



East Central Wisconsin  
Regional Planning Commission  
**ECWRPC**

# **Request for Proposals:**

## **VALLEY TRANSIT: RIDERSHIP AND FARE PAYMENT SURVEYS & NEENAH TRANSFER CENTER STUDY**

East Central Wisconsin Regional Planning Commission

**Date of Issuance: November 14, 2022**

**Proposals due: December 7, 2022 by 4pm CST**

**Catalog of Federal Domestic Assistance (CFDA) Number: 20.205**

**EC Project ID: 1324A-023-01**

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## Section 1 – General Information to Proposers

### 1. Background Information

#### About East Central Wisconsin Regional Planning Commission

East Central Wisconsin Regional Planning Commission is the official comprehensive, area-wide planning agency for the eight member-counties in the East Central Wisconsin including the counties of Calumet, Fond du Lac, Menominee, Outagamie, Shawano, Waupaca, Waushara and Winnebago. ECWRPC also serves as the Metropolitan Planning Organization for Appleton (Fox Cities) and Oshkosh, and as staff for the Metropolitan Planning Organization for Fond du Lac. East Central Wisconsin Regional Planning Commission, as the MPO and staff for the Fond du Lac MPO, receives PL funds for the MPO and follow the federal regulations as it relates to MPO Activities within 23 CFR 420 and 450.

#### About Valley Transit

Valley Transit provides safe and reliable public transportation to the many communities that comprise the Fox Cities. Valley Transit service area covers 117 square miles and serves of a population of 216,154. The following communities are served by Valley Transit: Appleton, Buchanan, Grand Chute, Kaukauna, Kimberly, Little Chute, City of Menasha, Fox Crossing, and Neenah.

Vision: Getting all people where they want to go, when they want to go. Mission: Valley Transit provides customer focused transportation, connecting our communities to enhance quality of life.

### 2. Project Summary

East Central WI Regional Planning Commission (ECWRPC) is issuing this “Request for Proposals” (RFP) to: 1. Conduct a Valley Transit Ridership Survey and Fare Payment Survey and 2. Complete a Neenah Transit Transfer Center Study.

The Consultant selected to complete this project will coordinate, work with, and work under the direction of ECWRPC staff for the completion of work described within this RFP. The engagement portion of this project will be guided by the soon-to-be released *ECWRPC Equitable Engagement Toolkit and Guidebook* which will be provided to the selected proposer to utilize. The deadline for completion of this project will be **Tuesday, October 31, 2023**.

### 3. Purpose

The purpose of this project is two-fold. The first part of this study to conduct an analysis of locations that would be suitable for a site for a new Neenah Transit Center along with an operations study. Currently there are four Valley Transit Routes that transfer at the downtown Neenah Transit Transfer Center and two Routes that are limited in the ability to move locations due to tight schedule timing.

The second part of this study includes the development, marketing, leading data collection efforts and a subsequent data analysis and final report of a Ridership Survey and a Fare Payment Survey for the entire Valley Transit system. It is anticipated that data collected from these surveys could be used as part of the analysis for Neenah Transit Center study.

A ridership survey is needed to accomplish three tasks: 1. Obtain a current picture of transit customers regarding demographics, usage and other data building off of the last rider profile completed in 2014; 2. Collect rider data and input concerning the transit center location in Neenah; and 3. Understand fare payment needs from our riders' perspective to help guide investment in future fare payment system technology and ensure equity.

The outcome of this project is to have a completed analysis of possible site location recommendations for relocating the downtown Neenah Transit Transfer Center and a completed Ridership Survey and Fare Payment Survey for Valley Transit. The completed project should provide solid guidance to ECWRPC staff and local communities in the form of final reports with recommendations for the Neenah Transit Transfer Center study and the Valley Transit Ridership Survey and Fare Payment Survey. Based on the Fare Payment Survey results, the analysis should also provide guidance for Valley Transit to ensure fare equity is accomplished when implementing various future fare payment solutions.

#### 4. Project Timeline

The project will commence on or around January 30, 2023, and all tasks must be completed by **October 31, 2023**. The final invoice must also **be received no later than Tuesday, November 7, 2023**.

#### 5. Request for Proposals (RFP) Process

This RFP will be publicly advertised and released in accordance with the applicable laws of the State of Wisconsin and shall include notification of the time and place when and where the RFP is issued. Vendors selected to enter into Contract for this project are considered subrecipients of federal funding, and will need to comply with 2 CFR 200 and 23 CFR 450 and 420. The RFP may be obtained from the primary contact:

Brenna Root, Associate Planner  
East Central WI Regional Planning Commission  
Attn: Valley Transit Ridership and Fare Payment Surveys & Neenah Transfer Study RFP  
400 Ahnaip Street, Suite 100  
Menasha, WI 54952  
Email: [broot@ecwrpc.org](mailto:broot@ecwrpc.org)  
Phone: (920) 751-4770

## 6. RFP Inquiries/Questions

All questions/inquiries must be directed in an email format with a subject line “**Questions – Valley Transit Study**” **no later than November 23, 2022 at noon** to:

Brenna Root, Associate Planner  
East Central WI Regional Planning Commission (ECWRPC)  
Email: [broot@ecwrpc.org](mailto:broot@ecwrpc.org)

ECWRPC will review all inquiries and questions received prior to the RFP submittal deadline and will address these questions on its website and as an addendum in VendorNet by noon on Wednesday, November 28, 2022. It is the responsibility of each Proposer to check ECWRPC’s website and/or VendorNet for questions and the corresponding answers. During the review or preparation of the RFP Proposal, if a Proposer discovers any errors, omissions, or ambiguities within the RFP, they should identify them in writing to ECWRPC *prior* to the RFP submission deadline.

## 7. RFP Proposal Submission

East Central Wisconsin Regional Planning Commission must receive all proposals no later than ***Wednesday, December 7, 2022 at 4pm CST. Late proposals will not be considered.*** An email confirmation will be sent upon receipt of proposal.

Applicants must submit **an electronic PDF version of the proposal.** Proposals must be emailed to: **Brenna Root, Associate Planner; Subject Line: Valley Transit Study Proposal; Email: [broot@ecwrpc.org](mailto:broot@ecwrpc.org)**

### a. General Instructions

The evaluation and selection of a contractor will be based on the information submitted in the proposal plus references and any required interviews/presentations or demonstrations. Proposers should respond clearly and completely to all requirements. Failure to respond to each of the requirements in the RFP may be the basis for rejecting a proposal. Elaborate proposals (e.g. expensive artwork), beyond what is sufficient to present a complete and effective proposal, are not necessary or desired.

**Document requirements: Times New Roman, Size Font – 12.**

**Each proposal must include the following:**

- Project Understanding and Work Plan
- Project Schedule and Timeline
- Description of Firm
- Project Team and Experience with Similar Projects
- Desired and Value-Added Capabilities
- Budget and Fee Information
- Completed forms provided in attachments A-C:
  - A: Confidential and Proprietary Information
  - B: Bidder’s Opportunity List
  - C: Assurance of Eligibility and Compliance

## Section 2 – Scope of Services

### **8. Scope of Services**

The proposal should closely follow the format of the Scope of Services and describe the Consultant's approach to completing each of the tasks outlined below. The proposal should provide sufficient detail to enable the selection committee to thoroughly evaluate and compare it to other proposals. It should include information sufficient to detail the work performed to accomplish each point and any other materials/ideas/data your firm believes is pertinent to this project.

#### **a. Neenah Transit Transfer Center Study**

The Consultant will work with ECWRPC staff, Valley Transit, and the City of Neenah to conduct an analysis of operations study and suitable site location recommendations for relocating the Neenah Transit Transfer Center.

##### **a. Research current conditions and background information**

In late 2022, a report was completed as part of a technical assistance project to examine potential new locations for the Neenah Transfer Center, which is currently located in Neenah at the corner of Church Street and W. Doty Avenue. Effective November 14, the Center is moving to a temporary location near E. Doty Ave and Walnut St. The selected Consultant will review this report along with other pertinent studies to understand current conditions. It is vital that the consultant understands the project from the City of Neenah's perspective as well as from Valley Transit's perspective to ensure that all needs are met, including the needs of riders.

##### **b. Examine route options and analyze operations**

The Consultant will work with ECWRPC staff, Valley Transit, and the City of Neenah to conduct an analysis of operations study and suitable site locations for relocating the Neenah Transit Transfer Center. The Consultant must be present during the engagement sessions and will be responsible for producing materials for the engagement events.

##### **c. Conduct community engagement**

The Consultant will work with ECWRPC staff, City of Neenah staff, and Valley Transit staff to conduct community engagement to gain input from riders. The ridership survey shall not be a substitute for this task; however, it may complement this step.

##### **d. Develop route and cost analysis for location options**

The consultant will develop a route and cost analysis for location options including operations adjustments or scheduling adjustments that would need to occur.

- e. Develop a final report with recommendations

The Consultant will analyze the data and develop produce a final report with recommendations.

### **b. Valley Transit Ridership Survey and Fare Payment Survey**

The Consultant will work with ECWRPC staff to develop a new ridership survey and fare payment survey, execute the data collection, analyze the results of the survey and present a final report with recommendations.

- a. Review previous survey data and develop new survey.

The Consultant will review the last ridership survey data and develop new survey questions. The last comprehensive rider profile was completed in 2014 prior to the COVID-19 pandemic. A new ridership survey would need to provide insight to understand the current riders needs for transportation.

- b. Develop methodology for collecting ridership and fare information.

The Consultant will utilize best practices for response rate and paper and digital response media. The Consultant will develop methodology for collecting both ridership and fare information. The Consultant will develop and create both a ridership and fare payment survey in both paper and digital formats. The survey should be translated into Spanish.

- c. Market survey and collect data.

The Consultant will market the survey and collect data for 2-3 weeks, including leading survey collection efforts, which may include distribution of surveys by riding buses and setting up pop-up events. It is anticipated that the surveys will be distributed in March or April of 2023 as this is when ridership is at its peak level.

- d. Analyze data and develop a final report with recommendations.

The Consultant will analyze the data and develop produce a final report with recommendations. The analysis shall include insights showing standard transit rider demographics, employment status, transit dependency, trip purpose, current usage, info sources, service rating, current fare payment method, smartphone usage, fare payment capabilities and other recommended customer response data based on the proposer's expertise. The analysis shall also include fare equity considerations based on survey results to guide future fare payment system investments.

### **c. Project Management Meetings**

The Consultant will have regular check-in meetings with ECWRPC staff, Valley Transit staff, and City of Neenah staff.



## Section 3 – Proposal Requirements and Evaluation

### 9. Proposal Requirements and Evaluation (Maximum of 100 points)

**Document requirements: Times New Roman, Size Font – 12.**

#### a. Evaluation and Scoring of Proposals

Accepted proposals will be reviewed by the ECWRPC selection team. The proposals will be scored using the following criteria:

Project Understanding and Work Plan	20 pts.
Project Schedule and Timeline	15 pts.
Description of Firm	15 pts.
Project Team and Experience with Similar Projects	15 pts.
Desired and Value-Added Capabilities	20 pts.
Budget and Fee Information	<u>15 pts.</u>
<b>Total Points</b>	<b>100 pts.</b>

#### b. Estimated Schedule of Events

This schedule is preliminary and subject to change.

Issuance of RFP	Monday, November 14, 2022
Question Submittal Deadline	Wednesday, November 23, 2022 by noon CST
Addendum Posted on VendorNet	Monday, November 28, 2022 by noon CST
Closing Date of RFP Response	Wednesday, December 7, 2022 by 4pm CST
Evaluation Committee Meets to Rank Proposals	Week of December 12, 2022
Interviews (only if needed)	Week of January 2, 2023
Contract Negotiation Meeting	Week of January 2 or January 9, 2023
Contract Approval	January 27, 2023
Begin Work on Contract	January 30, 2023

#### a. Project Understanding and Work Plan (20 possible points)

This section requires a discussion of the approach the firm will use to complete the project. The proposal shall include a clear and concise understanding of the project, the work to be completed, and the coordination required based on existing information. Elements that will be evaluated are:

1. Demonstrates understanding of the project.
2. Clear and concise explanation of specific tasks needed to accomplish the project.
3. Defines issues to be resolved in the course of the project.
4. Previous work and tools.
5. Coordination efforts.
6. General tools that will help within the study.

**b. Project Schedule and Timeline (15 possible points)**

This relates to the consultant's time requirements to complete those tasks identified. Elements that will be evaluated include:

1. Time required to complete individual tasks (duration).
2. Inter-relations between tasks (dependencies).
3. Key events during the project (milestones).
4. Critical input points from ECWRPC.

**c. Description of Firm (15 possible points)**

This is related to the firm and sub consultants. All sub consultants and their respective roles, qualifications, and experience must be clearly identified. This section will provide a basis for judging how well the firm's qualifications and experience relate to this specific project. Firm profile may be included. Elements that will be evaluated are:

1. Background & stability of firm (length of time in business, ownership, affiliations, financials, etc.).
2. Relevant projects the firm has completed (provide references).
3. Background of any sub consulting firm(s) used on this project, and an explanation of prior relationships with the consultant.
4. Relevant projects the sub consulting firm(s) has completed (provide references).
5. Provide three (3) references of individuals/agencies with contact information (i.e. phone numbers and e-mail) who can attest to your firm's ability to undertake and complete this project.

**d. Project Team and Experience with Similar Projects (15 possible points)**

This criterion relates to the project principal, project manager, key staff, and sub consultant staff. This section will provide a basis for judging how well the project team's qualifications, experience with similar projects, and time allocations related to this specific project. Individual resumes must be included. Elements that will be evaluated are:

1. Number of people and hours assigned to this project with information to be provided in a spreadsheet format that clearly identifies staff, hours, and associated costs.
2. Extent of principal and project manager involvement. Meeting with the Project Team as often as necessary to meet objective and additional meetings, as the consultant believes necessary to enhance this project.
3. Key project team members who worked on similar projects and unique qualifications that make them a valuable resource on this specific project, including experience with other consulting firms.
4. Key project team member roles during this project.
5. Does the project team cover all phases of this project?
6. Project Manager's technical and managerial experience with projects of similar scope and nature.

**e. Desired and Value-Added Capabilities and Solutions (20 possible points)**

The Consultant may submit any information they believe relevant that does not fit within the body of the proposal. This may include, but is not limited to brochures, company information, supplemental resumes, additional project descriptions, and any other information the consultant believes is useful. You may use this section to include innovative approaches your firm would take in working on this project or additional items that would complement the approaches outlined. This additional submittal will be reviewed and used by the Project Team.

#### **f. Budget and Fee Information (15 possible points)**

Proposed Consultant fees for **each phase** of this project must be submitted in a spreadsheet format. The fee structure relates to the total fee for this project as described by the consultant in Section 2, Scope of Services. Proposed resources for each task must be identified, including hours and wage rates for consultants and sub consultants. Work that the consultant would not provide, and must be provided separately by the ECWRPC must also be identified. Elements that will be evaluated include:

1. Availability of resources from the consultant and the sub consultant(s) for the project.
2. Estimated hours and fees to complete individual work elements.
3. Estimated total fee for the project, based on hourly rates including a not-to-exceed cap.
4. List of tasks not performed by the consultant or sub consultant(s) for project, which must be performed by the ECWRPC.
5. Identify what your firm considers reimbursable expenses and detailed costs of each. All costs, as requested, for furnishing the product(s) and/or services must be included in this proposal.

The proposed budget will be 15% of the overall score.

All prices must be quoted in U.S. Dollars.

## **Section 4 – Proposal Terms and Conditions**

### **10.RFP Document**

Information provided herein is intended solely to assist Proposers in the preparation of their Proposals. To the best of the ECWRPC's knowledge, the information provided is accurate. However, ECWRPC does not warrant such accuracy and any errors or omissions subsequently determined will not be construed as a basis for invalidating this RFP.

### **11.Ownership of Records**

ECWRPC will retain ownership of all interim and final documents and related materials that are either produced or developed in conjunction with the Consultant's contract. The Consultant is prohibited from copying or distributing any of these documents or other reports developed in conjunction with the East Central WI Regional Planning Commission (ECWRPC) without written permission from ECWRPC.

### **12.Acceptance of Proposal Content and Public Information**

Proposals will be treated as proprietary and confidential from the time of the receipt and throughout the review process; however, the Proposer shall understand that all submitted proposals become the property of the East Central WI Regional Planning Commission (ECWRPC) and information included therein or attached thereto shall become public record pursuant to Wisconsin State Statute after recommendation for endorsement of contract is made. Any specific portions of the proposals which the submitting firm desires to remain confidential due to legitimate "proprietary information" or "trade secret" must be identified in Attachment A. In the event that ECWRPC judges the information to be non-confidential, the Proposer will be notified and given the opportunity to change the designation or withdraw the proposal prior to evaluation.

### 13. Proprietary Information

All restrictions on the use of the data contained within a proposal and all confidential information must be clearly stated on the attached “Designation of Confidential and Proprietary Information” form (Attachment A). Proprietary information submitted in a proposal, or in response to the RFP, will be handled in accordance with the applicable Wisconsin State Statute(s).

To the extent permitted by the law, it is the intention of ECWRPC to withhold the contents of the proposal from public view until such times as competitive or bargaining reasons no longer require non-disclosure, in the opinion of ECWRPC. At that time, all proposals will be available for review in accordance with the Wisconsin Open Records Law.

### 14. Personnel and Subcontractors

1. The COMMISSION must approve or disapprove the selection of key personnel as identified in the application and/or this Agreement. Any new hires or changes in key personnel require prior written approval from the COMMISSION. Resumes, in sufficient detail to reveal the experience, education, and other general and specific qualifications for the position, must be submitted to the COMMISSION for its consent prior to approval of a candidate.
2. The CONSULTANT agrees to comply with the requirements regarding support of salaries and wages in 2 CFR Part 200.430, “Compensation-personal services.”

It is intended that a single contractor will have total responsibility for all services identified in this RFP. Therefore, any Proposer desiring to use a sub-contractor(s) must identify each on a document supplied as an attachment to the Proposal and titled attachment “Sub-contractors” and should include:

- their company’s name,
- the company’s principal owner(s),
- description of their involvement in the project, and
- qualifications for each aspect of this project they may work with.

The subcontractor(s) cannot be changed after submission of the Proposal without the written approval of ECWRPC. The Consultant is responsible for all actions, workmanship, performance, and payment for their subcontractor(s). A contract between the Consultant and the subcontractor must be signed within 14 business days of Consultant’s signed contract with ECWRPC. ECWRPC reserves the rights to a copy of the signed contract between the Consultant and the sub-contractors. ECWRPC reserves the right to terminate the terms of its contract in the event of Consultant’s failure to establish a signed contract between the Consultant and subcontractor within 14 business days. A copy of the final contract between the Consultant and the sub-contractor must be sent to ECWRPC within 21 business days of the Contract execution between ECWRPC and the Consultant.

### 15. RFP Proposal Costs

ECWRPC is not liable for any costs or expenses incurred by any Proposer in the preparation of the Proposal, attendance at any conference, or meeting related to this RFP. ECWRPC is not liable for payment of any amount to the selected proposer until the Contract has been awarded and executed by ECWRPC and the Contractor has performed

services pursuant to the Contract that entitle the Contractor to receive payment under the terms of the Contract.

## **16. Acceptance of Proposal Content**

By submitting a proposal, the proposer agrees that all or portions of the proposal's contents may become part of a contract, if accepted, and ECWRPC will reject any proposal submitted by a proposer who does not accept this condition.

## **17. Rejection of Proposals**

ECWRPC reserves the right to waive any informality, and/or to reject, at any time and for any reason, any and all Proposals received as a result of this RFP. East Central WI Regional Planning Commission's intent is to enter into a Contract as a result of this RFP. However, if, after reviewing the Proposals received, ECWRPC determines that ECWRPC should not enter into any contract, or to enter into a partial or different contract from the Contract contemplated by this RFP, ECWRPC will act in accordance with what ECWRPC determines at that time to be in its best interest. No Proposer or any other party has any entitlement, interest, or right in this decision by the ECWRPC and by submitting a Proposal, acknowledges ECWRPC's right to exercise its discretion in this regard without any right of recourse by the Proposer.

## **18. Insurance and Hold Harmless**

Per ECWRPC's Competitive Bid Policy and 2 CFR 200, the successful proposer will be required to provide proof of insurance prior to the signing the contract, which shall include the following types and amounts:

1. Comprehensive General Liability - \$1,000,000 combined single limits per Occurrence;
2. Auto Liability - \$300,000 combined single limits per occurrence; and
3. Worker's Compensation – coverage satisfying statutory provisions of Chapter 102, Wis. Stats.; not less than \$100,000 employer's liability.

In addition, "hold harmless" provisions will be contained in the contract with the successful proposer.

### **1. Contract Negotiations**

East Central Wisconsin Regional Planning Commission (ECWRPC) reserves the right to negotiate the award and conditions of the proposal prior to entering into a written agreement.

### **2. Applicability of State and Federal Regulations**

The selected contractor shall comply with all applicable terms and conditions of ECWRPC, the Wisconsin Department of Transportation, Federal Highway Administration.

The consultants and subcontractors will comply with federal regulations for 2 CFR 200 and 23 CFR 450 and 420.

1. 23 CFR 450.308 Funding for transportation planning and unified planning work programs.
  - a. Funds provided under 23 U.S.C. 104(d), 49 U.S.C. 5305(d), and 49 U.S.C. 5307, are available to MPOs to accomplish activities described in this subpart
  
2. 23 CFR 450.336 Self-certifications and Federal certifications.
  - a. For all MPAs, concurrent with the submittal of the entire proposed TIP to the FHWA and the FTA as part of the STIP approval, the State and the MPO shall certify at least every 4 years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:
    - i. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
    - ii. In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
    - iii. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
    - iv. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
    - v. Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
    - vi. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
    - vii. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27, 37, and 38;
    - viii. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
    - ix. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
    - x. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

### 3. Nondiscrimination & Equal Opportunity

As a recipient and sub recipient of state and federal funds, ECWRPC complies with State of Wisconsin and Federal Equal Opportunity Regulations (s. 16.765, Wis. Stats., s.51.01 (5), Wis. Stats.; Section 109 of the Housing and Community Development Act of 1974). ECWRPC also complies with Title VI of the Civil Rights Act of 1964, and the Civil Restoration Act of 1987 (P.L. 100.259). Any contract resulting from this RFP shall contain provisions referencing ECWRPC's and the Contractor's compliance with these regulations. ECWRPC has also complied with Title 15: Commerce and Foreign Trade, Section 24.36€ regarding affirmation steps to encourage small and minority firms, women's business enterprise and labor surplus area firms to respond to this RFP.

The Commission shall provide a copy of its Affirmative Action Plan and Title VI/Americans with Disabilities Act and Limited English Proficiency Plan to prospective proposers, if requested.

#### **4. Audits**

1. The CONSULTANT agrees to comply with audit requirements as specified in 2 CFR Part 200.
2. The CONSULTANT shall ensure audits are properly performed, and furnish the required data collection forms and audit reporting packages to the Federal Audit Clearinghouse (FAC). The CONSULTANT shall upload audit reports into the FAC through the Internet Data Entry System (IDES) at <https://harvester.census.gov/fac/collect/ddeindex.html#>.
3. The CONSULTANT shall provide any audit with findings related to this award, with copies of the reporting package (including corrective action plans), management letters issued by an auditor, and audit working papers, to the COMMISSION.
4. The COMMISSION will seek to issue a management decision to the CONSULTANT within six months of receipt of an audit report with findings, and the CONSULTANT shall take timely and corrective action to comply with the management decision.
5. The COMMISSION reserves the right to conduct an independent follow-up audit.

#### **5. National Policy Requirements**

##### **1. Debarment and Suspension**

The CONSULTANT agrees to comply with 2 CFR Parts 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” and 1125, “Department of Defense Nonprocurement Debarment and Suspension.” The CONSULTANT also agrees to communicate the requirement to comply with Parts 180 and 1125 to entities and persons at the next lower tier with whom the recipient enters into transactions that are “covered transactions” under Parts 180 and 1125.

##### **2. Drug-Free Workplace**

The CONSULTANT agrees to comply with Subpart B, “Requirements for Recipients Other Than Individuals,” of 32 CFR Part 26, “Governmentwide Requirements for Drug- Free Workplace (Financial Assistance).”

##### **3. Hatch Act**

The CONSULTANT is advised that its employees may be subject to the Hatch Act (5 U.S.C. § 1501-1508). If doubt exists in particular cases, the CONSULTANT should seek legal counsel.

##### **4. Universal Identifier Requirements and Central Contractor Registration**

The CONSULTANT agrees to comply with the requirements of 2 CFR Part 25, as amended, “Universal Identifier and Central Contractor Registration.” The System for



Award Management (SAM) has replaced the CCR system. Any bidder must be registered in SAM.gov *prior* to responding to this RFP.

**5. Trafficking Victims Protection Act of 2000**

The CONSULTANT agrees to comply with the requirements of 2 CFR Part 175, "Award Term for Trafficking in Persons."

**6. Reporting Sub-award and Executive Compensation Information**

The CONSULTANT agrees to comply with the requirements of 2 CFR Part 170, "Reporting Sub-award and Executive Compensation Information."

**7. Restrictions on Lobbying**

The CONSULTANT agrees to comply with the requirements of 31 U.S.C. § 1352, "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions." Appropriated funds cannot be used to pay any person to influence or attempt to influence employees of any agency or Congress. Links to the requirements referenced above as well as the full listing of all National Policy Requirements are provided on the FHWA/DOT website at <https://highways.dot.gov>.

## 6. Prior Written Approval

The purpose of this project is to work with ECWRPC, Valley Transit, and the City of Neenah on the Neenah Transit Center study and the Ridership and Fare Payment surveys for the Valley Transit system. Any changes in the project/program described in the application to include those identified below require prior written approval from the COMMISSION in the form of an amendment request:

1. Changes in the specific activities described in the application
2. Changes in key personnel as specified in the application and/or this agreement
3. Changes in the scope of work contained in any solicitation and/or request for proposals
4. Need for additional Federal funds
5. Budget reallocations that exceed 10 percent of the total budget among approved direct cost categories or are transferred to new budget line items
6. Changes in indirect cost rates or recertification of expired indirect cost rates during the project period unless otherwise specified in this Program agreement
7. Requests to purchase equipment (including software) with an estimated acquisition cost of more than \$5,000
8. Requests to use Federal and/or non-Federal match funds for food and/or beverages in conjunction with meeting costs

## 7. Separate Bank/Fund Accounts

1. The CONSULTANT is not required to establish a separate bank account but may do so. The CONSULTANT, however, must maintain accounting records to adequately identify the source and application of Program funds. Other considerations, such as Federal Deposit Insurance Corporation coverage, shall be in accordance with the provisions of 2 CFR Part 200.



## **8. Reimbursement for Travel**

1. Reimbursement for travel (transportation, food, and lodging) in the performance of Program activities shall be consistent with those normally allowed in like circumstances in Federally sponsored activities of the CONSULTANT. CONSULTANTS may follow their own established rate but any travel allowance policies in excess of Federal limits must receive prior approval from the COMMISSION.

**ATTACHMENT A: Designation of Confidential and Proprietary Information**

\_\_\_ This firm is NOT designating any information as proprietary and confidential under Sect 19.36(5) of Wisconsin State Statute or under the Wisconsin Open Records law.

\_\_\_ This firm IS designating the below information as propriety and confidential under Sect 19.36(5) of Wisconsin State Statute or under the Wisconsin Open Records law. *(If checked, please complete all portions below.)*

The attached material submitted in response to this Proposal includes propriety and confidential information which qualifies as a trade secret, as provided in Sect 19.36(5), Wisconsin State Statutes, or is otherwise material that can be kept confidential under the Wisconsin Open Records law. As such, we ask that certain pages, as indicated below, of this proposal response be treated as confidential material and not be released without our written approval.

Prices always become public information when proposals are opened; therefore, they cannot be designated as confidential.

<b>Section</b>	<b>Page Number</b>	<b>Topic</b>

*Attach additional sheets, if necessary.*

Other information cannot be kept confidential unless it is a trade secret. Trade secret is defined in Sect. 134(90)(1)(c) Wis. State Statutes as: “information, including formula, pattern, compilation, program, device, method technique or process to which all of the following apply:

- 1. The information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.
- 2. The information is the subject of efforts to maintain its secrecy that are reasonable under the circumstances.

In the event the Designation of Confidential of this information is challenged, the undersigned hereby agrees to provide legal counsel or other necessary assistance to defend the Designation of Confidentiality.

Failure to include this form in the proposal response may mean that all information provided as part of the proposal response will be open to examination or copying. East Central Wisconsin Regional Planning Commission considers other marking of confidential in the proposal document to be insufficient. The undersigned agrees to hold East Central Wisconsin Regional Planning Commission harmless for any damages arising out of the release of any material unless they are specifically identified above.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Name (type or print)**

## ATTACHMENT B: Bid Opportunity List

49 Code of Federal Regulations Part 26.11 requires the Wisconsin Department of Transportation to develop and maintain a "bid opportunity list." The list is intended to show all firms that are participating, or attempting to participate, on DOT-assisted contracts. The list must include all firms that bid on prime contracts or bid or quote sub-contracts and materials and supplies on DOT-assisted projects, including DBEs and non-DBEs. For consulting companies, this list must include all sub-consultants contacting you and expressing an interest in teaming with you on a specific DOT-assisted project. Vendors must complete and submit this form with all bids and/or proposals.

Vendors **MUST** complete and submit this form with all bids and/or proposals. Note that there are two sections to this attachment: one for the Prime Contractor; and one for Subcontractors and Sub-consultants, which consists of two parts. ***Please review this attachment thoroughly as sections 1 and 2 MUST both be completed.***

### Section 1: Prime Contractor/Consultant Bidding on this Project (Proposer)

Name of Bidder:

Bidder Contact Information (address, phone, email):

DBE Status:

Age of Firm:

Type of Work:

Annual Gross Receipts:

Annual Gross Receipts (please selection one):

Less than \$500,000

\$500,000 - \$999,999.99

\$1 million - \$1,999,999.99

\$2 million - \$4,999,999.99

\$5 million and above

### Section 2: Subcontractors and Sub-consultants

Prime Contractor to complete "Name of Bidder" and "Bidder's Contact Information", plus any information available in the remaining categories. Please complete one for each subcontractor/sub-consultant contacting you and expressing an interest in teaming with you on this project. For multiple sub-contractors, you may attach as many additional pages

## ATTACHMENT B: Bid Opportunity List

necessary. *Section 2A MUST be completed by all Prime Contractors bidding on this project* to indicate interest from potential subcontractors/sub-consultants.

### Section 2A: Subconsultant/Sub-contractor

Prime Consultant's firm was contacted by subcontractor/sub-consultant expressing interest in teaming on this project (*please continue to section 2B*)

Prime Consultant's firm was NOT contacted by subcontractor/sub-consultant **expressing interest** in teaming on this project (*no need to continue on to Section 2B*)

### Section 2B: Subcontractor/Sub-consultant Contact Information

Name of Subcontractor/Sub-consultant:

Subcontractor/Sub-consultant Contact Information (address, phone, email):

DBE Status:

Age of Firm:

Type of Work:

Annual Gross Receipts:

Annual Gross Receipts (please selection one):

Less than \$500,000

\$500,000 - \$999,999.99

\$1 million - \$1,999,999.99

\$2 million - \$4,999,999.99

\$5 million and above

## ATTACHMENT C: Assurance of Eligibility and Compliance

### Part 1: Proposer's Assurance of Eligibility and Compliance

In submitting this proposal, the Proposer agrees, to the best of its knowledge, that the following eligibility criteria have been met. Failure to indicate Proposer's ability to comply with any of the following will disqualify a Proposer from consideration. Indicating ability to comply to the following provisions does not automatically guarantee Proposer will be granted the Contract, as the assurance only indicates Proposer's eligibility to be considered.

*By signing below, the Proposer, to the best of his/her/their knowledge, assures the following eligibility conditions are met:*

- Proposer's firm is registered in sam.gov and is eligible to work on federal contracts in the United States
- Proposer meets the following minimum insurance requirements and is able to provide certificates of insurance upon Contract execution:
  1. Comprehensive General Liability - \$1,000,000 combined single limits per Occurrence;
  2. Auto Liability - \$300,000 combined single limits per occurrence; and
  3. Worker's Compensation – coverage satisfying statutory provisions of Chapter 102, Wis. Stats.; not less than \$100,000 employer's liability.

In addition, "hold harmless" provisions will be contained in the Contract with the successful proposer.

- Ability to comply with the Contract's terms and provisions and all applicable statutes, laws, and regulations as outlined in the Request for Proposals in Section 4 – Proposal Terms and Conditions.

Signature \_\_\_\_\_

Name and Title \_\_\_\_\_

Date \_\_\_\_\_

**ATTACHMENT C: Assurance of Eligibility and Compliance**

**Part 2: Notice of Intent to Sub-Contract**

If selected to enter into Contract with ECWRPC, the Proposer (please check one):

will be engaging with sub-contractors to fulfill the terms of the Contract

will not be engaging with sub-contractors to fulfill the terms of the Contract

If the Proposer will be engaging with sub-contractors to fulfill the terms of the Contract, please complete the following section by checking the applicable boxes below.

The sub-contractor(s) has/have been identified in the attached proposal.

If awarded the Contract, Proposer agrees to execute a signed Contract between Proposer and sub-contractor(s) as outlined on Page 11 of the RFP.

If awarded the Contract, Proposer agrees to send a signed copy of the executed Contract between Proposer and sub-contractor(s) to ECWRPC as outlined on Page 11 of the RFP.

Signature \_\_\_\_\_

Name and Title \_\_\_\_\_

Date \_\_\_\_\_