction, the Contractor may request the State Department of Transportation to enter into such litigation to protect the interest of the State, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

EXHIBIT E
Consulting Services Agreement (Federal)

ADDITIONAL PROVISIONS

1. Liability Insurance Provisions

- A. Contractor is responsible for any deductible or self-insured retention contained within the insurance program.
- B. The Insurance policy shall contain a provision that states that coverage will not be cancelled without 30 days prior written notice to the State.
- C. Coverage must be in force for the complete term of this Agreement. If insurance expires during the term of this Agreement, a new certificate must be received by the State at least ten (10) days prior to the expiration of this insurance. This new insurance must still meet the terms of this Agreement.
- D. In the event contractor fails to keep in effect at all times the specified insurance coverage, the State may, in addition to any other remedies it may have, terminate this Agreement upon the occurrence of such event, subject to the provisions of the Agreement.
- E. Any insurance required to be carried shall be primary, and not excess, to any other insurance carried by the State.
- F. The State will not be responsible for any premiums or assessments on the policy.

1. Commercial General Liability

- a) Contractor shall maintain general liability on an occurrence form with limits of not less than **\$1,000,000** per occurrence for bodily injury and property damage liability combined. The policy shall include coverage for liabilities arising out of premises, operations, independent contractors, products, completed operations, personal and advertising injury, and liability assumed under an insured Agreement. This insurance shall apply separately to each insured against whom claim is made or suit is brought subject to the Contractor's limit of liability.
- b) The State of California, its officers, agents, employees, and servants shall be included as additional insured, but only with respect to work performed for the State of California under this Agreement. The insurance carrier should provide an endorsement for the additional insured statement.

2. Automobile Liability

- a) Contractor shall maintain motor vehicle liability with limits of not less than **\$1,000,000** per accident. Such insurance shall cover liability arising out of a motor vehicle including owned, hired, and non-owned motor vehicles. (Auto Liability coverage is needed only if a vehicle is used in the Scope of Work stated in the Agreement.)
- b) The State of California, its officers, agents, employees, and servants shall be included as additional insured, but only with respect to work performed for the

EXHIBIT E
Consulting Services Agreement (Federal)

State of California under this Agreement. The insurance carrier should provide an endorsement for the additional insured statement.

3. Workers' Compensation/Employer's Liability

Contractor shall maintain statutory workers' compensation and employer's liability coverage for all its employees who will be engaged in the performance of the Agreement, including special coverage extensions where applicable. Employer's liability limits of **\$1,000,000** per occurrence shall be required.

4. Professional Liability

Contractor shall maintain Professional Liability covering any damages caused by an error, omission or any negligent acts. Limits of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate, shall be provided. Additionally, the Consultant shall maintain, or make a good faith effort to maintain, the Professional Liability insurance for a period of three (3) years after completion of its performance under the agreement.



CALIFORNIA HIGHWAY SAFETY AWARENESS & ATTITUDE STUDY
WAVE 1: PRE-CAMPAIGN BASELINE RESULTS

A Market Research Report
Prepared For

GLASS-MCCLURE

May 1, 2008

TABLE OF CONTENTS

BACKGROUND	3
OBJECTIVES	3
METHODOLOGY	4 to 6
Sample.....	4
Areas Of Questioning	5
Income, Ethnicity And Where Learned To Drive	5
Geographic Weighting	5
Statistical Accuracy	6
HIGHLIGHTS	7
WAVE 1 FINDINGS.....	8 to 25
Driving Frequency & Usage	8
Advertising Recall	10
Primary Source of Ad Recall.....	13
Message Recall And Playback Of Advertising	15
Impact Of Advertising On Driving Behavior	17
Perceptions of Behavior and Risks.....	22
APPENDIX	
Questionnaire.....	26 to 34

BACKGROUND:

In an effort to reduce the accident rate in highway work zones, the California Department of Transportation (Caltrans) has sought to educate motorists about the need to slow down and drive more cautiously in highway work zones for the past seven years via its "Slow for the Cone Zone" advertising and public relations campaign. Although previous efforts generated awareness of the issue, the past campaign has been dimmed since the conclusion of the last wave in 2006.

In planning the revitalization of the Cone Zone campaign, Glass-McClure conducted focus groups to determine what message and execution would have the greatest impact on driving behavior among critical target audiences. The research found that the "Fines" creative theme was the best overall candidate. Accordingly, a campaign communicating the severity of "Fines" for driving unsafely in highway work zones is being run, with initial media launching on April 8, 2008.

A two-wave quantitative assessment of the California driving public's attitudes and behaviors toward highway driving, particularly with regard to safety in construction zones, is being conducted as part of this campaign. The first wave was fielded just prior to the start of the campaign in April, providing a baseline measure for later assessment of any potential shift in motorists' awareness, attitudes and behaviors. It also supplements the recently conducted qualitative research by providing empirical measures of the public's mindset regarding these issues.

This "Wave 1" report presents the findings from the pre-campaign phase of the quantitative research. A follow-up "Wave 2" post-campaign report will be issued later this year, assessing potential changes on these measures over time as a result of the campaign's impact.

OBJECTIVES:

1. To measure California highway drivers' awareness, attitudes and behaviors when it comes to highway driving, particularly in construction work zones.
2. To assess the extent of any potential shift in such awareness, attitudes and behaviors as a result of the new campaign and in relation to previous Caltrans' campaign tracking.
3. To determine the extent that California highway drivers understand they are at risk in highway work zones and measure potential change in such beliefs over time. This will include an analysis of the association between such beliefs and their actual behaviors.
4. To examine similarities and differences in the above areas regionally and demographically, specifically with regard to motorists' age and gender, the markets they live in, and their ethnicity/primary language.

METHODOLOGY:***SAMPLE:***

A total of 758 California freeway drivers were interviewed statewide from April 3–7, 2008. All were at least 16 years of age and had driven on state freeways or highways in the past 30 days. All were residents of major California DMAs. Quotas were set to ensure that the sample was representative of the state's population and that each region had enough respondents to afford the opportunity to analyze the data by region. Regions sampled were Sacramento, San Francisco-Oakland-San Jose, Los Angeles County, Orange County, the Inland Empire, San Diego, and Fresno-Bakersfield. Age and gender quotas were applied to each market to ensure an equivalent split by gender (male/female) and age (16-24, 25-34, 35-49). In addition, attention was paid to ensure that a roughly even number of 16-20 year olds and 21-24 year olds were surveyed within the 16-24 age group.

NUMBER OF INTERVIEWS COMPLETED -- BY METRO AREA

		Los Angeles	Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Fresno/Bakersfield
Males	373	118	43	36	84	39	30	23
Age 16-24	121	40	12	10	26	10	12	11
Age 25-34	131	42	19	10	30	14	10	6
Age 35-49	121	36	12	16	28	15	8	6
Females	385	106	37	42	61	38	52	49
Age 16-24	131	31	21	9	29	13	18	10
Age 25-34	129	47	7	17	13	17	13	15
Age 35-49	125	28	9	16	19	8	21	24
Total	758	224	80	78	145	77	82	72

NUMBER OF INTERVIEWS COMPLETED -- BY ETHNICITY

	Total	Online	Telephone
Total N of Interviews	758	708	50
Non-Hispanic	549	549	0
Hispanic	209	159	50
Spanish-dominant	100	50	50
English-dominant	109	109	0

Three online research panels, each comprised of several million households, were used to gather the sample. One of these panels had a comprehensive Hispanic population base recruited and interviewed in Spanish. In addition, this was supplemented with telephone interviews in Spanish with Spanish-dominant households, furthering the validity of the sample by reaching less tech-savvy households. Quotas were used to ensure that the sample approximated the State's population in terms of ethnicity.

It should be noted that all respondents contacted for this first wave will be excluded from the second wave (whether they participated or not). To maximize comparability, a nearly identical questionnaire be used for the post-wave.

AREAS OF QUESTIONING:

A copy of the questionnaire is appended to this report. Topics included:

- Frequency of driving on California highways
- Number of miles driven weekly on California highways
- Unaided recall of advertising and media messages about highway construction zone driving safety and fines
- Aided recall of advertising and media messages about highway construction zone driving safety and fines
- Aided recall of tagline or theme line used in advertising
- Source of such advertising or new media
- Ad message communications recall
- Claimed influence of such advertising on mindset and driving behavior
- Claimed influence of ad messages on mindset and driving behavior
- Attitudes toward and behaviors for various driving scenarios, including highway work zones
- Claimed mindset and behaviors during recent driving encounters within work zones
- Reason motorist believes work zone signs are posted
- Demographics

INCOME, ETHNICITY AND WHERE LEARNED TO DRIVE:

Reflecting California's population, the average annual household income of those interviewed for Wave 1 was \$49,150 (median) / \$59,930 (mean). After geographic weighting, this equated to weighted values of \$49,970 (median) / \$60,790 (mean). About half (54%) report their ethnicity as White or Caucasian, 28% Latino or Hispanic, 11% Asian American, 5% African-American or Black, <1% Native American, and 2% other. Half (48%) of the Hispanics were Spanish-dominant. Of the Spanish-dominant Hispanics, a quarter (23%) reported they were fluent in English, half (53%) said they were somewhat fluent, and a quarter (24%) indicated they were not very fluent at all. While 97% of Non-Hispanics and English-dominant Hispanics learned to drive in California (77%) or another state (20%), 35% of Spanish-dominant Hispanics learned to drive in another country.

GEOGRAPHIC WEIGHTING:

To provide both an assessment on a local (market) and State level, results are analyzed on a market-by-market basis (with Fresno-Bakersfield treated as one "Central Valley" market) and also reported in total. In addition, results are weighted so that each DMA is represented according to its population (e.g., since Los Angeles accounts for a greater proportion of California's total population than its share of its interviews in this study, it was weighted up; since Fresno-Bakersfield represents a smaller proportion of California's total population than its share of its interviews in this study, it was weighted down).

STATISTICAL ACCURACY:

The sample size of 758 yields results that are accurate to within $\pm 3.6\%$ at the 95% confidence level. The sample size on a market-by-market basis generally yields results that are accurate to within $\pm 8.2\%$ at the 95% confidence level. At the State level, the difference between pre- and post-wave measures will be accurate to within about $\pm 4.9\%$ at the 95% confidence level. Comparing across markets or between waves within market, the difference between pre- and post-wave measures will be accurate to within about $\pm 11\%$ at the 95% confidence level.

In the tables that follow, meaningful differences that are statistically different at the 95% level are circled. E.g.,

29% 29% 18%

HIGHLIGHTS:

- On an aided basis, over half (57%) of California freeway/highway drivers recall having seen or heard advertising about driving slowly and safely in road construction “work zones” in the previous six months. This level of awareness is exactly equal to that witnessed prior to the ‘05 – ‘06 campaign.
- Just under half (48%) recall advertising about fines in road construction work zones in that time period. This likely reflects recall from roadside signs posted at the construction sites as well as other sources (e.g., DMV, word-of-mouth, etc.).
- On an aided basis, a third of all drivers (33%) recall the “Slow for the Cone Zone” campaign.
- One in six recall seeing or hearing about \$1000 fines. Fines are mentioned as the main message by twice as many drivers as is “Slow for the Cone Zone,” despite the fact that the fines campaign had not yet launched at the time of this research. Encouragingly, this suggests that the message of fines is one that resonates with drivers and has more built-in salience than the “Slow for the Cone Zone” tagline.
- The primary aspect of such advertising that California motorists recall on an unaided basis is a general “slow down, drive safely” theme. Billboards and traffic reports are the two primary sources of road construction work zone safety advertising, followed by television.
- Less than half (41%) of these drivers say they are more careful when driving through highway construction work zones than they were one year ago. This represents a drop from 50% seen prior to the launch of the ‘05 campaign and underscores the critical importance of the forthcoming campaign.
- A third of drivers claim to have been influenced by “Slow for the Cone Zone” and a quarter claim to have been influenced by advertising related to \$1000 fines.
- California motorists underestimate the danger of driving in highway work zones. This misperception is most acute among young males. Only a little more than half of motorists (and less than half of 16-24 year olds) report that it is “absolutely essential” to drive carefully and not too fast when approaching a work zone. This falls short of levels for other conditions like driving in a school zone or driving when rain starts to fall.

WAVE 1 FINDINGS:*DRIVING FREQUENCY & USAGE:*

1. California freeway/highway drivers estimate they use these roadways an average of about 30 times a month, or about once a day. Of those who have driven on California freeways/highways in the past month, about one in six has used them more than 50 times.
 - Interestingly, Hispanics who primarily speak Spanish use these roadways less often than do non-Hispanics and English-dominant Hispanics.

FREQUENCY OF DRIVING ON CALIFORNIA FREEWAY OR HIGHWAY IN PAST MONTH

	Total	California Weighted	Non- Hispanics	Hispanic/ English Dominant	Hispanic/ Spanish Dominant
	%	%	%	%	%
1 to 4 times	13	13	10	14	33
5 to 10	17	17	18	17	11
11 to 15	8	8	8	7	6
16 to 20	10	10	8	13	13
21 to 30	24	23	22	28	31
31 to 50	13	13	15	8	4
Over 50	16	16	19	14	2
Mean (times)	30	30	33	31	17
Median (times)	25	25	26	20	15
N =	(758)	(758)	(549)	(109)	(100)

Q: In the past 30 days about how many times have you personally driven a car on a freeway, California State highway, or interstate highway?

- Younger motorists use California freeways/highways somewhat less often. Both male and female 16-24 year old motorists report having driven these roadways less than five times in the past month.

FREQUENCY OF DRIVING ON CALIFORNIA FREEWAY OR HIGHWAY IN PAST MONTH

	Total	Males.....			Females.....		
		16-24	25-34	35-49	16-24	25-34	35-49
	%	%	%	%	%	%	%
1 to 4 times	13	20	9	5	21	13	14
5 to 10	17	17	16	9	24	17	18
11 to 15	8	10	6	9	2	9	11
16 to 20	10	8	11	5	13	9	10
21 to 30	24	19	29	35	19	24	16
31 to 50	13	10	12	22	6	14	12
Over 50	16	17	18	16	15	15	18
Mean (times)	30	31	33	36	27	28	28
Median (times)	25	20	30	30	20	25	20
N =	(758)	(121)	(131)	(121)	(131)	(129)	(125)

Q: In the past 30 days about how many times have you personally driven a car on a freeway, California State highway, or interstate highway?

- Freeway/highway drivers in San Diego are more likely to be "heavy users." One in four residents of the San Diego area estimate they used these roadways more than 50 times in the past month.

FREQUENCY OF DRIVING ON CALIFORNIA FREEWAY OR HIGHWAY IN PAST MONTH

	Total	Los Angeles	Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Bakersfield/Fresno
	%	%	%	%	%	%	%	%
1 to 4 times	13	13	11	12	18	8	7	25
5 to 10	17	20	10	14	17	8	20	26
11 to 15	8	8	9	5	6	8	11	10
16 to 20	10	9	8	15	8	3	13	13
21 to 30	24	23	31	22	22	31	21	17
31 to 50	13	13	11	13	12	18	16	4
Over 50	16	16	20	19	17	25	11	6
Mean	30	31	35	31	28	40	30	19
Median	25	25	30	25	25	30	20	10
N =	(758)	(224)	(80)	(78)	(145)	(77)	(82)	(72)

Q: In the past 30 days about how many times have you personally driven a car on a freeway, California State highway, or interstate highway?

- California freeway/highway drivers estimate they drive on these roadways an average (median) of 300 miles a month. However, some drive 2000 or more miles in a month, thus raising the perceived mean monthly usage to close to 600 miles. Motorists in Orange, San Bernardino and Riverside counties are especially likely to drive large sums (2000+) of miles on California freeways/highways.

NUMBER OF MILES DRIVEN ON CALIFORNIA FREEWAYS OR HIGHWAYS IN PAST MONTH

	Total	Los Angeles	Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Bakersfield/Fresno
<u>Miles</u>								
Mean	598	598	661	719	541	672	512	525
Median	300	300	360	350	300	500	200	250
2,000 or more miles	7%	6%	10%	13%	5%	8%	5%	8%
N =	(758)	(224)	(80)	(78)	(145)	(77)	(82)	(72)

Q: During the last 30 days about how many miles do you think you've driven on freeways, State highways, or interstates?

ADVERTISING RECALL:

2. Over half (57%) of California freeway/highway drivers recall having seen or heard advertising about driving safely in road construction work zones in the previous six months. Just under half (48%) of these drivers recall having seen or heard advertising about fines in work zones in the previous six months. To the extent that previous campaigns were not actively running during most of this time, this seems to reflect residual recall from a long-running media campaign over several years, as well as recall from signs posted at the construction sites themselves.
- The current levels of awareness of advertising about driving safely in road construction work zones is exactly equal to that witnessed prior to the '05 – '06 campaign, when it measured 57% total and 56% weighted.
 - Hispanics who primarily speak Spanish are significantly more likely to recall such advertising.

RECALL OF ADVERTISING ABOUT DRIVING IN ROAD CONSTRUCTION WORK ZONES IN THE PAST 6 MONTHS

Advertising about...	Total	California Weighted	Non-Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant
	%	%	%	%	%
Driving slowly and safely in road construction "work zones"	57	56	52	53	85
Fines in road construction "work zones"	48	48	46	44	66
N =	(758)	(758)	(549)	(109)	(100)

Q: In the past six months, do you recall seeing or hearing any ...?

3. On an aided basis, a third of all drivers (33%) recall the "Slow for the Cone Zone" campaign. This percentage jumps to half (49%) when those that didn't indicate they recalled it are specifically asked about the "Slow for the Cone Zone" tagline.

By contrast, only one in six (17%) recall seeing or hearing about \$1000 Fines. Since the campaign focusing on \$1000 fines had not yet launched, this number likely reflects those aware of fines from on-site roadside signs and other sources (e.g., DMV, traffic school, word of mouth).

- Hispanics are significantly more likely to recall the "Slow for the Cone Zone" campaign, with Spanish-dominant Hispanics leading this group.

RECALL SEEING OR HEARING ADVERTISING

		Total	California Weighted	Non- Hispanic	Hispanic	Hispanic/ English- dominant	Hispanic/ Spanish- dominant
		%	%	%	%	%	%
"Slow for the Cone Zone"	Yes (Net)	49	48	43	66	58	74
	Aided	33	32	28	46	33	60
	Probed	16	16	14	20	25	14
	No	51	52	57	34	42	26
\$1000 Fines	Yes (Net)	32	31	30	35	29	42
	Aided	17	17	15	20	13	28
	Probed	15	15	15	15	17	14
	No	69	69	70	65	71	58
N =		(758)	(758)	(549)	(209)	(109)	(100)

Q: Please read the entire list, then check all those that you remember the advertising trying to tell you. (PROBE WITH:) Do you recall seeing or hearing advertising with the tagline 'Slow for the Cone Zone'? / advertising about there being a fine of \$1000 if you're caught driving improperly in work zones?

- Males age 16-24 are significantly more likely to recall advertising about \$1000 fines than are males age 25 or older. A similar pattern emerges for females, although not to a statistically significant degree.

RECALL SEEING OR HEARING ADVERTISING

		Total	Males.....			Females.....		
			16-24	25-34	35-49	16-24	25-34	35-49
		%	%	%	%	%	%	%
"Slow for the Cone Zone"	Yes (Net)	49	46	53	50	51	50	44
	Aided	33	34	37	36	32	26	34
	Probed	16	12	17	13	19	23	10
	No	51	55	47	50	49	50	56
\$1000 Fines	Yes (Net)	32	48	31	28	33	23	26
	Aided	17	26	20	12	21	11	10
	Probed	15	22	12	17	12	12	17
	No	69	52	69	72	67	77	74
N =		(758)	(121)	(131)	(121)	(131)	(129)	(125)

Q: Please read the entire list, then check all those that you remember the advertising trying to tell you./ Do you recall seeing or hearing advertising with the tagline 'Slow for the Cone Zone'? / advertising about there being a fine of \$1000 if you're caught driving improperly in work zones?

- More drivers in Sacramento and Bakersfield/Fresno recall "Slow for the Cone Zone" advertising compared to other markets. There are no real differences by market in the recall of \$1000 fine advertising.

RECALL SEEING OR HEARING ADVERTISING

		Total	Los Angeles	Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Bakersfield/Fresno
		%	%	%	%	%	%	%	%
"Slow for the Cone Zone"	Yes (Net)	49	38	33	50	55	52	67	65
	Aided	33	24	21	35	35	34	50	49
	Probed	16	14	11	15	19	18	17	17
	No	51	62	68	50	46	48	33	35
\$1000 Fines	Yes (Net)	32	33	31	33	27	33	31	35
	Aided	17	17	16	14	17	9	16	24
	Probed	15	16	15	19	10	23	15	11
	No	69	67	69	67	73	68	70	65
N =		(758)	(224)	(80)	(78)	(145)	(77)	(82)	(72)

Q: Please read the entire list, then check all those that you remember the advertising trying to tell you./ Do you recall seeing or hearing advertising with the tagline 'Slow for the Cone Zone'? / advertising about there being a fine of \$1000 if you're caught driving improperly in work zones?

PRIMARY SOURCE OF AD RECALL:

4. On an aided basis, billboard advertising and traffic reports are the two primary sources of road construction work zone safety advertising, followed by television. Bus and gas pump advertising, Internet, newspapers, magazines and other sources are very rarely cited on an aided basis as sources of such advertising. Roadside signs account for a notable proportion of awareness (12%).
- Inland Empire drivers and San Diego drivers are less likely to cite billboards as an advertising source than drivers in other areas. Inland Empire drivers are more likely to cite traffic reports as their primary source, while San Diego drivers indicate road signs as their primary source.

**PRIMARY PLACE SAW OR HEARD THIS ADVERTISING
(Among Those Who Recall Advertising)**

	Total	California Weighted	Los Angeles	Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Bakersfield / Fresno
	%	%	%	%	%	%	%	%	%
Billboard	23	24	28	24	14	28	15	22	23
Traffic Reports / Reporters	21	19	17	18	35	9	30	20	30
Television	14	14	11	14	12	17	7	15	19
<u>Road Signs (Net)</u>	12	11	14	10	3	7	26	13	9
Road/roadside signs	7	7	9	4	2	4	11	7	9
Signs in Work Zone	5	5	4	6	2	3	15	7	0
Radio	10	9	8	12	14	10	7	7	11
Bus Advertising	3	3	1	4	3	4	2	7	0
Internet	3	3	3	2	0	4	4	2	2
Magazine	2	3	3	2	3	3	2	2	0
Sign on gas station pump	2	2	0	6	2	2	0	3	0
Newspaper	1	1	1	2	0	0	2	0	0
Other	0	0	0	0	0	1	0	0	0
Don't Remember/DK/NA	11	12	14	8	14	14	6	10	7
N =	(517)	(511)	(141)	(51)	(58)	(96)	(54)	(60)	(57)

Q: Where did you hear or see this advertising?

5. Among those who recall the primary source of this advertising, more than half (64%) indicate the primary places they saw the advertising are traditional advertising sources, including billboards, TV, radio, bus advertisements, Internet, magazine and gas station signage. A substantial number of these drivers (36%) identify information sources—specifically traffic reports and actual road signs.
- Among those who remember the primary place they saw or heard this advertising, Bay Area drivers cite traditional advertising sources significantly more often than drivers in other areas.
 - By contrast, San Diego drivers cite informational sources that are not always recognized as advertising more often than motorists in other regions.

PRIMARY PLACE SAW OR HEARD THIS ADVERTISING
(Among Those Who Recall Advertising & Source)

	Total	California Weighted	Los Angeles	Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Bakersfield/ Fresno
	%	%	%	%	%	%	%	%	%
Traditional Advertising ¹	64	66	64	70	56	81	41	64	59
Informational ²	36	34	36	30	44	19	59	36	41
N =	(470)	(455)	(121)	(48)	(50)	(82)	(51)	(55)	(54)

Q: Where did you hear or see this advertising?

¹ Includes Billboard, Television, Radio, Bus Advertising, Internet, Magazine, Sign on gas station pump.

² Includes Traffic Reports/Traffic Reporters, Road signs/Signs on roadside, Signs in Work Zone/Construction Area

MESSAGE RECALL AND PLAYBACK OF ADVERTISING:

6. The primary aspect of such advertising that California motorists recall on an unaided basis is a general "slow down/drive safely" theme, mentioned by 36% of those that recall advertising. One in eight (12%) specifically mention the "cone zone"—the focus of Caltrans' *long-standing* campaign, while 11% mention the fines—the focus of an *upcoming* campaign. Encouragingly, this recall of fines as an advertising message before the launch of the campaign may be an indicator of the resonance of this message with drivers.

**RECALL ABOUT ADVERTISING (UNAIDED)
(Among Those Who Recall Advertising)**

	Total	California Weighted
	%	%
ADVERTISING INFORMATION/CONTENT (NET)	55	54
SLOW DOWN/DRIVE SAFELY (SUBNET)	36	35
Slow for the cone zone slogan (double net)	11	11
Slow down/drive safely/use caution in construction zones	10	10
Slow down/drive safely around workers so they are not hurt/killed	7	7
Drive slow/slower (general)	6	5
Drive carefully/safely (general)	4	4
Slow down where there are cones/orange cones	1	1
Slow down/drive safely in zone because daddy/mommy works there	0	1
PHRASES/SLOGANS (SUBNET)	14	14
CONE ZONE MENTIONS (SUB-SUBNET)	12	12
Slow for the cone zone slogan (double net)	11	11
Cone zone/cone zone rhyme/phrase/slogan (general)	1	1
Give workers a brake	1	1
Catchy rhyme/slogan (unspecified)	1	1
FINES (SUBNET)	11	11
Fines are doubled in construction/work zones	7	7
Fines for not slowing down in construction/work zones (general)	2	2
Fines are high/higher in construction/work zones	1	2
Fines/tickets for breaking traffic laws (general)	1	2
OTHER DRIVING RELATED (SUBNET)	7	7
NON-DRIVING RELATED (SUBNET)	5	5
SIGNS (NET)	16	16
WARNING SIGN (SUBNET)	9	9
SIGN APPEARANCE (SUBNET)	8	8
ORANGE/BRIGHT SIGN (SUB-SUBNET)	4	4
ADVERTISING ATTRIBUTES (NET)	13	13
IMAGES (SUBNET)	10	11
BRIGHT/VIVID COLORS (SUB-SUBNET)	5	5
CONES (SUB-SUBNET)	3	3
SOURCES OF ADVERTISING (NET)	4	5
Don't Know/No Answer	14	15
N =	(517)	(511)

Q: What do you remember about the advertising?

7. When asked to playback the main message of advertising, the general theme of slowing down and driving carefully pulls far ahead with two-thirds (68%) of the mentions. Despite years of support for slowing in the cone zone, fines are actually mentioned more as the main message than is slowing specific to a "cone zone" rather than work zones. Again, this reinforces the notion that fines are a promising approach.
- The recent qualitative research found that the fines campaign was most promising overall, but somewhat less so among Spanish-speaking Hispanics. Interestingly, this audience proved here to be particularly less likely to mention fines. They are also less likely to playback the slow for the cone zone message.

**MAIN MESSAGE PLAYBACK (UNAIDED)
(Among Those Who Recall Advertising)**

	Total	California Weighted	Non- Hispanic	Hispanic/ English- Dominant	Hispanic/ Spanish- Dominant
	%	%	%	%	%
SLOW DOWN/DRIVE SAFELY (NET)	68	67	68	71	65
Slow down/drive carefully/safely/pay attention (general)	25	25	22	22	37
Slow down/drive carefully/safely in work zones	22	22	23	23	14
Slow down/drive carefully in work zones for worker safety	11	11	13	14	2
Slow down in the cone zone (double net)	7	7	9	3	0
Slow down/drive carefully in cone/orange cone areas	2	1	1	3	2
Slow down/drive carefully to save lives	2	2	1	3	2
Slow down/drive carefully for yourself in work zones	1	1	1	5	1
Slow down/drive carefully to not hurt others	1	1	1	3	1
Slow down/drive carefully to prevent accidents	1	1	0	2	3
Other Safety/Caution Mentions	1	1	1	0	2
FINES (NET)	15	15	18	14	3
Fines are doubled in work zones	8	8	10	6	0
Fines/tickets for breaking traffic laws (general)	3	3	3	5	3
Fines are high/higher in work areas	2	2	3	3	0
Fines in work zones (general)	1	2	2	0	0
Other Fines Mentions	0	0	0	0	0
OTHER DRIVING/ROAD RELATED (NET)	8	8	5	9	19
SLOGANS (NET)	7	8	10	3	0
Slow down in the cone zone (double net)	7	7	9	3	0
NON-DRIVING RELATED (NET)	6	6	6	5	8
Other	2	2	2	2	0
Don't Know/No Answer	10	10	10	8	9
N =	(517)	(511)	(361)	(65)	(91)

Q: What was the one main message that the advertising told you?

IMPACT OF ADVERTISING ON DRIVING BEHAVIOR:

8. Of those who recall advertising in the past six months, a strong majority (81%) claims it has influenced their driving habits in road construction work zones. When asked exactly how the advertising has impacted their driving behavior, the two most cited responses are to drive more slowly and to be more alert and attentive.
- Hispanics are significantly more likely to say the advertising made them slow down, while non-Hispanics are more likely to indicate they pay more attention as a result of the advertising.
 - About one in nine (11%) California motorists say advertising has made them watch out for/avoid hitting construction workers and their vehicles.

**PRIMARY WAY ADVERTISING HAS MOST INFLUENCED YOUR DRIVING
(Among Those Influenced by Advertising)**

	Total	California Weighted	Non- Hispanic	Hispanic	Hispanic/ English- dominant	Hispanic/ Spanish- dominant
	%	%	%	%	%	%
Slow down / Drive slower / Reduce speed	42	42	38	49	55	44
Be more alert / aware / pay more attention	31	30	35	20	21	20
Look out for workers / Do not hit the workers	11	12	11	12	12	11
Drive defensively / cautiously	9	9	9	10	9	10
Look out for police officers / CHP	3	4	4	3	2	4
Watch out for construction vehicles	2	2	1	3	2	4
Other	1	0	0	2	0	3
Don't Know	2	2	1	2	0	4
N =	(417)	(410)	(280)	(137)	(58)	(79)

Q: Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones?"

9. More than a third (38%) of all drivers claim to be influenced by the "Slow for the Cone Zone" campaign. A quarter (26%) of all drivers claim to be influenced by advertising related to \$1000 fines.

- Hispanics, particularly those who are Spanish-dominant, are more likely to report advertising influences their driving are non-Hispanic drivers.

ADVERTISING CAMPAIGN INFLUENCED DRIVING HABITS IN "WORK ZONES"

	Total	California Weighted	Non- Hispanic	Hispanic	Hispanic/ English- dominant	Hispanic/ Spanish- dominant
	%	%	%	%	%	%
"Slow for the Cone Zone" Yes (Net)	38	37	32	55	46	64
Aided	28	28	23	42	30	55
Probed	10	10	9	12	16	9
No (Net)	62	63	68	46	54	36
Aided	5	5	5	4	3	5
Probed	6	6	5	7	9	5
Don't Recall Advertising	51	52	57	34	42	26
\$1000 Fines Yes (Net)	26	25	23	32	27	38
Aided	14	14	13	19	13	26
Probed	11	11	11	13	14	12
No (Net)	74	75	77	68	73	62
Aided	2	2	3	1	0	2
Probed	4	4	4	2	3	2
Don't Recall Advertising	69	69	70	65	71	58
N =	(758)	(758)	(549)	(209)	(109)	(100)

Q: Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones?"

- Two in five (41%) males age 16 to 24 report advertising about \$1000 fines having already had an impact on their driving habits in work zones. Again, since the campaign focusing on fines had not yet launched at the time of this research, this suggests that young males may be particularly sensitive to the threat of fines. To the extent young males are a key target audience for driving safely in road construction work zones, this is another encouraging sign for using the "Fines" strategy.

ADVERTISING CAMPAIGN INFLUENCED DRIVING HABITS IN "WORK ZONES"

			Males.....			Females.....			
			Total	16-24	25-34	35-49	16-24	25-34	35-49
			%	%	%	%	%	%	%
“Slow for the Cone Zone”	Yes (Net)	38	38	43	38	37	36	38	
	Aided	28	31	31	28	28	23	31	
	Probed	10	7	12	10	10	13	7	
	No (Net)	62	62	57	62	63	64	62	
	Aided	5	3	6	8	5	4	2	
	Probed	6	4	5	3	9	10	3	
	Don't Recall Advertising	51	55	47	50	49	50	56	
\$1000 Fines	Yes (Net)	26	41	27	20	26	19	22	
	Aided	14	25	16	11	16	11	8	
	Probed	11	16	11	9	10	8	14	
	No (Net)	74	60	73	80	74	81	78	
	Aided	2	2	4	1	5	0	2	
	Probed	4	6	1	7	2	5	2	
	Don't Recall Advertising	69	52	69	72	67	77	74	
N =		(758)	(121)	(131)	(121)	(131)	(129)	(125)	

Q: Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones?"

- Drivers in Los Angeles and Orange County say they are less likely to change their driving habits as a result of advertising, while more drivers in Sacramento and the Central Valley say the "Slow for the Cone Zone" campaign has impacted their driving habits. Not surprisingly, "\$1000 Fines" shows no difference by market prior to the campaign.

ADVERTISING CAMPAIGN INFLUENCED DRIVING HABITS IN "WORK ZONES"

	Total	Los Angeles	Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Bakersfield/Fresno
	%	%	%	%	%	%	%	%
"Slow for the Cone Zone" Yes (Net)	38	28	26	42	39	46	56	51
Aided	28	21	19	33	27	29	44	42
Probed	10	7	8	9	12	17	12	10
No (Net)	62	72	74	58	61	55	44	49
Aided	5	3	3	1	8	5	6	7
Probed	6	7	4	6	7	1	5	7
Don't Recall Advert.	51	62	68	50	46	48	33	35
\$1000 Fines Yes (Net)	26	25	28	26	23	26	24	31
Aided	14	15	15	10	15	9	15	21
Probed	11	11	13	15	8	17	10	10
No (Net)	74	75	73	74	77	74	76	69
Aided	2	3	1	4	2	0	1	3
Probed	4	5	3	4	2	7	5	1
Don't Recall Advert.	69	67	69	67	73	68	70	65
N =	(758)	(224)	(80)	(78)	(145)	(77)	(82)	(72)

Q: Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones?"

10. One in six (16%) drivers report slowing down in work zones as a result of the "Slow for the Cone Zone" campaign.

- More than a quarter (28%) of Hispanic drivers say they reduce their speed due to "Slow for the Cone Zone" advertising.
- Not surprisingly, "\$1000 Fines" had less impact prior to the launch of the campaign.

PRIMARY WAY 'SLOW FOR CONE ZONE' ADVERTISING HAS MOST INFLUENCED YOUR DRIVING

		Total	California Weighted	Non- Hispanic	Hispanic Hispanic	Hispanic/ English- dominant	Hispanic/ Spanish- dominant
		%	%	%	%	%	%
"Slow for the Cone Zone"	Slow down / Drive slower / Reduce speed	16	16	12	28	27	29
	Be more alert / aware / pay more attention	11	11	12	9	8	10
	Look out for workers / Do not hit the workers	5	5	4	6	6	6
	Drive defensively / cautiously	4	4	3	5	3	8
	Look out for police officers / CHP	1	1	1	1	1	2
	Watch out for construction vehicles	1	1	1	2	1	3
	Other	1	1	0	2	0	4
	Don't Know	0	0	0	1	0	2
	Not influenced	62	63	68	46	54	36
\$1000 Fines	Slow down / Drive slower / Reduce speed	11	11	9	14	14	15
	Be more alert / aware / pay more attention	7	7	7	6	6	5
	Drive defensively / cautiously	3	3	3	3	2	4
	Look out for workers / Do not hit the workers	3	3	2	4	2	7
	Look out for police officers / CHP	2	2	2	2	0	4
	Watch out for construction vehicles	1	1	0	2	3	1
	Other	0	0	0	1	0	2
	Not influenced	74	75	77	68	73	62
	N =	(758)	(758)	(549)	(209)	(109)	(100)

Q: How has it influenced your driving? Check the one way it has had the most influence on your driving.

PERCEPTIONS OF BEHAVIOR & RISKS:

11. Four in five drivers (81%) recall driving through a highway construction or maintenance work zone in the past two months. Less than half (41%) of these drivers say they are more careful when driving through highway construction work zones than they were one year ago. This represents a drop from 50% seen prior to the launch of the '05 campaign and underscores the critical importance of the forthcoming campaign.
- Hispanics, particularly those that are Spanish-dominant, are most likely to say they are being more careful.

**SELF-PERCEPTION OF CARE TAKEN WHEN DRIVING THROUGH WORK ZONES
NOW VS. ONE YEAR AGO
(Among Those Who Recall Driving Through A Work Zone)**

	Total	California Weighted	Non- Hispanic	Hispanic	Hispanic/ English- Dominant	Hispanic/ Spanish- Dominant
	%	%	%	%	%	%
More careful	41	41	33	61	57	67
Just as careful	59	59	66	39	43	33
Less careful	0	0	0	0	0	0
N =	(614)	(612)	(451)	(163)	(91)	(72)

Q: Compared to one year ago, do you think you are more careful, just about as careful, or less careful when driving through such highway construction or maintenance work zones?

12. This research underscores how much California motorists underestimate the danger of driving in highway work zones. It also points to the misperception being most acute among young males.

- Only a little more than half (57%) of motorists report that it is “absolutely essential” to drive carefully and not too fast when approaching a work zone. This falls short of levels for other conditions like driving in a school zone or driving when rain starts to fall.
- Young males attribute significantly less need for caution to work zone driving than do older males. Females 35-49 generally attribute the greatest need for caution for all the scenarios presented.
- No real differences existed among different ethnicities or regions of California.

IMPORTANCE OF DRIVING BEHAVIORS: ABSOLUTELY ESSENTIAL

	Total	California Weighted	Males.....			Females.....		
			16-24	25-34	35-49	16-24	25-34	35-49
	%	%	%	%	%	%	%	%
When you drive and see a 'School Zone' sign, how important is it to drive carefully and alertly and not drive too fast?	65	66	55	68	74	52	63	81
When you drive and it has just started to rain, how important is it to drive carefully and alertly and not drive too fast?	65	65	55	61	69	55	70	83
When you drive and approach a highway 'Work Zone', how important is it to drive carefully and alertly and not drive too fast?	57	57	48	53	60	50	54	75
When you drive and are merging onto an empty freeway with no traffic, how important is it to drive carefully and alertly and not drive too fast?	38	38	30	34	31	31	41	57
If you regularly make calls from a mobile phone while driving, how important is it that you use a hands-free mobile phone?	34	34	32	33	41	24	30	46
None	16	16	21	15	15	23	16	6
N =	(758)	(758)	(121)	(131)	(121)	(131)	(129)	(125)

Q: Listed below are some different scenarios drivers might encounter and possible ways that a driver might react to them. Think about how you drive and answer as honestly as possible. For each scenario, please tell us how important it is to you to drive in the way indicated.

- A small but somewhat alarming proportion of California motorists fail to recognize the importance of consistent careful driving under a variety of circumstances.

IMPORTANCE OF DRIVING BEHAVIORS

	Absolutely Essential ³	Absolutely Essential or Very Important ⁴	Absolutely Essential or Very Important ⁵	Somewhat Important or Not Really Important ⁶
	%	%	%	%
When you drive and see a 'School Zone' sign, how important is it to drive carefully and alertly and not drive too fast?	65	89	98	3
When you drive and it has just started to rain, how important is it to drive carefully and alertly and not drive too fast?	65	90	98	2
When you drive and approach a highway 'Work Zone', how important is it to drive carefully and alertly and not drive too fast?	57	89	98	3
When you drive and are merging onto an empty freeway with no traffic, how important is it to drive carefully and alertly and not drive too fast?	38	75	91	9
If you regularly make calls from a mobile phone while driving, how important is it that you use a hands-free mobile phone?	34	66	82	18
N =	(758)	(758)	(758)	(758)

Q: Listed below are some different scenarios drivers might encounter and possible ways that a driver might react to them. Think about how you drive and answer as honestly as possible. For each scenario, please tell us how important it is to you to drive in the way indicated.

³ Absolutely Essential, no exceptions

⁴ Absolutely Essential, no exceptions and Very Important, almost all the time

⁵ Absolutely Essential, no exceptions; Very Important, almost all the time; and Important, but there are some circumstances where you don't really need to

⁶ Somewhat Important, although there are many circumstances where you don't really need to and Not Really Important

13. This study confirms that there still exists a misperception that it is the workers and not the motorists that are primarily at risk in work zones. More than half (53%) of drivers believe the signs are posted for the safety of the workers, while only 12% believe that the signs are posted for their own safety.

REASONS THINK WORK ZONE SIGNAGE IS POSTED AND FINES DOUBLED

	Total	California
	%	Weighted
SAFETY (NET)	72	71
SPECIFIED PERSONS SAFETY (SUBNET)	55	55
For workers safety/to keep workers from being injured or killed	53	53
For drivers safety/protection/your own safety	12	12
For other drivers safety/protection	2	2
For passengers safety	1	1
For pedestrian's safety	0	0
UNSPECIFIED PERSONS SAFETY (SUBNET)	36	36
INCREASED AWARENESS/CAUTION (NET)	57	58
HAZARDS AWARENESS (SUBNET)	22	22
GOVERNMENT INTEREST (NET)	4	4
Other	1	1
Don't Know/No Answer	3	3
N =	(758)	(758)

Q: Often when driving on freeways or highways, you see signs that designate a specific segment as a road construction "work zone." The signs usually tell you to reduce your speed and that traffic fines are double in these areas. Why do you think these signs are posted? Please be as specific as possible and name all the reasons you can think of.

APPENDIX
QUESTIONNAIRE

HIGHWAY SAFETY AWARENESS & ATTITUDES TRACKING STUDY

CONSUMERQUEST # 1333 -- 04/08

12100 Wilshire Blvd. Suite 1135

Los Angeles CA 90035

tele (310) 207-6605

ONLINE QUESTIONNAIRE

(DISABLE BACK BROWSER BUTTON. FOR AGE 18+, HALF OF INVITATIONS SHOULD BE SENT TO INVITATIONS SHOULD BE SENT TO MALE HEAD OF HOUSEHOLD, HALF TO FEMALE HEAD OF HOUSEHOLD. DESCRIBE THE SUBJECT MATTER OF SURVEY AS: "Different types of advertising.")

- A1. Do you or does anyone in your household work in advertising, marketing research, or State government?

Yes 1 → (TERMINATE)

No 2 → (CONTINUE)

- A2. Which of the following categories best describes your annual household income before taxes? (REQUIRE ANSWER, BUT ALLOW "8").

Less than \$20,000 1

\$20,000- but less than \$35,000..... 2

\$35,000 but less than \$50,000..... 3

\$50,000 but less than \$75,000..... 4

\$75,000 but less than \$100,000..... 5

\$100,000 but less than \$150,000..... 6

More than \$150,000 7

Prefer not to say 8

- A3. And what is your ethnic background?

White or Caucasian 1

Latino or Hispanic 2 → CHECK QUOTAS FOR ENGLISH-DOM HISPANIC. TERM IF FILLED.

African-American or Black 3

Asian American 4

Native American..... 5

Other (SPECIFY: _____) 6

(PHONE ONLY) A3apre. Which language do you speak the most at home? Would you say that

1. You speak mostly Spanish at home
2. You speak both Spanish & English equally at home
3. You speak mostly English at home → (TERMINATE)

(SPANISH ONLY) A3a. For classification purposes only, we want to know how fluent you consider yourself to be in Spanish. Would you say that

4. You are completely fluent in Spanish
5. You are somewhat fluent in Spanish → (TERMINATE)
6. You are not very fluent in Spanish → (TERMINATE)

(SPANISH ONLY) A3b. For classification purposes only, we want to know how fluent you consider yourself to be in English. Would you say that

1. You are completely fluent in English
2. You are somewhat fluent in English
3. You are not very fluent in English

- B1. Starting with yourself, please tell us the age and gender of all males and females living in your household who are at least 16 years old and who are home right now. Tell us your age/gender in column A and anyone else who is home right now in column B. RECORD ALL THAT APPLY:

	A	B
	<u>YOURSELF</u>	<u>OTHER HOUSEHOLD MEMBERS</u>
Male 16–19 years old.....	1	1
Male 20-24 years old	2	2
Male 25-34 years old	3	3
Male 35-49 years old	4	4
Male 50 years or older	5	5
Female 16–19 years old.....	6	6
Female 20-24 years old	7	7
Female 25-34 years old	8	8
Female 35-49 years old	9	9
Female 50 years or older	10	10

IF OTHER HOUSEHOLD MEMBER IS 16-24 YEARS OLD AND THAT QUOTA IS NOT YET FILLED, SKIP TO Q.B2. OTHERWISE, CHECK QUOTAS FOR RESPONDENT. IF THAT QUOTA IS AVAILABLE, SKIP TO Q.C. IF THAT QUOTA IS FILLED, CHECK QUOTAS FOR OTHER HOUSEHOLD MEMBERS. IF THAT QUOTA IS NOT YET FILLED, SKIP TO Q.B2.

- B2. The rest of the questions we have today are for a INSERT QUOTA GROUP NEEDED FROM B1. We'd like you to pass this survey on that person.

If a QUOTA NEEDED is available to now, please ask them to come to the computer. When they are ready to continue, they can click NEXT to continue.

Is a QUOTA NEEDED available right now to take the rest of the survey on this computer?

Yes 1 → SKIP TO B4.
No 2

- B3. If QUOTA NEEDED is not able to take the survey on this computer now, please make sure they have the original link to the survey (in your email). They can click on the original link at any time and return to complete this survey. Please close out the window, and ask the QUOTA NEEDED to click on the link in the original email invitation when they are ready to take the survey.

- B4. Starting now, this next set of questions is for a QUOTA NEEDED. Is that you?

Yes 1
No 2 → TERMINATE.

- C. Do you live in California?

Yes 1
No 2 → TERMINATE.

D. Which of these areas do you live in or near? (DO NOT RANDOMIZE LIST:)

San Diego..... 1
Orange County..... 2
Inland Empire (San Bernardino/Riverside) 3
Los Angeles 4
Bakersfield..... 5
Fresno..... 6
San Fran/Oakland/San Jose Bay Area 7
Sacramento 8
Do not live in or near any of these areas..... 9 → TERMINATE.

CHECK QUOTAS. TERMINATE IF NECESSARY.

E1. In the past 30 days about how many times have you personally driven a car on a freeway, California State highway, or interstate highway?

RECORD EXACT NUMBER (ACCEPT ANSWER FROM 0-400): _____ # OF TIMES

TERMINATE IF ANSWER IS 0.

E2. And during the last 30 days, about how many total miles do you think you've driven on freeways, State highways, or interstates?

RECORD EXACT NUMBER (ACCEPT ANSWER FROM 1-99999): _____ TOTAL # OF MILES

1. Listed below are some different public service advertising campaigns that may or may not have run in your area in the past six months. Think about ads you've seen or heard on TV or radio, online, in newspapers or magazines, or outdoors (billboards, bus shelters, etc.). For each advertising campaign listed, please tell us whether or not you saw or heard it advertised in the past six months.

In the past six months, do you recall seeing or hearing any..... (CLICK ONE ANSWER FOR EACH LISTED:) [RANDOMIZE A-B AND D-E. ALWAYS ASK D & E LAST, AFTER C:]

	<u>YES</u>	<u>NO</u>	<u>NOT SURE</u>
a) Advertising about the benefits of eating five servings of fruits and vegetables everyday1	2.....	3	
b) Advertising about the benefits of eating a diet that is high in fiber1	2.....	3	
c) Advertising about how it is bad to litter or throw trash into the environment1	2.....	3	
d) Advertising about driving slowly and safely in road construction "work zones"1	2.....	3	
e) Advertising about fines in road construction "work zones"1	2.....	3	

2. (IF ANSWER TO BOTH 1D AND 1E ARE "2", SKIP TO Q.5. OTHERWISE, ASK:) A moment ago, you said that you (IF "1" *heard or saw* / IF "3" *may have heard or seen*) (LIST ANSWERS D OR E, JOINED BY WORD "AND" IF NECESSARY).

Where did you see or hear this advertising? Please check the primary place you recall seeing or hearing this advertising in the last six months in column A and any other places you can recall it from in column B.

	<u>[A]</u> <u>PRIMARY</u> <u>PLACE</u>	<u>[B]</u> <u>ALL OTHER</u> <u>PLACES</u>
Billboard.....	1.....	1
Bus Advertising.....	2.....	2
Sign on pump at gas station.....	3.....	3
Internet.....	4.....	4
Magazine.....	5.....	5
Newspaper	6.....	6
Radio	7.....	7
Television	8.....	8
Traffic Reports / Traffic Reporters.....	9.....	9
Other (SPECIFY: _____)	10.....	10
Don't Remember	11.....	11

Q.3B1 AND Q.3B2 APPEAR ON THE SAME PAGE.

3b1. What do you remember about the advertising? Please be specific as possible.

3b2. What was the one main message that the advertising told you? Please be specific as possible about what the advertising was trying to tell you.

3c. Here are some different things that the advertising may or may not have been trying to tell you about road construction "work zones". Please read the entire list carefully, then check all those that you remember the advertising trying to tell you. (RANDOMIZE ORDER OF 1-5, FOLLOWED BY RANDOMIZED ORDER OF 6-12. ALWAYS KEEP 1-2 AND 4-5 AND 6-7 TOGETHER. ALLOW MULTIPLE ANSWERS).

Slow down / Reduce speed	1
"Slow for Cone Zone"	2
"Give Them a Break"	3
\$1,000 Fines.....	4
Fines are doubled in construction zones	5
Orange cones	6
Orange cones as symbols of those dying	7
Many drivers and passengers die in work zone accidents	8
You only save 15 seconds by not slowing down	9
Babies or kids can die	10
Shrine / Head stones	11
Safety of workers doing job	12
Drive safely in construction zones	13
Road closure.....	14
Other (SPECIFY: _____).....	15
Can't remember / Not sure / Don't know	16

3d. (ASK:) What was the specific tag line or theme line used in the advertising? (RANDOMIZE 1-4, FOLLOWED BY RANDOMIZED 5-8. ALLOW ONE ANSWER).

"Give 'em a Break"	1
"Slow for Cone Zone"	2
"Stay in the picture"	3
\$1,000 Fines.....	4
Slow down protect workers	5
Buckle Up.....	6
Slow down/Safety	7
Drive safely because lives depend on it	8
Other (SPECIFY: _____)	9
Can't remember / Not sure / Don't know	10

- 4a. Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones?"

Yes 1

No 2 → SKIP TO INSTRUCTION BEFORE Q.5.

- 4b. (ASK:) How has it influenced your driving? Check the one way it has had the most influence on your driving: (RANDOMIZE 1-6. ACCEPT ONE ANSWER ONLY:)

Be more alert / aware / pay more attention 1

Slow down / Drive slower / Reduce speed 2

Drive defensively / cautiously 3

Look out for workers / Do not hit the workers..... 4

Look out for police officers / California Highway Patrol 5

Watch out for construction vehicles 6

Other (SPECIFY: _____) 7

Don't Know..... 8

RANDOMIZE ORDER OF Q.5-SERIES AND Q.6-SERIES.

5. (IF ANSWER IN EITHER Q.3C OR Q.3D IS "2", SKIP TO Q.6/7. OTHERWISE, ASK:) Do you recall seeing or hearing advertising with the tag line "*Slow for cone zone*"?

Yes 1

No 2 → SKIP TO Q.6/7.

- 5a. (ASK:) Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones?"

Yes 1

No 2 → SKIP TO Q.6/7.

- 5b. (ASK:) How has it influenced your driving? Check the one way it has had the most influence on your driving: (RANDOMIZE 1-6. ACCEPT ONE ANSWER ONLY:)

Be more alert / aware / pay more attention 1

Slow down / Drive slower / Reduce speed 2

Drive defensively / cautiously 3

Look out for workers / Do not hit the workers..... 4

Look out for police officers / California Highway Patrol 5

Watch out for construction vehicles 6

Other (SPECIFY: _____). 7

Don't Know..... 8

6. (IF ANSWER IN Q.3C OR Q.3D IS "4", SKIP TO Q.5/7. OTHERWISE, ASK:) Do you recall seeing or hearing advertising about there being a fine of \$1000 if you caught driving improperly in highway work zones?

Yes 1

No 2 → SKIP TO Q.5/7.

- 6a. (ASK:) Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones?"

Yes 1

No 2 → SKIP TO Q.5/7.

- 6b. (ASK:) How has it influenced your driving? Check the one way it has had the most influence on your driving: (RANDOMIZE 1-6. ACCEPT ONE ANSWER ONLY:)

Be more alert / aware / pay more attention 1

Slow down / Drive slower / Reduce speed 2

Drive defensively / cautiously 3

Look out for workers / Do not hit the workers..... 4

Look out for police officers / California Highway Patrol 5

Watch out for construction vehicles 6

Other (SPECIFY: _____). 7

Don't Know..... 8

7. Listed below are some different scenarios drivers might encounter and possible ways that a driver might react to them. Think about how you drive and answer as honestly as possible. For each scenario, please tell us how important it is to you to drive in the way indicated.

SCALE IS:

1. Absolutely Essential, no exceptions
2. Very Important, almost all the time
3. Important, but there are some circumstances where you don't really need to
4. Somewhat Important, although there are many circumstances where you don't really need to
5. Not really important

RANDOMIZE 1-3 AND 4-5. STATEMENTS 4-5 SHOULD ALWAYS FOLLOW 1-3:

1. If you regularly make calls from a mobile phone while driving, how important is it that you use a hands-free mobile phone?
 2. When you drive and are merging onto an empty freeway with no traffic, how important is it to drive carefully and alertly and not drive too fast?
 3. When you drive and it has just started to rain, how important is it to drive carefully and alertly and not drive too fast?
 4. When you drive and see a "School Zone" sign, how important is it to drive carefully and alertly and not drive too fast?
 5. When you drive and approach a highway "work zone", how important is it to drive carefully and alertly and not drive too fast?
8. In the last two months, have you ever driven through a highway construction or maintenance work zone?
- Yes 1
No 2 → SKIP TO Q.9.
- 8a. (ASK:) Compared to one year ago, do you think you are more careful, just about as careful, or less careful when driving through such highway construction or maintenance work zones?
- More careful 1
Just as careful 2
Less careful 3
- 9a. Often when driving on freeways or highways, you see signs that designate a specific segment as a road construction "work zone." The signs usually tell you to reduce your speed and that traffic fines are double in these areas.
Why do you think these signs are posted? Please be as specific as possible and name all the reasons you can think of.
- _____
- _____
- _____
10. And finally, just one more question.....
- 10a. (ASK:) Did you first learn to drive in the State of California, or in another State, or in another country? (RECORD ONE:)
- in California 1
in another State 2
in another Country 3

END. That's all the questions I have today! Thank you very much for your help!



CALIFORNIA HIGHWAY SAFETY AWARENESS & ATTITUDE STUDY
WAVE 2: POST-CAMPAIGN TRACKING RESULTS

A Market Research Report
Prepared For

CROCKER/FLANAGAN

August 17, 2006

TABLE OF CONTENTS

BACKGROUND	3
OBJECTIVES	3
METHODOLOGY	4 to 6
Sample.....	4
Areas Of Questioning	5
Income, Ethnicity And Where Learned To Drive	5
Geographic Weighting	5
Statistical Accuracy	6
HIGHLIGHTS	7
WAVE 2 FINDINGS.....	8 to 21
Driving Frequency & Usage	8
Advertising Recall	9
Perceptions Of Risk	10
Source Of Ad Recall	12
Message Recall And Playback Of Advertising	13
Impact Of Advertising On Driving Behavior	15
News Stories And Traffic Reports	17
Tagline Recall	19
Experience And Changes In Conduct	21
APPENDIX	
A. Detailed Demographic Tables.....	22 to 37
B. Questionnaire	38 to 45

BACKGROUND:

In an effort to reduce the accident rate in highway work zones, the California Department of Transportation (Caltrans) has sought to educate motorists about the need to slow down and drive more cautiously in highway work zones for the past five years. Previous efforts have generated awareness of the issue. Concern exists, however, that the public erroneously believes that it is workers, and not themselves, who are most at risk in highway construction zones, and that they therefore are less likely to drive safely in work zones.

Accordingly, Crocker/Flanagan launched a new multi-media campaign effort, including TV, radio, and billboard advertising, and a full PR campaign. The campaign ran statewide in Caltrans' 12 districts from mid-2005 until the end of July 2006 and included English- and Spanish-media components.

A two-wave quantitative assessment of the California driving public's attitudes and behaviors toward highway driving, particularly with regard to safety in construction zones, was conducted as part of this campaign. The first wave was fielded in April, 2005 prior to the start of the campaign. A subsequent follow-up wave of interviewing was completed from July 10-25, 2006.

This "Wave 2" report presents the findings from the post-campaign phase of the research. It focuses on assessing changes on key measures over time, including a determination of shifts in motorists' awareness, attitudes and behaviors. Comparisons between July 2006 and April 2005 are made throughout this report. Demographic and sub-segment trends are noted herein, with supporting data appended. Readers seeking a detailed analysis of the benchmark phase are asked to refer to the Wave 1 report issued in May, 2005.

OBJECTIVES:

1. To measure California highway drivers' awareness, attitudes and behaviors when it comes to highway driving, particularly in construction work zones.
2. To assess the extent of any potential shift in such awareness, attitudes and behaviors as a result of the new campaign.
3. To determine the extent that California highway drivers understand they are at risk in highway work zones and measure potential change in such beliefs over time. This includes an analysis of the association between such beliefs and their actual behaviors.
4. To examine similarities and differences in the above areas regionally and demographically, specifically with regard to all major metro markets in the state and ethnicity/primary language.

METHODOLOGY:***SAMPLE:***

For wave 2, a total of 750 California freeway drivers were interviewed by telephone statewide from July 10–25, 2006. All were at least 16 years of age and had driven on state freeways or highways in the past 30 days. All were residents of major California DMAs, with a roughly equivalent number coming from Sacramento, San Francisco-Oakland-San Jose, Los Angeles-Orange Counties, the Inland Empire, San Diego, and Fresno-Bakersfield. Age and gender quotas were applied to each market to ensure an equivalent split by gender (male/female) and age (16-24, 25-34, 35-49).

The sample for this post-campaign wave of interviewing was completely independent of that of the pre-campaign wave of interviewing conducted April 14–20, 2005. Households contacted or screened for the first wave were ineligible for the second. The composition of each sample was similar.

NUMBER OF INTERVIEWS COMPLETED – BY METRO AREA

		WAVE 2: JULY '06					
	Total	Los Angeles / Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Fresno/ Bakersfield
Males	363	104	26	71	47	42	70
Age 25-34	108	31	7	24	12	9	28
Age 25-34	142	34	7	14	16	10	18
Age 35-49	113	39	12	33	19	23	24
Females	387	90	30	90	44	59	77
Age 25-34	115	25	3	24	10	9	20
Age 25-34	142	28	13	34	16	17	17
Age 35-49	130	37	14	32	18	33	40
Total	750	194	56	161	91	101	147

		WAVE 1: APRIL '05					
	Total	Los Angeles / Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Fresno/ Bakersfield
Males	363	83	30	59	47	57	87
Age 25-34	108	25	9	16	10	19	29
Age 25-34	142	35	10	21	20	23	23
Age 35-49	113	23	11	22	17	16	25
Females	387	74	32	87	55	62	77
Age 25-34	115	23	12	17	16	20	27
Age 25-34	142	33	9	34	20	23	23
Age 35-49	130	18	11	36	19	19	27
Total	750	157	62	146	102	119	164

Each sample was drawn using random digit dialing (RDD), thus enabling the most representative sample of California's population. For households where Spanish was the preferred language, the interviews were conducted in Spanish. Quotas were also used to ensure that the sample was representative of the State's population in terms of ethnicity and income. To guarantee comparability, an identical questionnaire was used for each wave.

AREAS OF QUESTIONING:

A copy of the questionnaire is appended to this report (see Appendix B). Topics included:

- Frequency of driving on California highways
- Number of miles driven weekly on California highways
- Unaided recall of highway driving safety advertising and media messages
- Aided recall of highway driving safety advertising and media messages
- Source of such advertising or new media
- Ad message communications recall - unaided and construction/work zones
- Claimed mindset and behaviors during recent driving encounters within work zones
- Claimed influence of such advertising on mindset and driving behavior
- Media influences of messaging - aided
- Demographics of the respondents

INCOME, ETHNICITY AND WHERE LEARNED TO DRIVE:

Reflecting California's population, the average annual household income of those interviewed for wave 1 was \$43,700 (median) / \$57,200 (mean). After geographic weighting, this equated to weighted values of \$47,500 (median) / \$62,200 (mean). Fifteen (15) months later in wave 2, the average annual household income of those interviewed was \$49,200 (median) / \$64,200 (mean). After geographic weighting, this equated to weighted values of \$55,700 (median) / \$69,900 (mean).

Half (52%) in each wave report their ethnicity as White or Caucasian. Twenty-seven percent (27%) in wave 1 and 31% in wave 2 were Latino or Hispanic, 7% and 9% Asian American, 6% and 4% African-American or Black, 3% and 1% Native American, and 5% and 3% other. In wave 1, 95% of Non-Hispanics and English-dominant Hispanics learned to drive in California (74%) or another State (21%), while 45% of Spanish-dominant Hispanics learned to drive in another country. Similarly in wave 2, 96% of Non-Hispanics and English-dominant Hispanics learned to drive in California (76%) or another State (20%), while 32% of Spanish-dominant Hispanics learned to drive in another country.

GEOGRAPHIC WEIGHTING:

To provide both an assessment on a local (market) and State level, results were analyzed on a market-by-market basis (with Fresno-Bakersfield treated as one "Central Valley" market) and also reported in total as well as weighted so that each DMA is represented according to its population (e.g., since Los Angeles-Orange Count accounts for a greater proportion of California's total population that its share of its interviews in this study, it was weighted up; since Fresno-Bakersfield represents a smaller proportion of California's total population than its share of its interviews in this study, it was weighted down).

STATISTICAL ACCURACY:

In comparing total samples between 2006 and 2005, the difference between pre- and post-wave measures is generally accurate to within about $\pm 4.9\%$ at the 95% confidence level. Each wave's sample size of 750 yields results that are accurate to within $\pm 3.8\%$ at the 95% confidence level. The sample size on a market-by-market basis generally yields results that are accurate to within $\pm 8.2\%$ at the 95% confidence level. Comparing across markets or between waves within market, the difference between pre- and post-wave measures is accurate to within about $\pm 11\%$ at the 95% confidence level.

In the tables that follow, meaningful differences that are statistically different at the 95% level are circled. E.g.,

29% 29% 18%

HIGHLIGHTS:

- Nearly two-thirds (64%) of California freeway/highway drivers now recall having seen or heard advertising about driving safely in road construction work zones in the previous six months, up significantly from 57% in April 2005.
- The campaign appears to have lessened the misperception that workers are primarily at risk in highway construction or maintenance work zones rather than the drivers and passengers themselves. However, this misperception remains quite common.
- Interestingly, while the campaign did not directly increase recall of highway safety-related billboards or TV/radio media, it may have had a much more internalized and insidious impact: More motorists now mention road/construction signs as a source of advertising about work zone safety. This suggests that the campaign (which featured vehicles in accidents) may have been so impactful as to really make drivers take notice of actual construction zones as "advertising" for driving more safely.
- On an unaided basis, television and outdoor advertising remain the two primary sources of road construction work zone safety advertising, followed distantly by radio.
- The message that motorists should slow down and reduce their speed *in construction zones* is much more successfully communicated as a result of the campaign. In the past year, awareness of "Slow For The Cone Zone" doubled and its meaning is now played back by substantially more California drivers. Motorists are also now more likely to say advertising has made them drive more slowly.
- Previous campaigns were inadequate in making it clear that the issue is about construction zone safety. The campaign that ran over the past year appears to have made progress in this area: California motorists are now significantly more likely to recall the main message of advertising to be cone zone-related.
- News and traffic reports about driving safely in road construction work zones did not have appreciably more impact over the past fifteen months than they had prior. However, news stories and traffic reports appear to have focused driving behavior more toward slowing down and reducing speed in construction work zones. When asked exactly how the stories have impacted their driving behavior, motorists are more likely to say it has made them drive more slowly (40%) in 2006 than in 2005 (29%).
- More than one in four drivers who recall seeing / hearing advertising on the issue now recall the "Slow for the cone zone" tagline on an unaided basis. This represents a doubling of recall of this tagline from 2005, when fewer than one in eight had unaided recall of the tagline. Aided recall increased as well, to 49% from 39%.

WAVE 2 FINDINGS:*DRIVING FREQUENCY & USAGE:*

1. Not surprisingly, no change was reported in California freeway/highway drivers estimate of how frequently they use the State's roadways.
 - Motorists continue to use these roadways an average of 25 to 30 times a month, or about once a day. This is not statistically different from the April 2005 report. Any decrease in usage may be related to the season of interviewing (i.e., assuming there is a slight decrease in usage during summer months).

FREQUENCY OF DRIVING ON CALIFORNIA FREEWAY OR HIGHWAY IN PAST MONTH

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
1 to 5 times	15	15	15	13
5-10	14	14	14	13
11-15	4	5	4	6
16-20	11	8	11	8
21-30	38	44	38	44
31-50	5	3	5	3
51+	14	12	14	13
Mean (times)	28	28	29	28
Median (times)	25	30	26	30
N =	(750)	(750)	(750)	(751)

Q: In the past 30 days about how many times have you personally driven a car on a freeway, California State highway, or interstate highway?

- While wave 1 found that Hispanics who primarily speak Spanish and Women age 25-34 use these roadways less often than do non-Hispanics and English-dominant Hispanics, this was not collaborated by the second wave. Inland Empire motorist patterns also edged from heavy toward the norm. All of this may in part be due to the relatively small number of such respondents interviewed. [See Tables 1 to 4 in Appendix A].

ADVERTISING RECALL:

2. Nearly two-thirds (64%) of California freeway/highway drivers now recall having seen or heard advertising about driving safely in road construction work zones in the previous six months, up significantly from 57% in April 2005.

**RECALL OF ADVERTISING ABOUT DRIVING SAFELY IN ROAD CONSTRUCTION WORK ZONES
IN THE PAST 6 MONTHS**

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
Yes	64	57	61	56
No	34	42	38	42
Not Sure	1	1	2	2
N =	(750)	(750)	(750)	(751)

Q: In the past six months, do you recall seeing or hearing any advertising about driving safely in road construction "Work Zones"?

- Hispanics who primarily speak Spanish continue to be significantly more likely to recall such advertising. In addition, 16-24 year old females are now just as likely to recall such advertising as are similarly-aged males. [See Table 5 in Appendix A].

PERCEPTIONS OF RISK:

3. The campaign appears to have lessened the misperception that workers are primarily at risk in highway construction or maintenance work zones rather than the drivers and passengers themselves. However, this misperception remains common and perceptions of the motorist being primarily at risk did not increase.

- Many Californians continue to believe the reason work zones are marked with signs and traffic fines doubled is to protect the safety of workers. However, concerns for the safety of workers declined from 2005 to 2006.

REASONS THINK WORK ZONE SIGNAGE IS POSTED AND FINES DOUBLED

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
<u>Safety Concerns (Net)</u>	84	87	85	86
<u>Concern For Specific Persons (Subnet)</u>	(43)	52	(43)	50
For Safety Of Workers	(41)	49	(41)	46
For My / Our / Drivers Safety	(10)	16	(10)	15
<u>General Safety Concern (Subnet)</u>	48	48	48	49
Increase Awareness/Careful/Cautious Driving/Danger Warning	(10)	22	(11)	22
For Safety (Unspec.)	(29)	20	(28)	20
To Avoid/Prevent Accidents	13	13	13	13
Slow Down / Watch Speed Limit	21	19	21	20
To Inform Drivers Of Traffic/Delays / Aware Of Road Conditions	11	9	10	10
To Avoid Fines / Notify Drivers Of Fines	2	5	3	6
It's The Law / Follow The Rules	1	2	1	2
Never Seen Them / Don't Remember Them	0	0	0	0
Other	1	1	2	1
Don't Know/Refused	2	2	2	2
N =	(750)	(750)	(750)	(751)

Q: Why do you think Caltrans posts these signs?

- When asked directly who is most at risk in highway work zones, five in six motorists continue say it is the workers/people working on the road. Perceptions that it is driver/passengers declined, but this was offset by an increase in the perception that everyone is at risk.

PERCEPTION OF WHO IS MOST AT RISK IN HIGHWAY WORK ZONES

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
Workers/People Working On The Road	85	86	84	86
Drivers/Passengers	7	(10)	7	(10)
Other/Everyone	(9)	4	(9)	4
N =	(750)	(750)	(750)	(751)

Q: When you drive through a highway construction or maintenance work zone, who do you think is most at risk?

- Non-Hispanics continue to be particularly likely to hold the misperception that the signs and doubled-fines are there primarily to protect the workers. Spanish-dominant Hispanics continue to say it is for general safety reasons, and English-dominant Hispanics are somewhat less likely than Non-Hispanics to say that it is for the safety of the workers. Similar to 2005, those who recall advertising, news stories, traffic reports, or the "*Slow for the cone zone*" tagline are no less likely to think that it is workers who are primarily at risk. [See Tables 6-7 in Appendix A].

SOURCE OF AD RECALL:

4. Interestingly, while the campaign did not directly increase recall of highway safety-related billboards or TV/radio media, it may have had a much more internalized and insidious impact: More motorists now mention road/construction signs as a source of advertising about work zone safety.

- Mentions of road/construction signs as a source of ad awareness increased significantly from 8% to 13%. This suggests that the campaign (which featured vehicles in accidents) may have been so impactful as to really make drivers take notice of actual construction zones as "advertising" for driving more safely.
- On an unaided basis, television and outdoor advertising remain the two primary sources of road construction work zone safety advertising, followed distantly by radio. Newspaper stories, traffic reports/reporters and other sources are very rarely cited on an unaided basis as sources of such advertising.
- It should be noted that unaided recall of newspaper, traffic reports, or magazine may be understated if respondents do not consider these to be "advertising."

**SOURCE OF ADVERTISING ABOUT CONSTRUCTION ZONE SAFETY
(Among Those Who Recall Advertising)**

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
Television	39	40	35	34
Billboard	36	37	41	38
Radio	23	23	22	23
Road/Construction Signs	13	9	13	8
Newspaper	4	4	4	3
Traffic Reports/Traffic Reporters	4	3	4	3
Bus Advertising	3	2	3	3
Internet	2	1	2	1
Magazine	2	1	1	2
Gas Station Pump Talker	1	0	1	1
Other	14	10	14	11
Don't Remember	5	8	5	10
N =	(492)	(437)	(486)	(433)

Q: Where did you hear or see this advertising?

- Underscoring the impact of billboards in Southern California, motorists in Los Angeles, Orange, Riverside, and San Bernardino Counties are now more likely to cite outdoor as an advertising source. Sacramento and Central Valley drivers are more likely to cite TV as an advertising source. [See Table 8].

MESSAGE RECALL AND PLAYBACK OF ADVERTISING:

5. The message that motorists should slow down and reduce their speed *in construction zones* is much more successfully communicated as a result of the campaign. In the past year, awareness of "Slow For The Cone Zone" doubled and its meaning is now played back by substantially more California drivers.

**RECALL ABOUT ADVERTISING (UNAIDED)
(Among Those Who Recall Advertising)**

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
<u>Slow Down (Net)</u>	<u>59</u>	45	<u>59</u>	46
Slow Down Reduce Speed	37	33	39	36
"Slow For Cone Zone"	<u>27</u>	14	<u>24</u>	13
Drive Safely In Construction Zones	15	14	15	14
Fines Are Doubled In Construction Zones	10	8	9	9
Safety Of Workers Doing Job	8	8	7	8
"Give Them A Break"	3	6	3	8
Road Closure	1	4	0	4
<u>Driver/Passenger Risk (Net)</u>	2	3	2	2
Risk To Drivers And Passengers	1	3	1	2
Many Drivers And Passengers Die In Work Zone Accidents	1	1	1	1
Orange Cones Symbols Of Those Dying	2	2	2	2
Fatalities-News Stories	1	1	2	1
Babies Or Kids Can Die	0	1	0	1
You Only Save 15 Seconds By Not Slowing Down	2	0	1	0
Other	12	16	13	14
Don't Know	10	21	11	21
N =	(492)	(437)	(486)	(433)

Q: What do you remember about the advertising?

6. Just prior to the campaign, qualitative research found that the campaign needed to make it very clear that its messages were about construction zone safety; otherwise, drivers tended to dismiss such messages as being about general driving safety or other public service issues. The pre-campaign wave of interviewing confirmed that previous campaigns were inadequate in making it clear that the issue is about construction zone safety. The campaign that ran over the past year appears to have made progress in this area: California motorists are now significantly more likely to recall the main message of advertising to be cone zone-related.

**MAIN MESSAGE PLAYBACK (UNAIDED)
(Among Those Who Recall Advertising)**

	Total.....		Weighted.....	
	2006	2005	2006	2005
		%	%	%
<u>General Driving-Related (Net)</u>	47	50	48	48
Slow Down/Reduce Speed	27	25	27	23
Pay Attention/Be Careful/Cautious When Driving	14	14	15	12
Drive Safely	10	13	11	14
Buckle-Up/Wear Your Seat Belt	1	2	2	2
Don't Drink And Drive	1	3	2	3
<u>Construction/Work/Cone Zone -Related (Net)</u>	47	45	45	47
<u>Safety In These Zones (Subnet)</u>	40	36	39	37
Slow Down/Reduce Speed In These Zones	24	19	22	19
Workers At Risk/Watch Out For Wkrs/Don't Hit Workers	14	12	14	13
Pay Attention/Be Careful Cautious In These Zones	8	9	8	11
Drive Safely In These Zones	4	5	4	5
Myself/Driver/Passengers Could Die/Injured In Zones	4	1	5	1
<u>Penalties In These Zones (Subnet)</u>	11	11	10	12
Work Construction Ahead/Construction Information	5	6	5	5
Speeding Fines Are Double In These Zones	6	5	6	6
Could Go To Jail If Hit Worker In These Zones	0	0	0	0
Other	2	3	2	3
Don't Know	4	7	5	7
N =	(492)	(437)	(486)	(433)

Q: What was the one main message that the advertising told you?

- Driving-aged teens and young adults continue to be less likely to recall the main message of the campaign being specific to work zones. [See Table 9].

IMPACT OF ADVERTISING ON DRIVING BEHAVIOR:

7. Further pointing to the effectiveness of the campaign in getting its intended message across, when asked exactly how advertising has impacted their driving behavior, motorists are now more likely to say it has made them drive more slowly whereas previously they had been just as likely to say it made them be more alert/attentive.
- Of those who recall advertising in the past six months, a strong majority (71%) claim it has influenced their driving habits in road construction work zones, equal to 2005. Nevertheless, more motorists now claim that they "slow down" in work zones as a result of seeing such advertising.

**IMPACT OF ADVERTISING ON DRIVING IN CONSTRUCTION WORK ZONES
(Among Those Who Say Advertising Influenced Their Driving Behavior)**

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
Be More Alert / Aware / Pay More Attention	48	50	48	47
Slow Down / Drive Slower / Reduce Speed	54	47	54	49
Drive Defensively / Cautiously	19	18	19	16
<u>Watch Out For Workers/Construction Vehicles (Net)</u>	15	9	13	7
Look Out For Workers / Do Not Hit The Workers	14	8	12	7
Watch Out For Construction Vehicles	4	3	3	2
Other	6	6	6	8
Don't Know	2	4	2	4
N =	(369)	(310)	(358)	(303)

Q: Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones?"

8. Although they claim to drive more attentively or slowly in construction zones as a result of seeing advertising, relatively few drivers say that it is for their own safety. This is unchanged from 2005.

- When asked whether this is mostly for their sake or mostly for the safety of the workers, many are unsure. Moreover, substantially more drivers continue to say it's for the safety of the workers than for their own safety.

**REASON FOR OWN SAFE DRIVING PRACTICES IN CONSTRUCTION WORK ZONES
(Among Those Who Say Advertising Influenced Their Driving Behavior)**

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
Mostly For The Safety Of The Construction Workers	41	38	38	41
Mostly For Your Own Safety	12	14	14	15
Not Sure / Both Equally	47	48	48	44
N =	(291)	(258)	(288)	(253)

Q: Is that mostly for the safety of the construction workers or mostly for your own safety?

- As in 2005, Non-Hispanics are particularly likely to say they drive more safely for the sake of the workers. [See Table 10].

NEWS STORIES AND TRAFFIC REPORTS:

9. News and traffic reports about driving safely in road construction work zones did not have appreciably more impact over the past fifteen months than they had prior.
- A slight but statistically insignificant increase in recall of news stories about driving safely in road construction work zones occurred in the past six months. Similarly, a slightly but statistically insignificant decrease in recall of traffic report(er)s talking about the topic occurred in the past six months.

RECALL OF NEWS STORIES ABOUT DRIVING SAFELY IN ROAD CONSTRUCTION WORK ZONES IN THE PAST 6 MONTHS

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
Yes	24	21	24	20
No	76	79	76	80
N =	(750)	(750)	(750)	(751)

Q: In the past six months, do you recall seeing or hearing any news stories about driving safely in road construction "Work Zones?"

RECALL OF TRAFFIC REPORT(ER)S TALKING ABOUT DRIVING SAFETY IN ROAD CONSTRUCTION WORK ZONES IN PAST 6 MONTHS

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
Yes	41	45	39	44
No	59	55	61	56
N =	(750)	(750)	(750)	(751)

Q: In the past six months, do you recall hearing any traffic reports or traffic reporters talking about driving safely in road construction "Work Zones?"

- In 2005, recall of news stories and traffic report(er)s mentioning the issue was substantially greater among Hispanics that are Spanish-dominant and slightly greater among Hispanics that are English-dominant. In 2006, non-Hispanics have similar recall as these groups. [See Table 11].
- Recall of news stories and traffic reports in 2006 was relatively similar across all major metro areas of the State. This is different from 2005, where certain geographies had more or less focus. [See Table 12].

10. In the past year, the impact of news stories appears to have focused driving behavior toward slowing down and reducing speed in construction work zones. Similarly, traffic reports also have focused driving behavior toward slowing down and reducing speed in construction work zones.
- Of those who recall news stories in the past six months, two-thirds (70%) claim such news stories have influenced their driving habits in road construction work zones (versus a similar 68% in 2005).
 - When asked exactly how the stories have impacted their driving behavior, motorists are more likely to say it has made them drive more slowly (40%) in 2006 than in 2005 (29%). At the same time, drivers are just as likely today to say the news stories encouraged other good driving behaviors as they did a year ago. For example, reports of more alert/attentive driving (57% in 2006, 54% in 2005) and defensive/cautious driving (21% in 2006, 25% in 2005) held constant.
 - The main playback from such news stories remains to be cautious/careful (30% in 2006 vs. 37% in 2005), followed by a general recollection of a report about a bad accident (12% and 15% in 2006 and 2005, respectively). Interestingly, of those who recall a news story on the issue, a fairly strong percentage (19% in 2006, 13% in 2005) state that it was about a worker being hit and killed. This suggests that news stories tend to emphasize deaths to workers rather than the multitudes more deaths to drivers.
 - As with 2005, 13% of those who claim seeing or hearing news stories has influenced them specify that it has influenced them to look out for the workers and their vehicles.
 - TV continues to clearly be the leading source of news stories about driving safety in road construction work zones (71% in 2006 versus 73% in 2005). Playback of radio as a source of such news reports declined (22% in 2006 versus 34% in 2005), while newspaper articles held steady (20% versus 18%).
 - Of those who recall such reports in the past six months, slightly more (73% in 2006 versus 67% in 2005) claim such traffic reports have influenced their driving habits in road construction work zones.
 - While the degree of change is not statistically significant, it is worth noting that playback of the need to slow down increased slightly from 32% in 2005 to 36% in 2006.
 - The pre-campaign wave found traffic reports to have been the most effective of all media at communicating that it is mostly motorists who are at risk in highway construction work zones. In 2006, after the campaign has run, the post-campaign wave finds that all media are equally effective at creating this impression. [See Table 13].

TAGLINE RECALL:

11. More than one in four drivers who recall seeing / hearing advertising on the issue now also recall the "*Slow for the cone zone*" tagline on an unaided basis. This represents a doubling of recall of this tagline from 2005, when fewer than one in eight had unaided recall of the tagline.

**UNAIDED RECALL OF TAGLINE IN ADVERTISING
(Among Those Who Recall Advertising)**

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
"Slow For Cone Zone"	28	13	26	11
"Give 'Em A Break"	5	9	5	10
Slow Down/Safety	6	7	6	7
Slow Down Protect Workers	3	3	3	4
Buckle Up	2	2	2	2
Drive Safely Lives Depend On It	4	2	4	2
"Stay In The Picture"	0	0	1	0
Other	9	10	10	10
Don't Know	41	54	42	55
N =	(492)	(437)	(480)	(433)

Q: What was the specific tag line or theme line used in the advertising?

- Recall of the "*Slow for the cone zone*" tagline is up in all areas of the State. Non-Hispanics remain somewhat more likely to recall the tagline on an unaided basis than Hispanics. [See Table 14].

12. Not only is unaided recall of the tagline up, but aided recall increased as well. Among all freeway/highway drivers in the state, half (49%) now recall the "*Slow for the cone zone*" tagline on a total (unaided + aided) basis versus 39% a year ago.
- Such recall is becoming more consistent among demographic segments as well. Whereas Spanish-dominant and female drivers, and drivers in Northern California had higher tagline recall in 2005, these groups' gap narrowed in 2006.

RECALL OF "SLOW FOR THE CONE ZONE" TAGLINE-- UNAIDED AND AIDED

WAVE 2: JULY '06

	Total	English Dominant	Spanish Dominant	Male	Female	Southern CA	Northern CA
	%	%	%	%	%	%	%
Unaided	19	20	6	20	18	13	27
Total (Including Aided) Awareness	49	48	53	48	49	40	56
N =	(750)	(697)	(53)	(360)	(390)	(341)	(262)

WAVE 1: APRIL '05

	Total	English Dominant	Spanish Dominant	Male	Female	Southern CA	Northern CA
	%	%	%	%	%	%	%
Unaided	8	8	5	8	7	3	13
Total (Including Aided) Awareness	39	37	65	35	43	51	73
N =	(750)	(690)	(60)	(363)	(387)	(321)	(265)

Q: Do you recall seeing or hearing advertising for the California Department of Transportation - Caltrans - with the tag line "Slow for cone zone"?

EXPERIENCE AND CHANGES IN CONDUCT:

13. California motorists are just as likely to recall having driven through a highway construction or maintenance work zone in the past two months as they were a year ago (82% in each wave). Half (48% in 2006, 50% in 2005) of these drivers continue to say they are more careful when driving through highway construction work zones than they were two years ago. It should be kept in mind that motorists probably overstate the degree that their own careful driving improves with time.

**SELF-PERCEPTION OF CARE TAKEN WHEN DRIVING THROUGH WORK ZONES
NOW VS. TWO YEARS AGO
(Among Those Who Recall Driving Through A Work Zone)**

	Total.....		Weighted.....	
	2006	2005	2006	2005
	%	%	%	%
More Careful	48	50	48	47
Just As Careful	50	50	51	52
Less Careful	1	1	1	1
N =	(617)	(614)	(640)	(617)

Q: Compared to two years ago, do you think you are more careful, just about as careful, or less careful when driving through such highway construction or maintenance work zones?

- Hispanics, particularly those that are Spanish-dominant, continue to be more likely to say they are being more careful. [See Table 15 in Appendix A].

APPENDICES*A. DETAILED DEMOGRAPHIC TABLES**B. QUESTIONNAIRE*

Table 1**FREQUENCY OF DRIVING ON CALIFORNIA FREEWAY OR HIGHWAY IN PAST MONTH****WAVE 2: JULY '06**

	Total	California Weighted	Non- Hispanics	Hispanic/ English Dominant	Hispanic/ Spanish Dominant
	%	%	%	%	%
1 to 4 times	16	14	13	21	26
5-10	15	14	16	14	11
11-15	4	4	5	5	0
16-20	10	11	10	9	11
21-30	37	38	41	28	30
31-50	5	5	4	7	4
51+	13	14	11	17	17
Mean (times)	28	29	26	34	25
Median (times)	25	26	25	25	25
N =	(750)	(779)	(521)	(176)	(53)

WAVE 1: APRIL '05

	Total	California Weighted	Non- Hispanics	Hispanic/ English Dominant	Hispanic/ Spanish Dominant
	%	%	%	%	%
1 to 4 times	15	13	12	17	35
5-10	14	13	14	11	15
11-15	5	6	5	5	5
16-20	8	8	9	6	5
21-30	44	44	44	44	35
31-50	3	3	3	3	0
51+	12	13	12	13	5
Mean (times)	28	28	29	29	18
Median (times)	30	30	30	30	30
N =	(750)	(751)	(546)	(144)	(60)

Q: In the past 30 days about how many times have you personally driven a car on a freeway, California State highway, or interstate highway?

Table 2**FREQUENCY OF DRIVING ON CALIFORNIA FREEWAY OR HIGHWAY IN PAST MONTH**

WAVE 2: JULY '06							
	Total	Males Age.....			Females Age.....		
		16-24	25-34	35-49	16-24	25-34	35-49
	%	%	%	%	%	%	%
1 to 4	16	17	12	13	19	18	18
5-10	15	23	9	11	14	17	17
11-15	4	5	4	5	2	4	6
16-20	10	7	11	9	15	8	10
21-30	37	26	41	45	34	33	39
31-50	5	7	6	5	1	5	5
51+	13	15	16	13	14	16	7
Mean (times)	28	26	32	28	27	33	24
Median (times)	25	20	30	30	20	30	22
N =	(750)	(111)	(99)	(150)	(91)	(125)	(174)

WAVE 1: APRIL '05							
	Total	Males Age.....			Females Age.....		
		16-24	25-34	35-49	16-24	25-34	35-49
	%	%	%	%	%	%	%
1 to 4 times	15	19	17	11	11	17	14
5-10	14	13	14	14	12	18	10
11-15	5	3	3	4	6	8	5
16-20	8	11	12	5	6	8	7
21-30	44	43	42	49	42	40	47
31-50	3	2	4	4	4	1	2
51+	12	9	8	14	18	7	15
Mean (times)	28	29	25	32	31	22	32
Median (times)	30	25	25	30	30	20	30
N =	(750)	(108)	(142)	(113)	(115)	(142)	(130)

Q: In the past 30 days about how many times have you personally driven a car on a freeway, California State highway, or interstate highway?

Table 3**FREQUENCY OF DRIVING ON CALIFORNIA FREEWAY OR HIGHWAY IN PAST MONTH****WAVE 2: JULY '06**

	Total	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Central Valley
	%	%	%	%	%	%	%
1 to 4	16	15	7	15	10	13	27
5-10	15	11	21	17	11	22	14
11-15	4	3	5	6	2	5	5
16-20	10	13	11	12	3	7	8
21-30	37	39	38	33	47	38	31
31-50	5	5	4	5	7	3	5
51+	13	14	14	12	20	13	8
Mean (times)	28	29	28	26	37	28	23
Median (times)	25	30	25	20	30	25	20
N =	(750)	(194)	(56)	(161)	(91)	(101)	(147)

WAVE 1: APRIL '05

	Total	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Central Valley
	%	%	%	%	%	%	%
1 to 4 times	15	15	11	10	7	14	26
5-10	14	13	11	16	9	15	16
11-15	5	8	0	6	3	4	5
16-20	8	8	8	10	11	9	5
21-30	44	42	45	44	54	40	40
31-50	3	2	3	3	2	5	1
51+	12	13	21	11	15	12	7
Mean (times)	28	26	40	26	33	28	24
Median (times)	30	30	30	27	30	30	20
N =	(750)	(157)	(62)	(146)	(102)	(119)	(164)

Q: In the past 30 days about how many times have you personally driven a car on a freeway, California State highway, or interstate highway?

Table 4**NUMBER OF MILES DRIVEN ON CALIFORNIA FREEWAYS OR HIGHWAYS IN PAST MONTH**

WAVE 2: JULY '06							
	Total	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Central Valley
<u>Miles</u>							
Median	300	300	400	300	600	300	250
Mean	899	785	851	620	1030	1231	1057
2000 or more miles	11%	10%	13%	10%	16%	9%	10%
N =	(750)	(194)	(56)	(161)	(91)	(101)	(147)
WAVE 1: APRIL '05							
	Total	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Central Valley
<u>Miles</u>							
Median	310	400	600	400	300	300	300
Mean	1030	1032	1289	1116	1020	1134	784
2000 or more miles	12%	11%	23%	12%	9%	12%	12%
N =	(750)	(157)	(62)	(146)	(102)	(119)	(164)

Q: During the last 30 days about how many miles do you think you've driven on freeways, State highways, or interstates?

Table 5**RECALL OF ADVERTISING ABOUT DRIVING SAFELY IN ROAD CONSTRUCTION WORK ZONES
IN THE PAST 6 MONTHS****WAVE 2: JULY '06**

	Total	California Weighted	Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant	Male 16-24	Female 16-24
	%	%	%	%	%	%	%
Yes	64	61	61	69	75	63	63
No	34	38	37	31	23	37	36
Not Sure	1	2	2	0	2	0	1
N =	(750)	(779)	(521)	(176)	(53)	(111)	(91)

WAVE 1: APRIL '05

	Total	California Weighted	Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant	Male 16-24	Female 16-24
	%	%	%	%	%	%	%
Yes	57	56	56	55	72	66	49
No	42	42	43	44	25	34	50
Not Sure	1	2	1	1	3	0	1
N =	(750)	(751)	(546)	(144)	(60)	(108)	(115)

Q: In the past six months, do you recall seeing or hearing any advertising about driving safely in road construction "Work Zones"?

Table 6**REASONS THINK WORK ZONE SIGNAGE IS POSTED AND FINES DOUBLED****WAVE 2: JULY '06**

	Total	California Weighted	Non-Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant
	%	%	%	%	%
<u>Safety Concerns (Net)</u>	84	85	83	86	85
<u>Concern For Specific Persons (Subnet)</u>	43	43	46	40	23
For Safety Of Workers	41	41	45	36	19
For My / Our / Drivers Safety	10	10	10	11	9
<u>General Safety Concern (Subnet)</u>	48	48	44	54	68
Increase Awareness/Careful/Cautious Driving/Danger Warning	10	11	7	13	32
For Safety (Unspec.)	29	28	30	33	9
To Avoid/Prevent Accidents	13	13	10	16	30
Slow Down / Watch Speed Limit	21	21	23	18	9
To Inform Drivers Of Traffic/Delays / Aware Of Road Conditions	11	10	12	11	6
To Avoid Fines / Notify Drivers Of Fines	2	3	3	0	0
It's The Law / Follow The Rules	1	1	1	1	0
Never Seen Them / Don't Remember Them	0	0	0	0	0
Other	1	2	1	1	9
Don't Know/Refused	2	2	2	3	0
N =	(750)	(779)	(521)	(176)	(53)

WAVE 1: APRIL '05

	Total	California Weighted	Non-Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant
	%	%	%	%	%
<u>Safety Concerns (Net)</u>	87	86	86	88	97
<u>Concern For Specific Persons (Subnet)</u>	52	50	56	49	28
For Safety Of Workers	49	46	53	44	23
For My / Our / Drivers Safety	16	15	17	13	13
<u>General Safety Concern (Subnet)</u>	48	49	43	54	78
Increase Awareness/Careful/Cautious Driving/Danger Warning	22	22	18	27	52
For Safety (Unspec.)	20	20	21	21	18
To Avoid/Prevent Accidents	13	13	10	14	33
Slow Down / Watch Speed Limit	19	20	22	17	3
To Inform Drivers Of Traffic/Delays / Aware Of Road Conditions	9	10	7	14	7
To Avoid Fines / Notify Drivers Of Fines	5	6	6	3	0
It's The Law / Follow The Rules	2	2	2	1	3
Never Seen Them / Don't Remember Them	0	0	0	1	0
Other	1	1	1	1	2
Don't Know/Refused	2	2	2	3	2
N =	(750)	(751)	(546)	(144)	(60)

Q: Why do you think Caltrans posts these signs?

Table 7**PERCEPTION OF WHO IS MOST AT RISK IN HIGHWAY WORK ZONES****WAVE 2: JULY '06**

	Total	California Weighted	...Ethnicity/Language...			 Recall			
			Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant	Adver- tising	News Story	Traffic Report	"Slow For Cone Zone"
	%	%	%	%	%	%	%	%	%
Workers/People Working On The Road	85	84	88	82	57	85	84	85	85
Drivers/Passengers	9	10	7	13	23	9	9	10	10
Other/Everyone	6	6	4	5	21	6	7	5	5
N =	(750)	(779)	(521)	(176)	(53)	(481)	(179)	(304)	(225)

WAVE 1: APRIL '05

	Total	California Weighted	...Ethnicity/Language...			 Recall			
			Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant	Adver- tising	News Story	Traffic Report	"Slow For Cone Zone"
	%	%	%	%	%	%	%	%	%
Workers/People Working On The Road	86	86	90	78	65	87	84	87	85
Drivers/Passengers	10	10	8	13	18	10	10	9	9
Other/Everyone	4	4	2	8	17	3	6	4	6
N =	(750)	(751)	(546)	(144)	(60)	(428)	(158)	(341)	(234)

Q: When you drive through a highway construction or maintenance work zone, who do you think is most at risk?

Table 8**SOURCE OF ADVERTISING ABOUT CONSTRUCTION ZONE SAFETY
(Among Those Who Recall Advertising)****WAVE 2: JULY '06**

	Total	California Weighted	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Central Valley
	%	%	%	%	%	%	%	%
Television	39	35	32	21	38	34	49	50
Billboard	36	41	48	50	34	37	25	30
Radio	23	22	20	8	26	27	24	22
Newspaper	4	4	3	4	4	6	4	6
Traffic Reports/Traffic Reporters	4	4	3	8	4	5	3	3
Bus Advertising	3	3	4	0	5	2	0	3
Internet	2	2	3	4	2	2	3	1
Magazine	2	1	0	0	1	3	3	4
Gas Station Pump Talker	1	1	2	0	0	0	0	1
Other	28	27	26	33	27	27	29	30
Don't Remember	55	56	57	58	57	50	57	52
N =	(492)	(486)	(120)	(24)	(105)	(62)	(76)	(105)

WAVE 1: APRIL '05

	Total	California Weighted	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Central Valley
	%	%	%	%	%	%	%	%
Television	40	34	28	31	32	46	40	58
Billboard	37	38	35	41	40	39	41	28
Radio	23	23	20	21	31	14	21	27
Newspaper	4	3	0	8	5	5	7	3
Traffic Reports/Traffic Reporters	3	3	0	8	5	5	1	2
Bus Advertising	2	3	5	0	2	2	1	1
Internet	1	1	2	0	1	0	1	1
Magazine	1	2	3	0	0	0	0	2
Gas Station Pump Talker	0	1	1	0	1	0	0	0
Other	19	19	20	28	14	17	20	18
Don't Remember	8	10	14	10	6	5	7	5
N =	(437)	(433)	(88)	(39)	(84)	(59)	(70)	(97)

Q: Where did you hear or see this advertising?

Table 9
MAIN MESSAGE PLAYBACK (UNAIDED)
(Among Those Who Recall Advertising)

WAVE 2: JULY '06

	Total	California Weighted	Age 16-24	Age 25-34	Age 35-49
	%	%	%	%	%
<u>General Driving-Related (Net)</u>	47	48	53	46	44
Slow Down/Reduce Speed	27	27	29	26	27
Pay Attention/Be Careful/Cautious When Driving	14	15	17	13	13
Drive Safely	10	11	9	12	9
Buckle-Up/Wear Your Seat Belt	1	2	2	1	1
Don't Drink And Drive	1	2	3	1	0
<u>Construction/Work/Cone Zone -Related (Net)</u>	47	45	38	48	50
<u>Safety In These Zones (Subnet)</u>	40	39	34	42	44
Slow Down/Reduce Speed In These Zones	24	22	23	29	22
Workers Are At Risk/Watch Out For Workers/Don't Hit Workers	14	14	12	13	17
Pay Attention/Be Careful Cautious In These Zones	8	8	9	8	8
Drive Safely In These Zones	4	4	5	2	5
Myself/Driver/Passengers Could Die/Injured In Zones	4	5	2	4	6
<u>Penalties In These Zones (Subnet)</u>	11	10	8	9	14
Work Construction Ahead/Construction Information	5	5	4	5	5
Speeding Fines Are Double In These Zones	6	6	4	3	9
Other	2	2	2	2	3
Don't Know	4	5	7	5	3
N =	(492)	(486)	(128)	(151)	(213)

WAVE 1: APRIL '05

	Total	California Weighted	Age 16-24	Age 25-34	Age 35-49
	%	%	%	%	%
<u>General Driving-Related (Net)</u>	50	48	64	53	37
Slow Down/Reduce Speed	25	23	23	30	22
Pay Attention/Be Careful/Cautious When Driving	14	12	16	12	12
Drive Safely	13	14	21	13	6
Buckle-Up/Wear Your Seat Belt	2	2	3	2	1
Don't Drink And Drive	3	3	6	1	1
<u>Construction/Work/Cone Zone -Related (Net)</u>	45	47	30	41	62
<u>Safety In These Zones (Subnet)</u>	36	37	23	34	48
Slow Down/Reduce Speed In These Zones	19	19	5	23	26
Workers Are At Risk/Watch Out For Workers/Don't Hit Workers	12	13	5	6	23
Pay Attention/Be Careful Cautious In These Zones	9	11	9	5	13
Drive Safely In These Zones	5	5	8	4	5
Myself/Driver/Passengers Could Die/Injured In Zones	1	1	2	1	1
<u>Penalties In These Zones (Subnet)</u>	11	12	9	8	17
Work Construction Ahead/Construction Information	6	5	5	5	8
Speeding Fines Are Double In These Zones	5	6	3	4	9
Other	3	3	2	4	5
Don't Know	7	7	7	8	6
N =	(437)	(433)	(128)	(154)	(155)

Q: What was the one main message that the advertising told you?

Table 10

**REASON FOR OWN SAFE DRIVING PRACTICES IN CONSTRUCTION WORK ZONES
(Among Those Who Say Advertising Influenced Their Driving Behavior)**

WAVE 2: JULY '06

	Total	California Weighted	Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant
	%	%	%	%	%
Mostly For The Safety Of The Construction Workers	41	38	49	33	10
Mostly For Your Own Safety	12	14	9	11	34
Not Sure / Both Equally	47	48	41	56	55
N =	(291)	(288)	(182)	(80)	(29)

WAVE 1: APRIL '05

	Total	California Weighted	Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant
	%	%	%	%	%
Mostly For The Safety Of The Construction Workers	38	41	47	22	16
Mostly For Your Own Safety	14	15	10	18	29
Not Sure / Both Equally	48	44	43	61	55
N =	(258)	(253)	(169)	(51)	(38)

Q: Is that mostly for the safety of the construction workers or mostly for your own safety?

Table 11**RECALL OF TRAFFIC REPORT(ER)S TALKING ABOUT DRIVING SAFETY IN ROAD
CONSTRUCTION WORK ZONES IN PAST 6 MONTHS****WAVE 2: JULY '06**

	Total	California Weighted	Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant	Age 16-24	Age 25-34	Age 35-49
	%	%	%	%	%	%	%	%
Yes	41	39	40	41	40	35	39	45
No	59	61	60	59	60	65	61	55
N =	(750)	(779)	(521)	(176)	(53)	(202)	(224)	(324)

WAVE 1: APRIL '05

	Total	California Weighted	Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant	Age 16-24	Age 25-34	Age 35-49
	%	%	%	%	%	%	%	%
Yes	45	44	45	42	55	37	44	55
No	55	56	55	58	45	63	56	45
N =	(750)	(751)	(546)	(144)	(60)	(223)	(284)	(243)

Q: In the past six months, do you recall hearing any traffic reports or traffic reporters talking about driving safely in road construction "Work Zones?"

Table 12**RECALL OF NEWS STORIES AND TRAFFIC REPORTS—BY METRO AREA****WAVE 2: JULY '06**

	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Central Valley
	%	%	%	%	%	%
Recall News Stories	22	29	28	25	25	19
Recall Traffic Reports	35	45	40	42	48	42
N =	(194)	(56)	(161)	(91)	(101)	(147)

WAVE 1: APRIL '05

	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacramento	Central Valley
	%	%	%	%	%	%
Recall News Stories	18	29	21	16	17	27
Recall Traffic Reports	42	55	36	52	48	48
N =	(157)	(62)	(146)	(102)	(119)	(164)

Q: In the past six months, do you recall hearing any traffic reports or traffic reporters talking about driving safely in road construction "Work Zones?"

Table 13**IMPACT OF SOURCE OF MESSAGE ON PERCEPTION OF WHO'S AT RISK
(Among Those Who Say This Source Influenced Their Driving Behavior)****WAVE 2: JULY '06**

	Advertising	News Stories	Traffic Reports	Tagline
	%	%	%	%
Mostly For The Safety Of The Construction Workers	39	34	40	42
Mostly For Your Own Safety	11	11	15	11
Not Sure / Both Equally	50	55	45	47
N =	(107)	(44)	(75)	(137)

WAVE 1: APRIL '05

	Advertising	News Stories	Traffic Reports	Tagline
	%	%	%	%
Mostly For The Safety Of The Construction Workers	38	29	21	32
Mostly For Your Own Safety	14	17	31	14
Not Sure / Both Equally	48	54	47	54
N =	(258)	(24)	(95)	(124)

Q: Is that mostly for the safety of the construction workers or mostly for your own safety?

Table 14**UNAIDED RECALL OF TAGLINE IN ADVERTISING
(Among Those Who Recall Advertising)****WAVE 2: JULY '06**

	Total	California Weighted	Non- Hispanic	Hispanic	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacra- mento	Central Valley
	%	%	%	%	%	%	%	%	%	%
"Slow For Cone Zone"	28	26	35	16	19	8	40	29	38	25
"Give 'Em A Break"	5	5	5	4	6	4	8	0	5	4
Slow Down/Safety	6	6	3	12	8	8	2	6	7	8
Slow Down Protect Workers	3	3	2	6	2	8	4	2	3	6
Buckle Up	2	2	2	3	3	4	1	5	1	2
Drive Safely Lives Depend On It	4	4	3	6	3	4	4	5	5	5
"Stay In The Picture"	0	1	0	1	1	0	0	2	0	0
Other	9	10	9	9	11	21	7	8	5	9
Don't Know	41	42	41	42	48	42	35	44	36	43
N =	(492)	(486)	(329)	(163)	(120)	(24)	(105)	(62)	(76)	(105)

WAVE 1: APRIL '05

	Total	California Weighted	Non- Hispanic	Hispanic	LA/ Orange County	Inland Empire	Bay Area	San Diego	Sacra- mento	Central Valley
	%	%	%	%	%	%	%	%	%	%
"Slow For Cone Zone"	13	11	16	6	6	8	18	5	27	13
"Give 'Em A Break"	9	10	12	2	9	15	8	10	7	6
Slow Down/Safety	7	7	7	7	3	15	7	12	7	3
Slow Down Protect Workers	3	4	2	8	5	5	5	2	1	3
Buckle Up	2	2	2	3	2	0	1	0	3	4
Drive Safely Lives Depend On It	2	2	2	2	2	0	0	7	1	2
"Stay In The Picture"	0	0	0	2	0	0	0	2	1	0
Other	10	10	9	11	15	5	6	7	11	10
Don't Know	54	55	52	58	58	51	55	56	40	58
N =	(437)	(433)	(312)	(125)	(88)	(39)	(84)	(59)	(70)	(97)

Q: What was the specific tag line or theme line used in the advertising?

Table 15

**SELF-PERCEPTION OF CARE TAKEN WHEN DRIVING THROUGH WORK ZONES
NOW VS. TWO YEARS AGO
(Among Those Who Recall Driving Through A Work Zone)**

WAVE 2: JULY '06

	Total	California Weighted	Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant	Think Most At Risk Workers	Self/ Other Drivers
	%	%	%	%	%	%	%
More Careful	48	48	44	58	64	49	45
Just As Careful	50	51	54	41	36	51	51
Less Careful	1	1	2	1	0	1	4
N =	(617)	(640)	(451)	(133)	(33)	(533)	(51)

WAVE 1: APRIL '05

	Total	California Weighted	Non- Hispanic	Hispanic/ English Dominant	Hispanic/ Spanish Dominant	Think Most At Risk Workers	Self/ Other Drivers
	%	%	%	%	%	%	%
More Careful	50	47	43	64	82	48	55
Just As Careful	50	52	55	36	18	51	41
Less Careful	1	1	1	0	0	1	3
N =	(614)	(617)	(466)	(109)	(39)	(532)	(58)

Q: Compared to two years ago, do you think you are more careful, just about as careful, or less careful when driving through such highway construction or maintenance work zones?

CALIFORNIA HIGHWAY SAFETY AWARENESS & ATTITUDES TRACKING STUDY

CONSUMERQUEST # 1185 04/05 - 07/06

12100 Wilshire Blvd. Suite 1135

Los Angeles CA 90035

tele (310) 207-6605

QUESTIONNAIRE

(INTERVIEWER: MAKE SURE THAT YOU ARE SPEAKING WITH A PERSON 16+ YEARS OF AGE. PASS RESPONDENT TO SPANISH-LANGUAGE INTERVIEW IF NECESSARY. SAY:) Hello. My name is _____ from _____, an independent national market research firm. We're conducting a short survey. It will only take about five minutes of your time. You can help us by answering just a few short questions....

(ONLY IF RESPONDENT ASKS SUBJECT MATTER, ANSWER BY SAYING: "Different types of advertising.")

- A. Do you or does anyone in your household work in advertising, marketing research, or State government?

Yes 1 → (TERMINATE)

No 2 → (CONTINUE)

- B1. Starting with yourself, please tell me the age and gender of all males and females living in your household who are at least 16 years old and who are home right now. RECORD ALL THAT APPLY:

Male 16-24 years old..... 1

Female 16-24 years old 4

Male 25-34 years old 2

Female 25-34 years old 5

Male 35-49 years old 3

Female 35-49 years old 6

- B2. CHECK QUOTAS. IF ALL ELIGIBLE QUOTAS ARE FILLED, TERMINATE. OTHERWISE, ASK TO SPEAK TO INDIVIDUAL MOST NEEDED FOR QUOTA. RECORD RESPONDENT'S AGE BELOW:

Male 16-24 years old..... 1

Female 16-24 years old 4

Male 25-34 years old 2

Female 25-34 years old 5

Male 35-49 years old 3

Female 35-49 years old 6

- C. Do you live in California?

Yes 1

No 2 → TERMINATE OR ASK FOR SOMEONE ELSE.

- D. Which of these metropolitan areas do you live in or near? (READ LIST, BEGINNING WITH DMA BASED ON AREA CODE. RECORD ONE:)

Los Angeles-Orange County 1

San Bernardino-Riverside 2 → (ALSO COUNTS TOWARD QUOTA GROUP 1 "LA-OC")

San Francisco-Oakland-San Jose 3

San Diego 4

Sacramento 5

Fresno 6

Bakersfield 7

CHECK DMA QUOTAS. TERMINATE IF NECESSARY.

- E. Which of the following categories best describes your annual household income before taxes? Just stop me when I read your category.

Less than \$20,0001
 \$20,000- but less than \$35,000.....2
 \$35,000 but less than \$50,000.....3
 \$50,000 but less than \$75,000.....4
 \$75,000 but less than \$100,0005
 \$100,000 or more6
 Refused7

CHECK INCOME QUOTAS. TERMINATE IF NECESSARY.

- F. In the past 30 days about how many times have you personally driven a car on a freeway, California State highway, or interstate highway?

RECORD EXACT NUMBER (ACCEPT ANSWER FROM 0-400): _____ # OF TIMES

TERMINATE IF ANSWER IS 0.

1. I am going to mention some advertising campaigns that may or may not have run in your area in the past six months. For each advertising campaign I mention, please tell me whether or not you saw or heard it advertised in the past six months.

(ALWAYS LEAD-IN WITH:) In the past six months, do you recall seeing or hearing any.... (READ LIST. RECORD YES, NO, OR NOT SURE FOR EACH:)

	<u>YES</u>	<u>NO</u>	<u>NOT SURE</u>
a) Advertising about the benefits of eating five servings of fruits and vegetables everyday1	2.....	3.....	
b) Advertising about illegal pirating of music on the Internet.....1	2.....	3.....	
c) Advertising about driving safely in road construction "Work Zones."1	2.....	3.....	

2. During the last 30 days, about how many miles do you think you've driven on freeways, State highways, or interstates?

RECORD EXACT NUMBER (ACCEPT ANSWER FROM 1-99999): _____ # OF MILES

3. **(READ THE FOLLOWING TO THE RESPONDENT VERBATIM:) Often when driving on freeways or highways, you see signs that designate a specific segment as a road construction "Work Zone." The signs usually tell you to reduce your speed and that traffic fines are double in these areas.**

- 3a. (THEN ASK:) Why do you think Caltrans posts these signs? Any other reasons? Anything else? (RECORD VERBATIM. PROBE AND CLARIFY.)

- 3b. (ASK:) When you drive through a highway construction or maintenance work zone, who do you think is **most** at risk? (**DO NOT READ LIST!** RECORD ONE ANSWER:).

Workers / People working on the road 1
 I am / Me / The driver / Passengers in my car 2
 Other drivers / Passengers in other cars..... 3
 Other (SPECIFY: _____) 4

- 4a. (IF ANSWER IN Q.1.C IS "2", SKIP TO Q.5. OTHERWISE, ASK:) A moment ago, you said that you (IF "1" *heard or saw* / IF "3" *may have heard or seen*) California Department of Transportation - Caltrans - advertising about driving safely in road construction "Work Zones".

Where did you hear or see this advertising? (DO NOT READ LIST! RECORD FIRST ANSWER IN COLUMN A AND ALL OTHER ANSWERS IN COLUMN B. PROBE ONCE BY ASKING:) Anywhere else?

	[A] FIRST MENTION	[B] ALL OTHER MENTIONS
Billboard.....	1.....	1.....
Bus Advertising.....	2.....	2.....
Gas Station Pump Talker.....	3.....	3.....
Internet.....	4.....	4.....
Magazine.....	5.....	5.....
Newspaper	6.....	6.....
Radio	7.....	7.....
Television	8.....	8.....
Traffic Reports / Traffic Reporters.....	9.....	9.....
Other (SPECIFY: _____)	10.....	10.....
Don't Remember	11.....	11.....

- 4b. (ASK:) What do you remember about the advertising? Please be specific as possible about what the advertising was trying to tell you? (DO NOT READ RESPONSES)

Slow down reduce speed 1
 "Slow for Cone Zone" 2
 "Give Them a Break" 3
 Orange Cones symbols of those dying..... 4
 Risk to drivers and passengers 5
 Many drivers and passengers die in work zone accidents 6
 You only save 15 seconds by not slowing down 7
 Babies or kids can die..... 8
 Head stones in commercial 9
 Safety of workers doing job 10
 Fines are doubled in construction zones 11
 Drive Safely in construction zones..... 12
 Road closure..... 13
 Fatalities—News stories 14
 Other (SPECIFY: _____) 15
 Don't know 16

- 4c. (ASK:) What was the one main message that the advertising told you? (RECORD VERBATIM:)
<NOTE: THIS MAY BE PRE-CODED, DEPENDING ON RESPONSES FROM FOCUS GROUPS>

- 4d. (ASK:) What was the specific tag line or theme line used in the advertising? (RECORD ONE. **DO NOT READ LIST!**)

"Give 'em a Break" 1
 "Slow for Cone Zone" 2
 "Stay in the picture" 3
 Slow down protect workers 4
 Buckle Up 5
 Slow down/Safety 6
 Drive Safely lives depend on it..... 7
 Other (SPECIFY: _____) 8
 Don't Know..... 9

- 4e. (ASK:) Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones?"

Yes 1
 No 2 → SKIP TO Q.5

- 4f. (ASK:) How has it influenced your driving? Please be specific. (**DO NOT READ LIST!** RECORD ALL THAT APPLY. LISTEN CAREFULLY AND RECORD EXACT RESPONSES.)

Be more alert / aware / pay more attention 1
 Slow down / Drive slower / Reduce speed 2
 Drive defensively / cautiously 3
 Look out for workers / Do not hit the workers..... 4
 Watch out for construction vehicles 5
 Other (SPECIFY: _____) 6
 Don't Know..... 7

- 4g. (ASK IF ANSWER IN Q.4F IS "1" "2" OR "3" AND ANSWER IN Q.4F IS NOT "4" OR "5":) You just said that the advertising has influenced your driving in getting you to (INSERT ANSWERS "1" "2" "3" FROM Q.4F AS THEY APPLY) in highway work zones. Is that mostly for the safety of the construction workers or mostly for your own safety? (RECORD ONE:)

Mostly for the safety of the construction workers 1
 Mostly for your own safety..... 2
 (DO NOT READ:) Not sure / Both equally 3

5. (ASK:) In the past six months, do you recall seeing or hearing any news stories about driving safely in road construction "Work Zones?"

Yes 1
No 2 → SKIP TO Q.6.

- 5a. Where did you hear or see these news stories? (DO NOT READ LIST! RECORD FIRST ANSWER IN COLUMN A AND ALL OTHER ANSWERS IN COLUMN B. PROBE ONCE BY ASKING:) Anywhere else?

	[A] FIRST MENTION	[B] ALL OTHER MENTIONS
Gas Station Pump Talker.....	1.....	1
Internet.....	2.....	2
Magazine.....	3.....	3
Newspaper	4.....	4
Radio	5.....	5
Television	6.....	6
Traffic Reports / Traffic Reporters.....	7.....	7
Other (SPECIFY: _____)	8.....	8
Don't Remember	9.....	9

- 5b. (ASK:) What do you remember about the news story? Please be specific as possible about what the news story was trying to tell you about driving in road construction "work zones?" (RECORD SPECIFIC ANSWERS BELOW. PROBE FOR SPECIFICITY IF NEEDED. DO NOT READ RESPONSES!)

Worker hit and killed in work zone..... 1
Driver / passengers killed because they were not careful in work zone..... 2
Bad accident (unspecified) 3
Be cautious/Careful 4
Be patient, Allow more time to drive because of road work..... 5
Other (SPECIFY: _____)..... 6
Don't Know..... 7

- 5c-d. OMITTED.

- 5e. (ASK:) Having seen or heard this news story, do you think it has influenced your driving habits in road construction "work zones?"

Yes 1
No 2 → SKIP TO Q.6.

- 5f. (ASK:) How has it influenced your driving? Please be specific. (**DO NOT READ LIST!** RECORD ALL THAT APPLY. LISTEN CAREFULLY AND RECORD EXACT RESPONSE. PROBE AND CLARIFY IF NEEDED:)

Be more alert / aware / pay more attention 1
Slow down / Drive slower / Reduce speed 2
Drive defensively / cautiously 3
Look out for workers / Do not hit the workers..... 4
Watch out for construction vehicles 5
Other (SPECIFY: _____) 6
Don't Know..... 7

IF Q.4G WAS ANSWERED, SKIP TO Q.6.

- 5g. (ASK IF ANSWER IN Q.5F IS "1" "2" OR "3" AND ANSWER IN Q.5F IS NOT "4" OR "5":) You just said that news stories have influenced your driving in getting you to (INSERT ANSWERS "1" "2" "3" FROM Q.5F AS THEY APPLY) in highway work zones. Is that mostly for the safety of the construction workers or mostly for your own safety? (RECORD ONE:)

Mostly for the safety of the construction workers 1
 Mostly for your own safety 2
 (DO NOT READ:) Not sure / Both equally 3

6. (ASK:) In the past six months, do you recall hearing any traffic reports or traffic reporters talking about driving safely in road construction "Work Zones?"

Yes 1
 No 2 → SKIP TO Q.7.

- 6a. OMITTED.

- 6b. (ASK:) What do you remember about these traffic reports? (RECORD SPECIFIC ANSWERS BELOW. DO NOT READ RESPONSES!)

Slow down in the cone zone 1
 Slow down when you see road workers 2
 Be careful / alert in construction zone / when you see workers 3
 Worker hit and killed in work zone 4
 Driver / passengers killed because they were not careful in work zone 5
 Bad accident (unspecified) 6
 Be patient, Allow more time to drive because of road work 7
 Other (SPECIFY: _____) 8
 Don't Know 9

- 6c-d. OMITTED.

- 6e. (ASK:) Having seen or heard these traffic reports, do you think they have influenced your driving habits in road construction "work zones?"

Yes 1
 No 2 → SKIP TO Q.7.

- 6f. OMITTED.

- 6g. (ASK ONLY IF NEITHER Q.4G NOR Q.5G WERE ANSWERED:) You just said that traffic reports about driving safely in road construction work zones have influenced your driving. Is that mostly for the safety of the construction workers or mostly for your own safety? (RECORD ONE:)

Mostly for the safety of the construction workers 1
 Mostly for your own safety 2
 (DO NOT READ:) Not sure / Both equally 3

7. (IF ANSWER IN Q.4D IS "2", SKIP TO Q.8. OTHERWISE, ASK:) Do you recall seeing or hearing advertising for the California Department of Transportation - Caltrans - with the tag line "*Slow for cone zone*"?

Yes 1
No 2 → SKIP TO Q.8.

7a-d. OMITTED.

- 7e. (ASK:) Having seen or heard this advertising, do you think it has influenced your driving habits in road construction "work zones"?

Yes 1
No 2 → SKIP TO Q.8.

- 7f. (ASK:) How has it influenced your driving? Please be specific. (**DO NOT READ LIST!** RECORD ALL THAT APPLY. LISTEN CAREFULLY AND RECORD EXACT RESPONSES.)

Be more alert / aware / pay more attention 1
Slow down / Drive slower / Reduce speed 2
Drive defensively / cautiously 3
Look out for workers / Do not hit the workers..... 4
Watch out for construction vehicles 5
Other (SPECIFY: _____) 6
Don't Know..... 7

- 7g. (ASK IF ANSWER IN Q.7F IS "1" "2" OR "3" AND ANSWER IN Q.7F IS NOT "4" OR "5":) You just said that the advertising has influenced your driving in getting you to (INSERT ANSWERS "1" "2" "3" FROM Q.7F IF THEY APPLY) in highway work zones. Is that mostly for the safety of the construction workers or mostly for your own safety? (RECORD ONE:)

Mostly for the safety of the construction workers 1
Mostly for your own safety..... 2
(DO NOT READ:) Not sure / Both equally 3

8. (ASK:) In the last two months, have you ever driven through a highway construction or maintenance work zone?

Yes 1
No 2 → SKIP TO Q.9.

- 8a. (ASK:) Compared to two years ago, do you think you are more careful, just about as careful, or less careful when driving through such highway construction or maintenance work zones?

More careful 1
Just as careful..... 2
Less careful 3

9. And finally, just two more questions.....

9a. (ASK:) Did you first learn to drive in the State of California, or in another State, or in another country? (RECORD ONE:)

in California 1
in another State 2
in another Country 3

9b. (ASK:) And finally, what is your ethnic background? READ EACH

Latino or Hispanic 1
White or Caucasian 2
African-American or Black 3
Asian American 4
Native American 5
Other (SPECIFY: _____) 6

9c. (SAY:) That's all the questions I have today! Thank you very much for your help!

FOR VALIDATION PURPOSES, CAPTURE RESPONDENT NAME AND HOME TELEPHONE NUMBER

DEPARTMENT OF TRANSPORTATION

ADMINISTRATION

DIVISION OF PROCUREMENT AND CONTRACTS MS-67

1727 30TH STREET

SACRAMENTO, CA 95816-7006

PHONE (916) 227-6000

FAX (916) 227-6155

TTY (800) 735-0193 or (916) 227-2857

INTERNET <http://caltrans-opac.ca.gov>



*Flex your power!
Be energy efficient!*

November 4, 2009

**Addendum One
Request for Proposal #65a0350
“Slow for the Cone Zone Campaign”**

The following CHANGES are effected for Request for Proposal (RFP) No. 65a0350:

1. Section B) Proposal Requirements and Information, Item 3. Technical Proposal Requirements, subparagraph C. Work Plan and Work Schedule, sub-item 5), is amended to read as follows:

Proposer shall propose a comprehensive marketing campaign to carry out the public awareness campaign, while reaching the most people and gaining the biggest recognition in the most economical way. At a minimum, elements of the campaign shall include:

- Targeted Hispanic outreach (non-English speaking)
- Targeted teenage, young adult driver outreach (15-24)
- General market outreach (18-49)
- Non-traditional Media (in contrast to newspaper and television, which are considered *traditional* media)
- Live Traffic and News sponsorships
- Radio Outreach
- Public/Private Sponsorships

2. Section B) Proposal Requirements and Information, Item 7. Evaluation Process, subparagraph F., the formula for evaluating the Cost is changed as follows:

(Low Bid Proposal / Other Proposer's Bid) x 130 = Points Awarded

3. The phrase “Criteria for Evaluation of Proposals” hereby replaces every occurrence of “Criteria for Evaluation of Consultant Technical Proposals”.

“Caltrans improves mobility across California”

DEPARTMENT OF TRANSPORTATION

ADMINISTRATION

DIVISION OF PROCUREMENT AND CONTRACTS MS-67

1727 30TH STREET

SACRAMENTO, CA 95816-7006

PHONE (916) 227-6000

FAX (916) 227-6155

TTY (800) 735-0193 or (916) 227-2857

INTERNET <http://caltrans-opac.ca.gov>



*Flex your power!
Be energy efficient!*

November 5, 2009

**Addendum Two
Request for Proposal #65a0350
“Slow for the Cone Zone Campaign”**

The following CHANGES are effected for Request for Proposal (RFP) No. 65a0350:

Please see the TWO attached DBE forms (0227f and 0312f) that were not attached to the original RFP. Thank you.

“Caltrans improves mobility across California”

ADM 0227F (Rev. 10/2006) Page 1 of 2

p. 152

Disadvantaged Business Enterprise (DBE) Participation form (ADM-0227F) should include the following information and documentation:

1.) Completing the top portion of the ADM-0227F form:

- **Contractor's Business Name:** Enter the legal business name as it is written on your Payee Data Record (STD 204).
- **Contract Number**
- **Contract Dollar Amount**
- **Contractor's Business Address:** Enter the legal business address as it is written on your Payee Data Record.

2.) Enter the name and address of each DBE firm that will participate in the Agreement including their area code and phone number, tier (if applicable), complete description of work to be performed or supplies to be provided by each DBE firm. This includes work that a DBE prime contractor has committed to perform with its own forces as well as the work that it has committed to be performed by DBE subcontractors, suppliers and trucking companies.

3.) **DBE Certification No.:** Check the applicable box(es) and enter any applicable certification numbers.

4.) **Enter Ownership Code, Gender, and DBE Dollar amount claimed or Percentage dollar value claimed** for each participating DBE.

5.) Attach a written confirmation from each DBE that is participating in the Agreement as provided in the prime contractor's commitment. A copy of the DBE's quote will serve as written confirmation.

6.) A DBE joint venture should submit the joint venture agreement with their DBE PARTICIPATION (ADM 0227F) form.

Submittal of only the Caltrans Bidder/Proposer DBE Information form ADM0227F may not provide sufficient documentation to demonstrate that an adequate good faith effort was made. Bidders/proposers who propose goal attainment should always submit documentation for making a "good faith effort" to protect their eligibility for award should the Department, in its review, find that the goal was not met. Some examples of disqualification are: 1) DBE subcontractor was not certified by Caltrans or a state or local participating agency, which has a reciprocal agreement with Caltrans, by the bid/proposal due date or 2) bidder/proposer made a mathematical error resulting in failure to meet the goal. Efforts that are merely pro forma are not good faith efforts to meet the goals.

Bidders/proposers shall submit the requested information below when applying for a determination of a good faith effort when no contract goals are attained or when only partial goal(s) have been attained.

1. ADVERTISEMENT DOCUMENTATION

List names and dates of each general circulation newspaper, trade paper and minority focused paper or other publication in which a request for DBE participation was placed. Attach a copy of the advertisements or proofs of publication.

Publication's Name	Publication Date(s)

2. DBE SOLICITATION DOCUMENTATION

- List the names and dates of written notices sent to certified DBEs soliciting bids for the contract.
- List the dates and methods used for following up initial solicitations to determine with certainty whether the DBEs were interested.
- Attach a copy of any solicitation package, phone records, fax confirmations or solicitation follow-up correspondence sent to DBE firms.
- Identify information submitted to the bidder for this solicitation:

Check the appropriate box or boxes: ☐ Invitation for Bid ☐ Request for Proposal ☐ Request for Qualifications

SOLICITATION				Names of Firms Solicited		Contact Name	Phone Number
Date Mailed	Date Phoned	Date of Follow-up	Follow-Up Method Phone/Mail				

2. Solicitation Continued

[illegible]

3. ITEMS OF WORK

3. ITEMS OF WORK
Identify the items of work which was made available to DBE firms, including, where appropriate, any breakdown of the contract work into economically feasible units to facilitate DBE participation. It is the bidder/proposer's responsibility to demonstrate that sufficient work to facilitate DBE participation was made available to DBE firms.

Items of Work:
Breakdown of Items:

4. DBE RESPONSES

4. **DBE FIRM CHOICE.**
List the DBE firms that responded or submitted bids/proposals to your solicitation for participation in this contract which were not accepted. Provide a summary of your discussions and/or negotiations with them, the name of the firm selected for that portion of work and the reasons for your choice. Attach copies of quotes from firms contacted.

[illegible]

5. ASSISTANCE TO DBEs - Bonding, insurance, etc.

Identify efforts to assist DBEs in obtaining bonding, lines of credit or insurance, and any technical assistance related to requirements for the work or for plans and specification provided to DBEs.

6. ASSISTANCE TO DBEs - Equipment/Materials, etc.
Identify efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services excluding supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate.

7. ADDITIONAL DATA
Provide any additional data to support a demonstration of good faith efforts such as contacts with DBE assistance agencies. Identify the names of agencies, organizations or groups providing assistance in contacting, recruiting and using DBE firms. Attach copies of requests to agencies and any responses received, i.e., lists, Internet pages, etc.

NAME OF AGENCY/ORGANIZATION	METHOD/DATE OF CONTACT	RESULTS

NOTE: Please use additional sheets of paper if necessary.

Question and Answers for Bid #65a0350 - Slow for the Cone Zone Campaign

OVERALL BID QUESTIONS

There are no questions associated with this bid. If you would like to submit a question, please click on the "Create New Question" button below.

Question Deadline: Nov 18, 2009 5:00:00 PM PST