

**REQUEST FOR PROPOSALS
FOR A CONSULTANT TO CONDUCT PHASE 2 OF THE
METROLINK SYSTEM-WIDE SECURITY ASSESSMENT**

*A COMPREHENSIVE SECURITY PROGRAM FOR METRO TRANSIT
Solicitation # 030119-METRO*

This RFP was revised on February 15, 2019 to correct an error in the Task 4 deliverables (see page 10). Please refer to Q & A – Addendum #1 for a description of the modification.



**EAST-WEST GATEWAY
Council of Governments**

Creating Solutions Across Jurisdictional Boundaries

**1 S. Memorial Drive, Suite 1600
St. Louis, MO 63102**

*February 8, 2019
REVISED February 15, 2019*

**Request for Proposals
for
A Consultant to Conduct Phase 2 of the
MetroLink System-Wide Security Assessment**

East-West Gateway Council of Governments (the Council) is seeking proposals from a consultant or a team of consultants to develop a comprehensive security program for Metro Transit as part of Phase 2 of the MetroLink System-Wide Security Assessment.

Submittals are due no later than 1:00 p.m. local time on March 1, 2019 to the following address:

<p>“RFP – # 030119-METRO” c/o Mr. James M. Wild Executive Director East-West Gateway Council of Governments 1 S. Memorial Drive, Suite 1600 St. Louis, MO 63102-2451</p>
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Section III contains the formatting, content, and other requirements for a submittal. ***Unless otherwise due to extenuating circumstances and approved by the Council in advance, any submittals received after the date and time listed above will be rejected and returned unopened.***

Pre-Submittal Meeting – An **optional** pre-submittal meeting is scheduled at the Council’s offices. Please refer to Section IX of this RFP for more information regarding this meeting.

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Attachments*

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- A Price Proposal
 - B Firm Information
 - C Affirmative Action Checklist
 - D Contract Terms & Conditions Comments
 - E RFP Minimum Requirements Checklist
 - F D/S/W/MBE Participation Form
 - G Letter of Intent to Perform as a D/S/W/MBE

**Fillable / savable version of Attachments A through G can be found on the Council's website at www.ewgateway.org/about-us/what-we-do/doing-business-with-ewg/contracting-opportunities/.*

Appendices**

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- 1 Evaluation Criteria & Factors
 - 2 Draft Contract Terms & Conditions
 - 3 Conflicts of Interest Policy
 - 4 Firm Responsibility Questionnaire
 - 5 FAQs – Submittal Requirements

***Appendices are available on the Council's website at www.ewgateway.org/about-us/what-we-do/doing-business-with-ewg/contracting-opportunities/.*

Metro Transit records nearly 38 million boardings a year on the system, providing riders with access to 38 MetroLink stations and 46 miles of light rail. MetroBus offers 83 routes, and Metro Call-A-Ride records nearly 600,000 boardings a year for paratransit passengers. Leadership of the St. Louis metropolitan region, including the City of St. Louis, St. Louis County, St. Clair County, East-West Gateway Council of Governments and Metro Transit, know that a safe, efficient and reliable transit system is critical to the economic, environmental, and social sustainability and quality of life of the region. Keeping transit customers and employees safe across the nearly 600 square miles of service area requires careful organization and collaboration within and across organizational and jurisdictional boundaries. This challenge is not unique to the St. Louis region. Transit providers across the country are faced with the task of clearly defining roles and authority for keeping systems safe and secure for their users.

Security on the Metro transit system has been a growing topic of concern and discussion in recent years. Crime, and the perception of it, continues to be a concern to the users and operators of the system. Responding to several violent episodes, the city of St. Louis Mayor Lyda Krewson, St. Clair County Board Chairman Mark Kern, and St. Louis County Executive Steve Stenger, whose jurisdictions fund Bi-State, in addition to John Nations, former CEO of Bi-State, signed a Memorandum of Understanding (MOU) in May 2017 outlining a plan to improve MetroLink security in cooperation with law enforcement. The MOU demonstrates unprecedented collaboration on the part of the City of St. Louis, St. Louis County, St. Clair County, and Bi-State.

Phase 1 of the MetroLink System-Wide Security Assessment project was originally conceived as a study to determine the feasibility and cost of installing barrier systems at MetroLink stations. Based on a review of peer light rail and streetcar systems, it was determined that virtually all light rail and streetcar systems in the United States have barrier-free and proof of payment systems similar to the existing MetroLink. Even closed stations that control access with barriers and turnstiles are vulnerable to individuals who truly want to access a platform without paying a fare by jumping the turnstiles and/or walking along the tracks and jumping onto the platform. The only way to stop this behavior would be to have staff at the stations to deter people from accessing the platform at places other than the intended access points. In a proof of payment system, these same staff resources could be applied to fare enforcement and security.

Over time, the Phase 1 project's scope evolved into a more comprehensive assessment of the overall security at MetroLink stations and aboard MetroLink trains. In 2018, the Council oversaw the Phase 1 MetroLink System-Wide Security Assessment. The Assessment examined current security practices, assessed threats and vulnerabilities, and made recommendations to improve security on the MetroLink system. The final Phase 1 report will be presented to the Council's Board of Directors in February 2019. A copy of the Phase 1 Existing Conditions report and the Best Practices report can be accessed on the Council's website at: www.ewgateway.org/contracting-opportunities/rfp-030119-metro. The Council anticipates releasing the Phase 1 Final Recommendations on February 22, 2019. This report will be made available on the Council's website and will be emailed to all firms that attend the pre-submittal meeting.

The purpose of Phase 2 will be to implement and expand upon the security planning and policy recommendations from Phase 1, with a more comprehensive focus on the entire Metro transit system. Infrastructure improvements including modifications to stations, facilities or vehicles and technology improvements are not a part of this project and will be addressed by Metro through future capital improvements. As such, the consultant selected for this project (the Consultant) will develop a

comprehensive security program for Metro that includes light rail, buses, and facilities. The Council will manage the Consultant and help facilitate the process. The Consultant will work closely with Council staff, Metro staff, and law enforcement partners to develop the plan.

The Federal Transit Administration requires that all public transit providers receiving federal funding have certain safety and emergency management plans in place. Metro is in compliance with these requirements, however, among the findings of the Phase 1 MetroLink Security Assessment, these plans are not necessarily coordinated with security policies and activities. Efforts could be strengthened by implementing a more coordinated structure under which the various plans are developed and executed. Cooperative relationships between Metro, their jurisdictional partners, and transit stakeholders have become strained. Garnering cooperation and support from law enforcement partners and stakeholders and building trust as Metro moves forward to provide the safest and most secure system possible is crucial. The Consultant must have a strong track record in fostering collaboration and relationship-building.

The focus of this project will be to develop a comprehensive security program that is coordinated with Metro's safety and emergency management functions to ensure optimal plans and procedures are in place. Development of this program will build on the recommendations from Phase 1 and will be done collaboratively with the jurisdictions who partner with Metro to ensure a secure transit system and inviting customer environment.

A. Tasks

The Consultant selected for the project will perform the tasks described below. Each responding firm's submittal must clearly describe the firm's approach to each task. Firms are encouraged to propose an approach that will the Council and the Partners to accomplish the project goals, even if this approach is unique or different than what is described in this Section II. If the responding recommends an approach that is different than what is described below, the responding firm's submittal should clearly explain its approach and how that approach will allow the Council and the Partners to achieve the project goals.

Task #1 – Project Management / Administration

The Consultant must oversee all aspects of the project. The Consultant must meet regularly with the Council and Metro throughout the project period. At the beginning of the project, the Consultant, the Council, and Metro will hold an in-person kick-off meeting to discuss the Consultant's approach to the project, recommendations for the project, the project management plan (PMP), and schedule. The Consultant will develop and submit a final PMP and project schedule within 30 days of issuance of notice to proceed. The PMP must be based on input provided by the Council and Metro at the kick-off meeting. The Consultant will hold regular conference calls with the Council and Metro staff and must conduct periodic in-person meetings with the Council and Metro at key points throughout the project period. The final project schedule will be approved by the Council and the Consultant must adhere to the approved schedule.

The Consultant must also submit regular invoices and progress reports to the Council and provide the Council with the information that it needs to complete its reports to the funding agencies. The Consultant will need to be available to answer any follow-up questions regarding its work or the information provided in its reports.

Task 1 Deliverables:

- ❖ *Project management plan*
- ❖ *Detailed project schedule, in agreed upon format*
- ❖ *Invoices, in approved format¹*
- ❖ *Progress reports, in approved format²*
- ❖ *Other information, as needed*
- ❖ *Weekly progress meetings, either in person or via conference call*
- ❖ *Meeting minutes from weekly progress meetings*

Task #2 – Partner Collaboration & Stakeholder Engagement

Metro's transit system is a regional asset and it takes regional cooperation and coordination to keep it running safely and securely. It is essential that this project include collaboration with relevant stakeholders including law enforcement, jurisdictional partners, and governing entities including the Bi-State State Safety Oversight and Federal Transit Administration, as appropriate. The Consultant must, in

¹ A sample of the invoice format is provided in Appendix 2, Attachment 1.

² A sample of the progress reporting format is provided in Appendix 2, Attachment 2.

coordination with the Council and Metro, develop a stakeholder engagement plan, as well as a mechanism to capture the feedback received for this project. This mechanism must capture all the relevant details of stakeholder engagement including time, date, location of the meetings, participants, and comments and feedback. The Consultant's submittal should clearly describe its proposed stakeholder engagement approach.

The Consultant must provide for the logistics and preparation required for all project outreach, including the kick-off meeting and stakeholder interviews and meetings. Logistics and preparations include, but are not limited to, securing meeting facilities, inviting meeting participants, and preparing materials to be used at the meetings (i.e. agendas, presentations, informational hand-outs, etc.).

The Consultant must also prepare public outreach reports, when applicable, in the format specified by the Council. Currently, the public outreach reports are in an on-line/web-based format.

All outreach must comply with the Council's Title VI Program and be consistent with the Council's Public Involvement Plan.³

Task 2 Deliverables:

- ❖ *Partner Collaboration and Stakeholder Engagement Plan*
- ❖ *Meeting logistics planning and related minutes/records*
- ❖ *Presentations*
- ❖ *Public outreach reports as specified by the Council*

Task #3 – Establish the Security Vision & Objectives

The Consultant will work with Metro and their law enforcement and jurisdictional partners to establish a regional vision to keep the Metro Transit system safe and secure. The Consultant will develop objectives to help achieve the vision. The Consultant will organize and manage the logistics for and facilitate this task.

Task 3 Deliverables:

- ❖ *Metro's Security Vision and Objectives*

Task #4 – Develop Comprehensive Security Program

The Consultant will develop a comprehensive security program for Metro. This program shall focus on security, refine emergency management procedures, and be integrated with Metro's Safety program. The graphic below shows a general depiction of this comprehensive framework and is intended to be an example of what the final program could include. It is not intended to be an exact representation.

³ The Council's Title VI Program and Public Involvement Plan can be accessed on the Council's website at: www.ewgateway.org/about-us/what-we-do/title-vi/. See also, Appendix 2, Title VI Requirements for Public Meetings.



A Comprehensive Security Program will be developed to address the applicable recommendations from the Phase 1 – MetroLink System-Wide Security Assessment Recommendations Report. The program the Consultant develops should be customer-focused and include all aspects of security including strategy, personnel, procedures, training, and policies. The development of this plan should include a review and update, as necessary, of relevant Metro and law enforcement SOPs, training procedures, and other policies. This plan will include, but not be limited to the following elements. These elements are taken from the MetroLink System-Wide Security Assessment Recommendations Report which *will be available on February 22, 2019.*

- Security Strategy
 - Develop a strategic security plan
 - Coordinated risk-based deployment based on data and understanding of the system
 - Customer focused
 - Community policing focus appropriate for transit environment
 - Coordinate with safety and emergency management plans and policies
 - Ensure consistent use of all available data
 - Data collection and analysis
 - Data ownership and sharing
 - Centralized crime reporting database with defined access/users
 - Trends inform security deployment and strategy
- Personnel structure and deployment
 - Security Personnel Structure (Inclusive of Metro Employees, Law Enforcement, and Contract Personnel)
 - Clearly defined roles and responsibilities
 - Determine/define legal authority of each entity
 - Ensure all current personnel are clear on direction and objectives
 - Determine staffing levels and responsibilities for each entity necessary to implement the security strategy – by shift and location
 - Law enforcement response policies
 - Command structure

- Staff selection and job descriptions
- Standard high-visibility uniform and equipment for all security personnel
- Training
 - Community policing model – transit-specific procedures to support the Metro security vision
 - De-escalation for varied situations – mental illness, homeless persons, disorderly persons
 - Baseline security awareness for all Metro employees
- Personnel Deployment (Inclusive of Metro Employees, Law Enforcement, and Contract Personnel)
 - Base deployment strategies
 - Recommendations for data-driven, targeted deployment strategies
 - Develop appropriate staffing requirements
 - Address jurisdictional boundaries
- Coordination and communication
 - Communication protocols and training
 - Metro internal
 - Between partners – finalize efforts for shared radio communications
 - Media relations and external customers
 - Data collection, reporting, and sharing (consistent across the system)
 - Relationships
 - Rebuild positive relationships between Metro and partners around a common vision developed collaboratively
 - Remove conflict from the public realm and deal with differences in closed meetings (determine a process and venue for doing this)
 - Present a united front focused on improving security
 - Contracts with each law enforcement jurisdiction and security provider
 - Emphasize community policing
 - Appropriate staffing requirements for each jurisdiction/agency
 - Performance requirements including response procedures
 - Appropriate oversight/supervision
 - Emphasize active security and defined purpose to support security vision in contracted security services
 - Data sharing
 - Deployment coordination
- Policies and procedures
 - Clearly defined authority and use-of-force policies (including use of firearms)
 - Standard operating procedures
 - Revise to reflect customer focus
 - Ensure they cover emergencies
 - Training as necessary and appropriate
 - Implement internal affairs function/complaint review process (Metro internal)
 - Fare enforcement and evasion policies (including ticketing and prosecution)
 - Establish clear legal authorization for fare enforcement in each civil jurisdiction
 - Establish clear, consistent fare enforcement policies that ensure all customers are treated fairly
 - Post signs clearly stating fare policies
 - Enforce policies consistently and fairly

- Provide training/emphasize de-escalation
- Use fare enforcement to increase engagement with customers and demonstrate security presence on the system
- Establish desired inspection rate targets
- Evaluate the need for hand-held validator/inspection devices
 - Ensure policies are supportive of future mobile ticketing applications
- Passenger code of conduct
 - Refresh Metro’s rider rules & responsibilities to support safety, security, and quality of life for users of the system
 - Post updated code of conduct consistently on vehicles, stops, stations, and public buildings
 - Enforce code of conduct by civil penalty or arrest
 - Ensure all security personnel and Metro staff know the code and are trained in appropriate enforcement methods
- Consistent signage and wayfinding

As part of the development of the Comprehensive Security Program, the Consultant will review Metro’s emergency management, operations, and safety plans, and will determine how security functions should coordinate with these plans. Improvements will be recommended where needed.

Task 4 Deliverables:

- ❖ *Comprehensive Security Management Program*
- ❖ *Technical Memorandum - coordination/integration with Emergency Operations Plan (EOP) and ~~System Safety Management Plan (SSMP)~~ System Safety Plan (SSP)*
- ❖ *Assistance with developing and negotiating contracts with law enforcement agencies and security providers*
- ❖ *Technical Memorandum - necessary training programs defined and identified*

Task #5 – Proactive Communication Protocol

The Consultant will review Metro’s existing communication protocols for safety, security, and emergency management and make recommendations for a refined communication protocol to support the Comprehensive Security Program. This protocol should include, but is not limited to –

- Emergency communication procedures
 - Chain of command
 - Central communication hub
- Media communication
- Customer alerts

Task 5 Deliverables:

- ❖ *Proactive Communication Protocol*

B. Project Schedule

Responding firms should be aware that, in order for the Council to meet its grant expenditure deadline, this project must be completed in strict adherence to the schedule approved by the Council. It is anticipated that this project may take up to nine (9) months to complete. The estimated start date for the project is May 1, 2019. All contract work must be completed within this project timeframe, unless the performance period is changed using the methods described in the agreement between the Council and the Consultant. The performance period may be adjusted to accommodate the actual start date of the project.

Each firm responding to this solicitation must include in its submittal a commitment to comply with the project schedule that, at a minimum, outlines the major milestones for the project, when those milestones will be completed, including final delivery of the work products. The final project schedule will be approved by the Council. ***Submittals that do not contain a project schedule may be deemed non-responsive and rejected.***

A. Formatting & Other Requirements

Submittals must conform to the following parameters*:

Page #	No more than 25 pages, exclusive of the required attachments
Page Size	8.5" X 11"
Page Orientation	Portrait, Landscape, or Both
Margins	1"
Font Size	Not less than 11 point font
Font Type	No requirement

*The submittal requirements listed above **do not** apply to work samples OR to the Attachments (forms).

Each responding firm must provide both printed and electronic copies of its submittal, including attachments and work samples, as described below. In addition to the parameters noted above, the submittal must adhere to the requirements described below for both the print and electronic versions.

Print Version – Submittal w/ Attachment A included*

# of Copies	8
Tabbing	Divide with tabs, organized in accordance with the outline provided in Part B below
Binding	No binder clips, paper clips, etc. (can use spiral binding, comb binding, etc.)

*Note that the work samples may **NOT** be included as part of the printed submittal but must be submitted as separate documents. **Attachments B through G are required in electronic format only – printed versions are NOT required.**

Print Version – Work Samples*

# of Copies	2 of each sample (4 total)
Tabbing	Not required
Binding	Not required

*Note that the work samples may **NOT** be included as part of the printed submittal but must be submitted as separate documents.

Electronic Versions

Submittal + Attachments	1 copy in *.pdf format
Attachment A	1 copy in *.xls or *.xlsx format
Work Samples	1 copy of each sample (2 total) in *.pdf format, unless URL is provided in lieu of a *.pdf
Storage Format	1 CD, DVD, or other external storage device (e.g. USB flash drive)

Several attachments require a signature and the electronic versions of these attachments **must include a signature**. A list of these attachments is provided below.

B	Form #2 – Statement of Past Performance AND Form #3 – Firm Responsibility Certification
D	Contract Terms & Conditions Comments
E	RFP Minimum Requirements Checklist
F	D/S/W/MBE Participation Form
G	Letter of Intent to Perform as a D/S/W/MBE

Additional information about the submittal requirements can be found in *Appendix 5 – FAQs – Submittal Requirements*.

B. Content

All of the items listed below must be addressed and included in each submittal. ***If all of these items are not provided in a firm’s submittal, then the Council may deem the firm’s submittal non-responsive and may not evaluate the submittal.***

The Council reserves the right to waive minor errors, omissions, or technicalities as determined to be in the best interest of the Council and that do not impede the Council’s ability to evaluate a responding firm’s quality of work, experience, or capability to perform the requested work.

In addition to the items noted below, each firm should ensure that its submittal provides any information that will be relevant to the evaluation process (see Section IV and *Appendix 1 – Evaluation Criteria & Factors (“Appendix 1”)*).

Sub-Part 1 – Approach & Qualifications

1. **Letter of Interest.** This letter must summarize the firm’s approach to the project and describe how the firm is particularly qualified to complete the work described in Section II. The letter must:
 - (a) commit the submittal for a minimum of 90 calendar days,
 - (b) include the name, phone number, and e-mail address of the person who the Council should contact in the event that questions arise regarding the firm’s submittal, and
 - (c) be signed by a firm principal.

2. **Project Approach.** The general scope of work for the project has been developed by the Council’s staff and is provided in Section II. Each firm’s submittal must include further detail about the specific methodology or approach that the firm intends to use to complete the project. Specifically, the description should, at a minimum, address each task listed in Section II and the following:

- (a) The firm’s approach, including project management, and how this approach will benefit the Council and allow the Council to accomplish its goals for the project.
 - (b) Any unique methods that the firm may employ to complete the project and why these methods are particularly well-suited to the project.
 - (c) A proposed project schedule (see Section II, Part C).
3. Qualifications. Each submittal must indicate the qualifications of the responding firm as it relates to the services requested in this RFP. The qualifications should be described in a brief narrative regarding the firm’s capabilities to carry out the project, including special assets, areas of expertise, analytical tools, or data sources to which the firm has access. The firm must have expertise in the field of safety and security, preferably with some experience specifically in transit security. The qualification summary must also include the following:
- (a) *Experience Summaries* – For each key person that will be assigned to the project, the submittal must include an experience summary. The summary should clearly identify the key person’s prior experience on similar projects, in similar roles, and outline the responsibilities the person will have in the context of the Council’s project. An experience summary must be provided for the following key personnel, as applicable:
 - ❖ Account management personnel
 - ❖ Project management
 - ❖ Personnel with specialized experience needed to complete the work*Full resumes should be included as an attachment to the submittal.*
 - (b) *Team Organization Chart* – A graphic representation of the team members that will be assigned to the project. The chart must show:
 - (i) the hierarchy of the team structure (i.e. who reports to who for purposes of the project);
 - (ii) the name and title of each individual show in the organization chart;
 - (iii) the firm for which each key person works; and
 - (iv) the role the key person will have during the project (e.g. Project Manager).
 - (c) *Addresses* – The address of the office in which each key person currently works.

Changes to Key Personnel – By responding to this RFP, a firm agrees that the key personnel that the firm identifies in its submittal will be available for the entirety of the project, throughout the term of the contract, as long as that individual is employed by the responding firm or unless the Council agrees to a change in key personnel.

- (d) *Time Availability for Key Personnel* – Each submittal must include the *Time Availability for Key Personnel Form* that is included in this solicitation.

- (e) *Prior Work Experience / Past Performance* – Each submittal must include information about no less than 2 projects similar in type and scope to the project described in this RFP. The projects must have been undertaken by the responding firm within the previous 5 years. In addition, for **each** project, the submittal must include a *Prior Work Experience / Past Performance Form* that is included in this solicitation.
- (f) *Work Sample(s)* – Each responding firm must submit 2 printed and bound copies and 1 electronic copy of at least 2 work samples that meet all of the following requirements:
 - (i) demonstrate that the responding firm has completed a project similar in type, scope, and magnitude to the project described in this RFP,
 - (ii) demonstrate that the responding firm’s proposed key staff persons have performed work for / played roles in the firm’s prior projects that are similar to the work / roles that the firm is proposing for these key persons for the Council’s project, and
 - (iii) were produced by the responding firm for a project completed within the previous 5 years.
- (g) *References* – Each responding firm must provide at least 3 professional references. These references should be entities or organizations for which the responding firm has completed work. The reference information provided in the submittal must include all of the following point of contact information:
 - (i) Organization’s name.
 - (ii) Contact person’s name, phone number, and e-mail address.

Sub-Part 2 – Project Price

The Council intends to award a single, firm fixed price contract for the services described in this RFP. Each firm responding to this RFP must provide **both** a printed and an electronic version of its price proposal. Each firm must submit its price proposal using *Attachment A – Price Proposal* (Attachment A). Attachment A is available in *.xlsx format on the Council’s website at www.ewgateway.org/about-us/what-we-do/doing-business-with-ewg/contracting-opportunities/. This spreadsheet may only be modified as noted in the file.

*The Council reserves the right to reject, as non-responsive, a firm that does **not** submit:*

- ❖ *Attachment A in the required format*
- ❖ *All of the information requested in Attachment A*
- ❖ *The assumptions that form the basis of the price proposal*
- ❖ *A price for each component of the project, including any optional services (if applicable)*
- ❖ *Pricing information for subcontractors*

The Council reserves the right to select any portion of the proposed services, only the optional services, or any combination of the offered / optional services and the final project costs will be determined based upon the services selected. In order to ensure that the project costs are reasonable and necessary for the performance of the project work, the Council also reserves the right to: (1) question elements of cost and request additional information regarding the basis for the costs; (2) negotiate, and accept or reject, costs or elements of costs; (3) negotiate fixed fee; and (4) require additional documentation regarding the fully burdened hourly rates or overhead rate that the responding firm / its subcontractors propose to use for this project. A firm that refuses to provide information regarding its proposed fixed fee rate or documentation regarding its proposed fully burdened hourly rates or overhead rate may be deemed ineligible for a contract award.

Sub-Part 3 – Firm Information

*****A signed version of this Attachment should be provided in electronic format (*.pdf format) on your firm's external storage device. A printed version is not required.***

Each responding firm must provide in its submittal *Attachment B – Firm Information* (Attachment B). This information will be used during Step 1 of the evaluation process and may be provided to the selection committee during other stages of the evaluation process. ***A submittal that does not include a completed and properly signed Attachment B may result in the Council determining that the responding firm is not responsible and, therefore, ineligible to move on to other steps of the procurement process or be awarded a contract for the project.***

Attachment B includes the following forms:

- #1 – Corporate Profile
- #2 – Statement of Past Performance
- #3 – Firm Responsibility Certification

Each form in Attachment B must be completed in its entirety. A responding firm is **not** permitted to substitute its own format or information for the forms included in Attachment B.

Responding firms should be aware that the Council may deem a firm's submittal non-responsive and reject the submittal for: (1) failure to sign Attachment B, Forms #2 and #3; (2) failure to provide all of the information requested in Attachment B; or (3) failure to provide sufficient information for the Council to make an initial responsibility determination. The Council reserves the right to waive minor errors, omissions, or technicalities in Attachment B as determined to be in the best interest of the Council.

Additional instructions are provided in Attachment B.

Sub-Part 4 – Other Forms & Certifications

****These Attachments should be provided in electronic format (*.pdf format) on your firm's external storage device. A printed version is not required. The electronic version must include a signature where required.**

1. Affirmative Action Checklist. Each responding firm must complete and submit *Attachment C – Affirmative Action Checklist*.
2. Contract Terms & Conditions. The draft contract terms and conditions are provided in Appendix 2. These terms will govern the project and may change if circumstances warrant it; however, any terms required by state or federal rules, regulations, or statutes or by the Council's agreement with a funding agency, are non-negotiable and are not subject to change. Each responding firm must review the terms and complete, sign, and submit *Attachment D – Contract Terms & Conditions Comments*, which will notify the Council of the firm's questions or concerns about the contract terms and conditions.

Please note that certain appendices referred to in Appendix 2 (e.g. Appendix I (Scope of Work) and Appendix II (Milestone Payment Schedule)) will not be included in Appendix 2 because these appendices are developed by the Council and the Consultant during contract negotiations.

3. RFP Checklist. Each responding firm must complete, sign, and submit *Attachment E – RFP Minimum Requirements Checklist*.
4. D/S/W/MBE Participation. The Council encourages D/S/W/MBE participation. D/S/W/MBE includes: disadvantaged, small, women-owned, and minority business enterprises. Please refer to Section VII for more information about what constitutes a certified D/S/W/MBE. **A DBE goal has been established for the project; please refer to Section VII for more information.** In order to document the D/S/W/MBE participation for the project, each responding firm must submit **ONE** of the following, as applicable:
 - (a) *No D/S/W/MBE Participation* – If the D/S/W/MBE participation for the project is 0%, the submittal must include a statement that there is no D/S/W/MBE participation for the project.

OR

 - (b) *Some D/S/W/MBE Participation* – If the responding firm is a D/S/W/MBE or intends to hire / has hired a D/S/W/MBE to perform work for the project, then the submittal must include **each** of the following:
 - (i) *Attachment F – D/S/W/MBE Participation Form.*
 - (ii) *Attachment G – Letter of Intent to Perform as a D/S/W/MBE for each certified D/S/W/MBE.*

Pursuant to 49 CFR Part 26 § 26.53, a contract cannot be awarded to a firm that has not or cannot demonstrate good faith efforts to obtain DBE participation on the project. Prior to any contract award, the selected consultant will be required to submit evidence of its good faith efforts to meet the DBE goal. Please refer to Section VII to find more information about what constitutes good faith efforts.

The Council’s selection of a firm to provide the services described in this RFP will be conducted in accordance with the Council’s purchasing policies and procedures. Unless otherwise noted in this RFP, the Council will open and review each submittal that the Council received by the deadline described in Section IX, Part C. Each submittal will be evaluated according to the steps and criteria listed in this Section IV.

Upon successful selection approval, the Council will make the contract award to a responsible firm which provided a submittal that is most advantageous to the Council. The Council reserves the right to select a firm other than the one that offered the lowest proposed price or to select a firm other than the one with the highest rank (i.e. #1) if doing so would be in the best interest of the Council. The Council also reserves the right to make a selection for the project based solely on the information contained in the submittal and without conducting any discussions with any firm. If the Council decides to conduct discussions, it will proceed as described below. The Council reserves the right to select any consultant team, individual consultant, or combination of consultants that it determines is in its best interest.

Discussions and Clarifications

At its option, and if the Council determines that it is in its best interest, the Council may conduct additional discussions with any firm at any time prior to making a final selection. These discussions may pertain, but are not limited to: clarifying information contained in the firm’s submittal or provided by the firm to the Council, clarifying information contained in the solicitation documents, obtaining additional information from the firm, negotiating the scope of work / submittal, permitting a firm to modify its submittal, etc. As part of this process, the Council may elect to conduct oral discussions, request more information, and request presentations concerning the firm’s project approach and its ability to meet the project’s requirements, including the budget. In general, the Council will conduct these discussions with a firm that is in the “competitive range.” Competitive range means that the firm has a reasonable chance of being selected for the contract award, when relevant factors are considered (e.g. price, other evaluation / selection factors); however, the Council may choose to conduct these discussions with all firms that provided a submittal or only those firms that were deemed responsible and that provided a responsive submittal.

If these discussions lead the Council to determine that the solicitation documents were unclear or otherwise deficient and need to be modified, then the Council will follow the procedures described in Section V, Part I.

A. Step 1 – Responsiveness / Firm Responsibility

During Step 1 of the evaluation process, the Council will review a submittal to ensure that it meets all of the minimum RFP requirements and will make an initial determination regarding the responding firm’s responsibility. Each factor is described in more detail below.

Sub-Part 1 – Responsiveness

A submittal that does not meet the minimum RFP requirements may be rejected as non-responsive and may not continue to future steps of the evaluation and selection process.

The Council's procurement staff will review each submittal that is received by the required due date and time in order to determine if the submittal meets the minimum requirements described in the solicitation documents.

Firms are not assigned points during this stage of the evaluation process; rather this stage of the process is based on the assignment of "yes/no/waived" for each minimum requirement. A submittal that does not meet the minimum requirements described in Section III and does not receive a waiver for not providing the required information, may be rejected as non-responsive and the firm may be deemed ineligible to move on to other stages of the evaluation process or be considered for a contract award. *The Council reserves the right to waive minor errors, omissions, or technicalities as determined to be in the best interest of the Council and that do not impede the Council's ability to evaluate a responding firm's quality of work, experience, or capability to perform the requested work.*

Sub-Part 2 – Firm Responsibility

The Council will not award a contract for the project to a firm that the Council's determines is not responsible. The Council's responsibility review will be conducted as described below. The definition of a "responsible" firm is provided in Sub-Part 2, #2. The factors that the Council may consider when making its determination are provided in *Appendix 1 – Evaluation Criteria & Factors* ("Appendix 1").

1. Initial Responsibility Review.

For each responsive submittal, the Council will conduct an initial review of the firm's responsibility. The Council will make this initial determination based upon the responding firm's submittal, Attachment B, Forms #2 and #3, and any other information the Council requests or determines is relevant to its determination. During the initial responsibility determination, no points are assigned, rather, the Council reviews the submittal and assigns either a "yes" or a "no" to indicate whether the firm has been deemed initially responsible and eligible to move on to the next step of the evaluation process.

The Council will notify the selection committee about any issues or areas of concern that are found during the initial responsibility review.

A submittal that does not include the information necessary for the Council to make its initial determination regarding firm responsibility may result in the Council determining that the responding firm is not responsible and, therefore, ineligible to move on to other steps of the procurement process or be awarded a contract for the project.

2. Definition. A "responsible" firm is one that:

- (a) does not have any corporate, legal, or financial barriers to successful performance,
- (b) has, or has the ability to obtain, the financial and resource capacity to successfully complete the work described in this RFP within the estimated performance period,
- (c) has a satisfactory performance record, and
- (d) is not currently suspended or debarred or is not currently being considered for suspension or debarment.

B. Step 2 – Submittal Evaluation

The Council will evaluate each submittal that is deemed to be responsive and that was submitted by a firm that the Council deemed initially responsible. The Step 2 evaluation will be conducted using the process described below.

Sub-Part 1 – Screening Process (Optional)

The Council may determine that it will conduct a screening process for the submittals received for this solicitation. If the Council conducts a screening process, then each submittal that was deemed eligible to proceed beyond Step 1 of the evaluation process will be evaluated by a screening committee. Each firm will be assigned either a “Pass” or a “Fail” rating for the criteria described in Appendix 1.

If the Council chooses *not* to conduct a screening process, then the submittal evaluation process will begin with Sub-Part 2.

1. **Rating.** The evaluators that are members of the screening committee will review each submittal and assign a Pass or Fail rating based on the criteria described in Appendix 1.
2. **Committee Rating.** After each evaluator has independently evaluated each submittal, the evaluators will discuss each firm’s submittal, any additional information obtained by the Council, and the individual evaluator “Pass” / “Fail” ratings. The screening committee will determine, by consensus, whether each firm is assigned a “Pass” rating or a “Fail” rating. A firm must receive a “Pass” for each evaluation factor in order to receive a “Pass” for the evaluation criterion. A firm must receive a “Pass” rating for each of the criterion in order to receive an overall “Pass” rating for the screening process and move on to the scoring process described in Sub-Part 2. A firm that receives a “Fail” rating for any factor / criterion must be assigned an overall “Fail” rating, will not move on to other steps of the evaluation process, and will not be selected for contract award. In the event that the screening committee, cannot reach a decision about the “Pass” / “Fail” rating for each firm, the Council’s procurement staff will assign a “Pass” / “Fail” rating to each firm based upon an examination of the evaluators’ individual ratings.

Sub-Part 2 – Scoring & Ranking Process

If the Council conducted a screening process, then each submittal that received an overall “Pass” rating during the screening process described in Sub-Part 1 will be evaluated and scored based on the criteria described in Appendix 1.

If the Council did *not* conduct a screening process, then each submittal that was deemed eligible to proceed beyond Step 1 will be evaluated and scored based on the criteria described in Appendix 1. The submittal evaluation will be conducted as follows:

1. **Scoring.** The evaluators that are members of the selection committee will review each submittal and award points based on the evaluation criteria described in Appendix 1.

2. Ranking. After each evaluator has independently scored each submittal, the selection committee will determine, by consensus, the firm ranking (e.g. 1, 2, 3) using one of the methods described below.
- (a) *Interviews Conducted (Optional).* If interviews are to be conducted, then, at the conclusion of the Step 2 scoring, the evaluators will complete the price proposal review and create the firm ranking and interview short-list as follows:
- (i) **Price Proposal Review.** The evaluators, along with the Council's procurement staff, will review the information contained in the firm's submittal and price proposals. Points will not be assigned during the price proposal review. Rather a firm's proposed price will be compared to its technical proposal to determine which proposal is potentially the best value to the Council. During this review, price will be given equal weight to the technical evaluation (i.e. criteria (a) – (e)). Note that a price proposal review will be conducted for only those firms that are being seriously considered for the contract award, which, in general, are those firms that received high marks on the technical and D/S/W/MBE evaluation.
- (ii) **Short-Listing.** The evaluators will discuss each firm's submittal, price proposal (as applicable), any additional information obtained by the Council, and the individual evaluator scores. Based on this assessment, the selection committee will determine, by consensus, the firm ranking (e.g. 1, 2, 3). In the event that the selection committee, cannot reach a decision about the rank for each firm, the Council's procurement staff will assign an overall rank to each firm based upon an examination of the evaluators' individual scores and the firms' price proposals. The Council will create the interview short-list from the highest ranked firms.
- The short-listed firms will continue to Step 4 of the evaluation process. Those firms that are not short-listed will not be invited for interviews or selected for contract award. The Council is in no way required to create a short-list or to select a certain minimum or maximum number of firms for a short-list.
- (b) *No Interviews Conducted.* If interviews are not to be conducted, then, at the conclusion of the Step 2 scoring, the evaluators will complete the price proposal review and the final firm ranking as follows:
- (i) **Price Proposal Review.** The evaluators, along with the Council's procurement staff, will review the information contained in the firm's submittal, price proposal, and any information obtained by the Council during other steps of the evaluation process. Points will not be assigned during the price proposal review. Rather a firm's proposed price will be compared to its technical proposal to determine which proposal represents the best value to the Council. During this review, price will be given equal weight to the technical evaluation (i.e. criteria (a) – (e)). Note that a price proposal review will be conducted for only those firms that are being seriously considered for the contract award, which, in general, are those firms that received high marks on the technical and D/S/W/MBE evaluation.
- (ii) **Final Firm Ranking.** The evaluators will discuss each firm's submittal, price proposal, any additional information obtained by the Council, and the individual evaluator scores. Based on this assessment, the selection committee will

determine, by consensus, the final firm ranking (e.g. 1, 2, 3). This firm ranking will indicate the firms that will be considered for a contract award.

In the event that the selection committee, cannot reach a decision about the final rank for each firm, the Council's procurement staff will assign an overall rank to each firm based upon an examination of the evaluators' individual scores and the firms' price proposals.

The Council will note each firm's rank on a Firm Selection Form according to the final firm ranking determined during this step of the evaluation process (e.g. 1, 2, 3).

At its option, the Council may proceed from Step 2 to Step 4 and not conduct Step 3 of the evaluation process.

C. Step 3 – Reference Checks (Optional)

The Council may elect to contact the references of the top-ranked firms, the short-listed firms, or the firm selected for a contract award. The reference check process, if conducted, will proceed as follows:

1. Reference Check Forms. Each reference will be sent a reference check form via e-mail. The reference will be provided the option to provide a reference in one of two ways: (a) complete the form and return it via e-mail or fax; or (b) complete the form over the phone.
2. Deadline. Each reference will be provided a deadline by which he / she must return the completed reference check form or provide a reference over the phone. In the event that a firm's reference does not meet the deadline, the Council may, at its option, contact the responding firm to obtain an alternate reference.
3. Results. No points will be assigned to a firm based upon the reference checks. The reference check forms will be provided to the selection committee to use during Step 5 of the evaluation process. Even if no interviews are conducted, the Council may determine that reference checks will be conducted and the reference check results may be used by the Council or the selection committee to determine the final firm ranking (see Steps 2 and 5) and may be used during Step 6.

D. Step 4 – Interviews (Optional)

At its option, the Council may invite the short-listed firms to attend an oral interview. The Council will notify each short-listed firm that it has been selected for an interview. The selection committee will use the information obtained during the interview process to develop the final firm ranking during Step 5 of the evaluation process.

E. Step 5 – Post-Interview Evaluation (Optional)

If interviews are conducted, then, at the conclusion of Steps 1 through 4 of the evaluation process, each interviewed firm will be scored and ranked, as follows:

1. **Scoring.** A selection committee will review the information obtained by the Council during Steps 1 through 4 of the evaluation process and will award points to each interviewed firm based on the evaluation criteria described in Appendix 1.
2. **Ranking.** After each evaluator has independently scored each interviewed firm, the selection committee will determine, by consensus, the final firm ranking (e.g. 1, 2, 3) using the steps below.
 - (a) **Price Proposal Review.** The evaluators, along with the Council’s procurement staff, will review each interviewed firm’s submittal, interview, and any information obtained by the Council during other steps of the evaluation process and will review the firm’s price proposals in light of the information obtained during the interview or other steps in the evaluation process. Points will not be assigned during this review. Rather a firm’s proposed price will be compared to its technical proposal, as supplemented by the information presented during the firm’s interview, to determine which proposal represents the best value to the Council. During this review, price will be given equal weight to the technical evaluation (i.e. criteria (a) – (e)), as supplemented by the information presented during the firm’s interview.
 - (b) **Final Firm Ranking.** The evaluators will discuss each interviewed firm’s submittal, interview, price proposal, any additional information obtained by the Council, and the individual evaluator scores. Based on this assessment, the selection committee will determine, by consensus, the final firm ranking (e.g. 1, 2, 3). This firm ranking will indicate the firms that will be considered for a contract award.

In the event that the selection committee, cannot reach a decision about the final rank for each interviewed firm, the Council’s procurement staff will assign an overall rank to each interviewed firm based upon an examination of the evaluators’ individual scores and the firms’ price proposals.

The final rank for each firm that was not interviewed will be the rank assigned to that firm during the Step 2 short-listing process. The Council will note each firm’s rank on a Firm Selection Form according to the final firm ranking determined during this step of the evaluation process (e.g. 1, 2, 3).

F. Step 6 – Selection & Contract Award

The final selection and contract award process will proceed as described below. The award process is considered open and on-going until all final negotiations have concluded.

1. Selection. After the conclusion of the evaluation process, the Council will recommend a contract award to the firm that was selected. The Council will make this recommendation to the Council's Board of Directors, which will indicate the firm selected for the contract award, the not-to-exceed contract price, and, if applicable, an alternate firm / firms that may be awarded the contract if the Council cannot successfully negotiate a contract with the selected firm. If the Board of Directors approves the selection recommendation and contract price, then the Council can begin negotiations with the selected firm.
2. Contract Award.
 - (a) *Firm Notifications.* Once the Board of Directors has approved the selection recommendation and amount of funding for the contract, the Council will notify the selected firm that it has been awarded the contract. The Council may notify the unsuccessful firms of the results at any time after the Board of Directors has approved the selection recommendation and contract funding. The Council may, at its option, elect to notify unsuccessful firms only after all negotiations have been concluded and a contract has been executed.
 - (b) *Negotiations.* The Council may negotiate the contract terms with the firm awarded the contract and, at its option, refine the firm's scope of work. As part of the negotiation process, the Council may elect to conduct oral discussions, request clarifications, and request presentations concerning the firm's project approach and its ability to meet the contract's requirements. During contract negotiations, the Council may discuss the firm's price proposal. The final contract price will be determined after considering changes needed due to: scope refinement, good cause, or ensuring the reasonableness and necessity of the proposed cost. The final contract price will not exceed the amount of funding approved by the Council's Board of Directors. If the Council cannot successfully negotiate a contract with the selected firm, then the Council may formally, and in writing, end all negotiations with the selected firm and may elect to:
 - (i) proceed to negotiate with the next available firm in the order of selection ranking until a contract is successfully reached or negotiations with all ranked firms end; or
 - (ii) close the procurement process without conducting any negotiations with other firms.
 - (c) *Final Responsibility Determination.* At the conclusion of the evaluation and selection process, after a firm has been selected, and the Council's Board has approved the selection decision, the Council will make a final responsibility determination for the firm that is selected for a contract award. The selected firm may be required to complete and submit a Firm Responsibility Questionnaire. A copy of this questionnaire is provided in *Appendix 4 – Firm Responsibility Questionnaire*. The Council may make its final determination regarding the selected firm's responsibility based upon any one or combination of: the firm's submittal, reference evaluations, the questionnaire, a review

of the firm's financial situation, and any other information the Council requests or determines is relevant to its determination. See Step 1, Sub-Part 2, #2 for the definition of a "responsible" firm. The factors that the Council may use to make its final determination are described in Appendix 1. If the Council cannot determine that the firm is responsible, then the Council may formally, and in writing, end all negotiations with the selected firm and may elect to:

- (i) make a contract award to the next available firm in the order of selection ranking and proceed to contract negotiations with that firm; or
- (ii) close the procurement process without making a contract award to any other firms.

A. Modifications of the Solicitation Documents

During the procurement process (including the evaluation and selection process), if the Council determines that this RFP is unclear, information is missing, or is otherwise deficient, the Council may decide to modify the solicitation documents by issuing an Addendum. In the event the solicitation documents are modified, the Council will determine how the evaluation and selection process will proceed (i.e. revert back to Step 2) and will explain this process in the Addendum document. The Council will notify the appropriate firms (e.g. the highest ranked, those in the competitive range) and provide instructions on how to provide a modified submittal. The Council is not required to notify any firms that had a submittal that was deemed non-responsive or any firms that were not deemed responsible. *The Council is under no obligation to modify the solicitation documents or provide any particular firm an opportunity to change its submittal. At all times, the Council will make its decisions based upon what is in the Council's best interest.*

B. Withdrawing a Submittal

A responding firm may withdraw or modify its submittal up to date and time noted in Section IX, Part C. A responding firm that wishes to withdraw or modify its submittal must provide a written notice (signed and on company letterhead) to the Council's designated point of contact identified in Section IX, Part A. Except as noted in Section V, Part A, once the deadline specified in Section IX, Part C has passed, a responding firm will not be permitted to withdraw or modify its submittal, unless the Council determines that it is in the Council's best interest to permit a firm to do so.

C. No Obligation to Award Contract or Pay for Cost to Develop Submittal

This RFP does not commit the Council to award a contract, to pay for any costs incurred in the preparation of a submittal, or to procure or contract for any particular goods or services.

D. Cancellation of this Request

The Council reserves the right to accept or reject any or all of the submittals received as a result of this RFP. The Council may also cancel this RFP, in whole or in part, at any time including, but not limited to, after the Council's Board of Directors has authorized the Executive Director to enter into a contract. The Council will make these determinations based upon what is in the Council's best interest.

E. Unauthorized Communications

After the release of this RFP, a responding firm's contact regarding this RFP or the subject of this RFP must be limited to the person identified in Section IX, Part A. Unless the person contacted is the person identified in Section IX, Part A, any communication (whether oral or written) about this RFP or the subject of this RFP with any person or organization listed below is prohibited and may result in the responding firm's disqualification from the procurement process.

1. Members of the evaluation team or selection committee.
2. A Council staff member.
3. A member of the Council's Board of Directors or other committees.
4. The staff persons or personnel of an organization that will benefit from the project / RFP, including:
 - (a) Bi-State Development / Metro
 - (b) St. Louis County, MO
 - (c) City of St. Louis, MO
 - (d) St. Clair County, IL

The restrictions noted here apply equally to any of the responding firm's subcontractors or joint venture partners.

F. Gratuities, Favors, Gifts Prohibited

A responding firm is prohibited from offering any gratuity, favor, gift, or anything of monetary value to any officer, employee, agent, director, or Board or committee member of the Council for the purpose of influencing a favorable disposition toward the firm's selection for contract award or otherwise affecting the procurement process. *The restrictions noted here apply equally to any of the responding firm's subcontractors or joint venture partners.*

G. Non-Endorsement

If a firm is selected for contract award, the firm shall not issue any news releases or other statements pertaining to the award or the agreement that state or imply the Council's endorsement of the firm's services.

H. Public Records & Information

Responding firms should be aware that any information submitted in response to this RFP might be subject to disclosure under the Missouri Sunshine Act or the Federal Freedom of Information Act. The Council will handle all requests for information related to this RFP in accordance with applicable federal and state statutes. The Council will not disclose any information submitted in response to this RFP *prior*

to the selection and retention of a consultant unless the firm provides the Council with written authorization or the Council is compelled to disclose the information by law or judicial decree.

I. Contract Type

The Council anticipates awarding a single, firm fixed price contract paid based upon milestone completion / delivery of products. ***The payments issued by the Council under the contract will be for only completed milestones, and, except as stated in Appendix 2, Paragraph 10, Part (c)(iv)(7), payments for partial milestones completed or percent work completed are not authorized.***

J. Project Funding

The Council anticipates funding the project using the following sources:

Federal Transit Administration (FTA)	80%
Bi-State Development	20%

The Consultant shall not discriminate on grounds of the race, color, national origin, religion, sex, disability, or age of any individual in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Consultant shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR Subtitle A, Part 21.5 including employment practices.

These nondiscrimination requirements apply to all solicitations either by competitive bidding or negotiation made by the Consultant for work to be performed under a subcontract, including procurement of materials or equipment. The Consultant shall notify each potential subcontractor or supplier of these requirements relative to nondiscrimination on grounds of the race, color, national origin, religion, sex, disability, or age of any individual.

Additional nondiscrimination requirements can be found in Appendix 2, Paragraph 14, Part (b)(i).

A. The Council’s DBE Program

East-West Gateway Council of Governments has adopted a Disadvantaged Business Enterprise Program (DBE) to ensure that DBEs, which includes small (S), women-owned (W), and minority owned (M) business enterprises (collectively D/S/W/MBE), have an equal opportunity to participate in Council projects. D/S/W/MBEs are encouraged to provide a submittal as prime contractors for this project. Non-disadvantaged firms are encouraged to use D/S/W/MBEs as subcontractors or form joint ventures on the project.

A DBE goal has been established for this project. In accordance with the Council’s DBE Program and U.S. Department of Transportation (DOT) regulations found at 49 CFR Part 26, responding firms must make every good faith effort to utilize DBEs for the project when possible. More information about the DBE goal and what constitutes good faith efforts are described in Parts D and E of this Section VII.

B. Definitions

1. Disadvantaged Business. The term "Disadvantaged Business" means a small business concern:
 - (a) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals, or, in the case of any publicly owned business, at least 51 percent of the stock is owned by one or more socially and economically disadvantaged individuals; and
 - (b) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

2. Presumption of Disadvantage. Members of the following named groups will be presumed to be both socially and economically disadvantaged by the Council:
 - (a) Black Americans,
 - (b) Hispanic Americans,
 - (c) Native Americans,
 - (d) Asian Pacific Americans,
 - (e) Asian Indian Americans,
 - (f) women (regardless of race, ethnicity or origin), and
 - (g) persons certified as socially and economically disadvantaged by the Small Business Administration (SBA) under the SBA Section 8(a) program.

3. Women’s Business Enterprise & Minority Business Enterprise. The terms “Women’s Business Enterprise” and a “Minority Business Enterprise” have the meanings set forth by the Missouri Office of Equal Opportunity (MoOEO), found at: <https://apps1.mo.gov/MWBCertifiedFirms/>.

- 4. Small Business Enterprise. The term “Small Business Enterprise” is defined in accordance with the SBA’s definition, as follows:
 - (a) “... a small business concern is one that is independently owned and operated, is organized for profit, and is not dominant in its field. Depending on the industry, size standard eligibility is based on the average number of employees for the preceding twelve months or on sales volume averaged over a three-year period.”
 - (b) The Council will use the SBE size standards provided in 13 CFR Part 121 (as it may be amended from time-to-time) to determine a small business enterprise’s eligibility.

C. Certifications

- 1. DBE. In order to be considered a DBE, a firm must be certified and registered as a DBE with the Missouri Department of Transportation (MoDOT) The MoDOT directory can be found here: http://www.modot.mo.gov/business/contractor_resources/external_civil_rights/mrcc.htm.
- 2. W/MBE. In order to be considered a WBE or MBE, a firm must be certified and registered with MoDOT, IDOT, or MoOEO. The MoOEO W/MBE directory can be found here: <https://apps1.mo.gov/MWBCertifiedFirms/>.
- 3. SBE. In order to be considered an SBE, a firm must certify that it meets the definition of a small business, as indicated above.

A D/S/W/MBE may include in its submittal a copy of its MoDOT, IDOT, MoOEO, or SBA certification.

D. DBE Goal

The Council has set a fair share goal of the work specified in this solicitation to be performed by DBEs as prime contractors or through subcontract or joint venture projects. The DBE goal is as follows:

DBE	9%
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DBEs are encouraged to provide a submittal as prime contractor for this project. Price alone will not be an acceptable basis for rejecting a DBE submittal as prime contractors or subcontractors on the project unless it is determined that a reasonable price cannot be obtained from a DBE.

The participation of DBEs may only be counted toward meeting the goals if the DBE **is certified by MoDOT.** Prime consultants that intend to hire DBEs are strongly encouraged to check the appropriate DBE directory to ensure that the DBE has the proper certification.

The participation of DBEs that are not certified by MoDOT **cannot** be counted towards meeting the DBE goal. Similarly, participation by SBEs, WBEs, or MBEs that are not also certified as DBEs with MoDOT **cannot** be counted towards meeting the DBE goal.

Any work that a DBE subcontracts out to a non-DBE **cannot** be counted towards meeting the DBE goal. A DBE is required to disclose its intent to subcontract out work. This disclosure should be made on Attachment F.

E. Good Faith Efforts

In accordance with the Council's DBE Program and DOT regulations found at 49 CFR Part 26 (see Appendix A), responding firms must make every good faith effort to utilize DBEs for the project when possible. Prior to any contract award, a consultant will be required to **submit evidence** of its good faith efforts to meet the DBE goal. A contract cannot be awarded to a firm that has not or cannot demonstrate good faith efforts to obtain DBE participation on the project.

A responding firm can demonstrate good faith efforts in one of two ways. First, the responding firm can meet the stated DBE goal through commitments from certified DBEs (see Attachment G). Second, and in the instance where a responding firm does not meet the stated DBE goal, the firm can submit evidence that documents that it took all necessary and reasonable steps to achieve the DBE goal and these steps, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if the firm was not fully successful.

Steps that consultants should take to meet the DBE goal include, but are not limited to:

1. Identifying components of the project that can be performed by DBEs and breaking out these components of the project into economically feasible units to facilitate DBE participation.
2. Conducting research to identify DBEs that can perform the work, this research may include, but is not limited to:
 - (a) Reviewing the appropriate DBE directory to identify certified DBEs that are qualified to perform the services described in this solicitation;
 - (b) Attending pre-submittal and business matchmaking meetings and events;
 - (c) Advertising or issuing/posting written notices regarding the firm seeking services (e.g. Notices of Sources Sought, request for proposal/qualifications, e-mails to firms listed in the appropriate DBE directory).
3. Contacting the qualified DBEs by phone, e-mail, fax, or in-person to encourage participation in the project – this contact should occur as early in the procurement process as practicable to allow DBEs enough time to respond to the firm and submit a timely offer for a subcontract.
4. In a timely manner, providing interested DBEs with adequate information about the project and the contract requirements to assist the DBEs submit an offer for a subcontract.
5. Providing DBEs the contact information for a person at the consultant's firm that the DBE can contact with questions about the project.
6. Promptly responding to DBEs that have contacted the consultant to express interest in the project.

7. Negotiating in good faith with interested DBEs. Evidence of good faith negotiating includes, but is not limited to: the names, addresses, and telephone numbers of DBEs that were considered, a description of the information provided regarding the project and scope of work selected for subcontracting, and evidence as to why an agreement could not be reached for DBEs to perform the work.
8. Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities.
9. If applicable, making efforts to assist interested DBEs in obtaining:
 - (a) bonding, lines of credit, or insurance that may be required for the project / contract award, and
 - (b) necessary equipment, supplies, materials, or related assistance or services.
10. Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, State, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in recruitment and place of DBEs.

Examples of what does **not** constitute good faith efforts include, but are not limited to:

1. Not choosing a DBE because the DBE is not the firm's preferred subcontractor.
2. The fact that the firm may incur some additional costs in finding and using DBEs, as long as the costs are reasonable.
3. Using illegitimate reasons for rejecting offers for a subcontract or failing to solicit offers for a subcontract. Examples of illegitimate reasons include, but are not limited to: the firm's standing within its industry, membership in specific groups, organizations, or associations and political or social considerations (e.g. union vs. non-union status).
4. Rejecting a DBE because the DBE's offer for the subcontract work is not the lowest priced offer. Note that the responding firm is not required to accept unreasonable offers in order to satisfy the DBE goal.

For each step of this process, the Council strongly encourages responding firms to document (in writing) the steps it took and the results (e.g. copies of e-mails and other correspondence). A responding firm that is selected for contract award and that does not meet the DBE goal will be required to submit this documentation as evidence of its good faith efforts to meet the goal. Additionally, the firm will be required to provide a written explanation of why it was unable to obtain the level of DBE participation required for the project. For example, the firm must demonstrate (through evidence) that there were no DBEs available to perform the work either because there are no certified DBEs that perform the work or because the certified DBEs were unavailable due to scheduling conflicts, workload, etc. The Council will direct the firm as to format and type of information that needs to be submitted in order to document these good faith efforts.

F. Documenting D/S/W/MBE Participation

As described in Section III, Sub-Part 4, #4, each firm responding to this RFP must complete and submit Attachments F and G to document the level of D/S/W/MBE participation. Unless the Council determines

that it is warranted, the firm selected for contract award **will not** be permitted to deviate from the participation percentages indicated in Attachments F and G.

In the course of this RFP and the evaluation and selection process, a responding firm (bidder or offeror whose direct economic interest would be affected by the award of the contract) may file a protest when, in the firm's opinion, actions were taken by the Council's staff or the selection committee which could unfairly affect the outcome of the evaluation and selection process.

All protests should be in writing and directed to:

Executive Director
East-West Gateway Council of Governments
1 S. Memorial Drive, Suite 1600
St. Louis, MO 63102

Protests should be made immediately upon the occurrence of the incident in question, but no later than three days after the responding firm received notification of the outcome of the evaluation and selection process. The protest should clearly state the grounds for the protest.

Upon receipt of the protest, the Executive Director will review the actual procedures followed during the evaluation and selection process and the documentation available. If it is determined that the action(s) unfairly changed the outcome of the evaluation and selection process, negotiations with the selected firm will cease until the matter is resolved.

A. Inquiry Submission & Deadline

Inquiries regarding this RFP must be submitted no later than 1:00 p.m. local time on February 25, 2019. The Council will not accept any inquiries after this date and time. Inquiries include questions about or requests for clarification of the information contained in this RFP or about the project in general. All inquiries must be submitted to:

Staci Alvarez
Grant/Contract Compliance Administrator
East-West Gateway Council of Governments
1 S. Memorial Drive, Suite 1600
St. Louis, MO 63102
(314) 421-4220 ext. 263
staci.alvarez@ewgateway.org

Before submitting a question, firms are encouraged to review Appendix 5 – FAQs – Submittal Requirements.

B. Q & A – Addendums Posted On-Line

In order to ensure that all firms receive the same information about this RFP or the project, the Council will post its response to any inquiry on its website at www.ewgateway.org/about-us/what-we-do/doing-business-with-ewg/contracting-opportunities/. Each firm should visit the Council's website periodically to check for any additional information. If a firm wishes to have a printed copy of the information mailed to it, then the firm must mail or e-mail a written request to the person identified in Section IX, Part A. This request must be received no later than 1:00 p.m. local time on February 25, 2019.

C. Submission Date, Time & Address

Submittals are due no later than 1:00 p.m. local time on March 1, 2019 to the following address:

"RFP – 030119-METRO"
c/o Mr. James M. Wild
Executive Director
East-West Gateway Council of Governments
1 S. Memorial Drive, Suite 1600
St. Louis, MO 63102-2451

A submittal will **not** be accepted if it is:

- ❖ Faxed
- ❖ E-mailed

Section III contains the formatting, content, and other requirements for a submittal. ***Unless otherwise due to extenuating circumstances and approved by the Council in advance, any submittals received after the date and time listed above will be rejected and returned unopened.***

All submittals, including any attachments, appendices, and work samples, that are received in response to this RFP will become the exclusive property of the Council and will not be returned to the responding firm unless otherwise noted in this RFP or the Council determines that returning the submitted materials is warranted.

D. Optional Pre-Submittal Meeting

An optional pre-submittal meeting is scheduled at the Council’s offices at 10:00 a.m. on Friday, February 15, 2019. The intent of the meeting is to provide submitting firms the opportunity to ask questions and meet staff so that firms can obtain a greater understanding of the goals and expectations of the project.

An in-person meeting will convene in the Board Room on the 16th floor. The Council will also make the conference call line available for **non-local** firms (i.e. do not have an office in the St. Louis region) that wish to attend the meeting. ***A non-local firm that will attend the meeting via conference call must contact the Council’s staff person designated in Section IX, Part A no later than 8:30 a.m., local time, on February 15, 2019, to obtain the call-in information.*** It is within the Council’s discretion whether or not to allow a local firm to participate in the meeting by conference call and, generally, will only permit a local firm’s conference call participation for reasons outside the firm’s control (e.g. firm’s project lead is out of town).

Firms attending the meeting are strongly encouraged to have its project manager participate in the meeting.

E. Interviews

Interviews, if conducted, are tentatively scheduled for Monday, March 25, 2019. It is anticipated that each firm selected for an interview will be notified of the interview no later than Monday, March 18, 2019.

F. Solicitation Schedule

Below is a tentative schedule for this solicitation. This schedule may be modified, as needed.

Description	Time (Local)	Date
Call-in # request	8:30 a.m.	2/15/19
Pre-submittal meeting	10:00 a.m.	2/15/19
Deadline for questions	1:00 p.m.	2/25/19
Submittals due	1:00 p.m.	3/1/19
Selection Committee review / firm short-listing*	n/a	3/15/19
Interview notices sent*	n/a	3/18/19
Interviews* / firm selected for contract award	n/a	3/25/19
Board meeting / contract award approval	n/a	3/27/19
Selection notifications sent	n/a	3/27/19

**Note that short-listing and interviews are optional and may not be conducted.*

ATTACHMENTS

Fillable / Savable versions of the attachments are available on-line at:

www.ewgateway.org/about-us/what-we-do/doing-business-with-ewg/contracting-opportunities/

Time Availability for Key Personnel

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

For each key person that will be assigned to the project, please provide the information requested below. The information regarding current or anticipated projects should reflect only those projects that will be or likely will be occurring during the estimated performance period of the project (see Section II of the solicitation documents). The key personnel listed below should be the same persons identified in Section III, Part B, Sub-Part 1, #3 of the solicitation documents.

Responding Firm _____

Name & Title	Project Role	Firm	List of Current or Anticipated Projects	% of Time Committed to Other Projects	% of Time Committed to the Council's Project

Attach as many of these forms as needed to capture all of your firm's key personnel.

Attachments for illustrative purposes only. To find editable versions of the attachments visit www.ewgateway.org/contracting-opportunities/rfp-030119-metro

Prior Work Experience / Past Performance

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

INSTRUCTIONS:

A responding firm must provide in its submittal a fully completed Prior Work Experience / Past Performance for **each** of the past projects that it is using as examples of prior work - for either itself or for one of its subcontractors / joint venture partners. The minimum number of past projects that is required is described in Section III, Part B, #3(e) of the solicitation documents.

All of the requested information must be provided. Please type the information into the forms using Adobe Reader or other compatible Adobe product. This form may contain rules, which means that many of the boxes / spaces will auto fill depending on your answers to the questions. If you have any issues with the form please contact the Council's staff person designated in Section IX, Part A of the solicitation documents.

You are NOT permitted to substitute your own format or information for this form.

If you need additional space to provide the information requested in this form, please use the form titled "Additional Information."

The Council and the selection committee will use the information contained in this form during the evaluation and selection process to assess your firm's work experience and past performance. For additional information, refer to Section IV of the solicitation documents.

The Council may contact your firm to obtain additional information based on your firm's answers to the questions on this form.

Note that the Council understands that, due to confidentiality agreements, some of the information requested on this form may be considered confidential; therefore, the Council does not expect firms to provide any confidential information in response to the requirements described in Section III, Part B, #3(e) of the solicitation documents. However, to the extent possible, firms should avoid using project descriptions from those clients that restrict information sharing. If this cannot be avoided, then a responding firm must provide as much non-confidential information as possible. The information provided must allow the Council to determine that the firm's projects meets the requirements described in Section III, Part B, #3(e) of the solicitation documents and that the firm has a history of successful past performance. Responding firms should be aware that if the Council is not provided sufficient information, then the firm's submittal may be deemed non-responsive and rejected or the Council may determine that the firm is not responsible and, therefore, ineligible to be awarded a contract for the project.

Attachments
To find editable
www.ewgateway.org/con

Prior Work Experience / Past Performance

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

Firm Name _____

My firm is proposing to perform work for the Council's project as: **the prime firm.** **a subcontractor.** **a joint venture partner.**

If your firm is proposing to perform work as a subcontractor or joint venture partner, provide the name of the prime firm / other partner:

A. Project Information

Name _____

Location (City, State, Zip) _____

Did you complete this project as: the prime contractor? a subcontractor?

Provide a brief description of the project and the services that your firm provided for the project.

Attachments for Illustrative Purposes
 To find editable versions of the attachments visit:
www.evwgateway.org/contracting-opportunities/rfp-030119-metro

Project Completion Dates	Project Budget	Project Personnel
Scheduled _____	Initial _____	Project Manager _____
Actual _____	Actual _____	Other Key Personnel _____

B. Client Information

POC Name & Title _____

Organization Name _____ Organization Type _____

Phone Number _____ E-mail _____

C. Performance

1. How many projects has your firm completed for this client in the previous 3 years? _____
2. Did your firm meet each project deadline, milestone, etc.? Yes No
3. Did your firm complete the project on time? Yes No
4. Did your firm complete the project within budget? Yes No
5. Did your firm have issues with client communication, community outreach, or similar? Yes No
6. Did your firm receive any complaints from the client regarding quality of work products? Yes No
7. Was your firm's contract terminated for any performance issues? Yes No

Any schedule or budget deviations or performance issues must be explained using the "Additional Information" section of this form. Failure to explain issues could lead to your firm being deemed non-responsive or a finding of non-responsibility.

Prior Work Experience / Past Performance

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

Additional Information

Use this page to provide information that explains any schedule or budget deviations and any of the performance issues you noted on this form. If you cannot provide all of the required information, use this page to provide an explanation. You may attach as many of these sheets that you need to provide the required information.

Please make sure that you indicate the question for which you are providing additional information (i.e. Project schedule, Performance question #1, #2, etc.)

Firm Name _____

Project Name _____

Attachments for Illustrative Purposes
To find editable versions of the attachments visit:
www.ewgateway.org/contracting-opportunities/rfp-030119-metro

Attachment A - Price Proposal

Tasks	PROJECT TOTAL									
	PRIME CONTRACTOR		SUBCONTRACTOR #1		SUBCONTRACTOR #2		SUBCONTRACTOR #3		Total	
	Hrs	Costs	Hrs	Costs	Hrs	Costs	Hrs	Costs	Hrs	Cost
1 - Project Management / Administration	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>a. Kick-off meeting</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>b. PMP</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>c. Project oversight / administration</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
2 - Partner Collaboration & Stakeholder Engagement	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>a. Engagement plan</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>b. Collaboration & engagement meetings and reports</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
3 - Establish the Security Vision & Objectives	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>a. Draft vision and objectives</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>b. Final vision and objectives</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
4 - Develop Comprehensive Security Program	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>a. Draft program</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>b. Technical memo #1 - EOP & SSP</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>c. Assistance - contracts</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>d. Technical memo #2 - training programs</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
5 - Proactive Communications Protocol	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>a. Draft communications protocol</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
<i>b. Final communications protocol</i>	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
Hours & Labor Costs Subtotal	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
ODCs		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
Project Total	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

Firm Name _____

My firm is proposing to perform work for the Council's project as: the prime firm. a subcontractor. a joint venture partner.

If your firm is proposing to perform work as a subcontractor or joint venture partner, provide the name of the prime firm / other partner:

A responding firm must provide in its submittal a fully completed Attachment B - Firm Information for itself and for **each** of its subcontractors / joint venture partners. This Attachment B includes the following forms:

- (1) Corporate Profile
- (2) Statement of Past Performance
- (3) Firm Responsibility Certification

Each form in this Attachment B must be completed in its entirety. Please type the information into the forms using Adobe Reader or other compatible Adobe product. The forms in this Attachment B contain rules, which means that many of the boxes / spaces will auto fill depending on your answers to the questions. If you have any issues with the forms please contact the Council's staff person designated in Section IX, Part A of the solicitation documents.

You are NOT permitted to substitute your own format or information for the forms included in this Attachment B.

If you need additional space to provide the information requested in this Attachment B, please use the form titled "Additional Information."

An authorized representative of your firm **must sign and date** the certification provided on Forms #2 and #3. **A typed signature is not acceptable.** The Council will use the information contained in this Attachment B during the evaluation and selection process. For additional information, refer to Section IV of the solicitation documents.

The Council may contact your firm to obtain additional information based on your firm's answers to the questions on this Attachment B.

If your firm is selected for a contract award, your firm and each of its subcontractors / joint venture partners may be required to complete, sign, and return the *Firm Responsibility Information - Detailed Questionnaire*, so that the Council can make a firm responsibility determination in accordance with Section IV, Part F of the solicitation documents. A copy of this questionnaire is provided in Appendix 4 of the solicitation documents.

Your firm should be aware that the Council may deem your firm's submittal non-responsive and reject the submittal for:

- (1) Failure to sign both Attachment B, Forms #2 and #3,**
- (2) Failure to provide all of the information requested in this Attachment B,**
- (3) Failure to provide a signed Attachment B for each subcontractor / joint venture partner, or**
- (4) Failure to provide sufficient information for the Council to make an initial responsibility determination.**

The Council reserves the right to waive minor errors, omissions, or technicalities in this Attachment B as determined to be in the best interest of the Council.

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

#1 - Corporate Profile

Your firm must provide the information requested below about its corporate structure, history, etc. If you need additional space to provide the information use the form titled "Additional Information."

A. Firm Information

Firm Name _____

Business Address (Street, City, State & Zip) _____

Provide a brief description of your firm's core business (e.g. the types of services provided, the types of clients served).

B. Corporate Formation

In which State was your firm organized or incorporated? _____ Is your firm a public company? a private company?

Type of Ownership _____ Year Established / Incorporated _____

Does your firm have a former name / year established? Yes No Does your firm have a parent company or a subsidiary? Yes No

If your firm has a former name / year established, a parent company, or a subsidiary, in the space provided below, please describe your firm's former name, year established, parent company name and location, or subsidiary name and location, as applicable.

C. FEIN / DUNS / U.S. System for Award Management (SAM) Registration

FEIN _____ DUNS # _____ No DUNS # Is your firm registered with SAM? Yes No

D. Business Registration

Is your firm registered to do business in Missouri? Yes No Is your firm registered to do business in Illinois? Yes No N/A

Firms must be properly registered to do business prior to beginning work for the project. If the IL business registration "N/A" box is checked, then only a MO business registration is required for the project.

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

#2 - Statement of Past Performance (pg. 1 of 2)

Firm Name _____

The following questions ask your firm to provide information about its past performance on the Council's projects, projects for other governmental entities, or in general. Your firm must indicate whether or not it has successfully completed past projects.

As described in Section IV of the solicitation documents, the Council will evaluate a responsive firm's past performance. As part of this evaluation, the Council will review the answers your firm provides on this Attachment B, Form #2 - Statement of Past Performance.

Your firm must answer each of the questions below and an authorized representative of your firm **must sign and date** the form. **A typed signature is not acceptable.**

The Council reserves the right to request additional information from your firm regarding the answers to the questions below.

A. Council Projects

1. Is your firm currently delinquent or past due on any monies owed to the Council? Yes No
2. In the previous 3 years, has your firm performed work for the Council? Yes No
 - (a) If "Yes," answer each of the following questions.
 - (i) How many projects has your firm completed for the Council in the previous 3 years? _____
 - (ii) Did your firm meet each project deadline, milestone, etc.? Yes No N/A
 - (iii) Did your firm complete each project on time? Yes No N/A
 - (iv) Did your firm complete each project within budget? Yes No N/A
 - (v) Did your firm have issues with client communication, community outreach, or similar? Yes No N/A
 - (vi) Did your firm receive any complaints from the Council regarding quality of work products? Yes No N/A
 - (vii) Were any of your firm's contracts terminated for any performance issues? Yes No N/A
 - (viii) Is your firm currently in breach or default of a Council contract? Yes No N/A

Firms that owe the Council monies or that are currently in breach or default of a Council contract may be deemed ineligible for a contract award.

B. Other Governmental Entity Projects

1. In the previous 3 years, has your firm performed work for any local, state, or federal governmental entity? Yes No
 - (a) If "Yes," answer each of the following questions.
 - (i) How many projects has your firm completed for a governmental entity in the previous 3 years? _____
 - (ii) Did your firm meet each project deadline, milestone, etc.? Yes No N/A
 - (iii) Did your firm complete each project on time? Yes No N/A
 - (iv) Did your firm complete each project within budget? Yes No N/A
 - (v) Did your firm have issues with client communication, community outreach, or similar? Yes No N/A
 - (vi) Did your firm receive any complaints from the entity regarding quality of work products? Yes No N/A
 - (vii) Were any of your firm's contracts terminated for any performance issues? Yes No N/A
 - (viii) Is your firm currently in breach or default of a contract with a governmental entity based upon a failure to perform? Yes No N/A
 - (ix) Provide the name of each of the projects identified in sub-part (B)(1)(a)(i) and the name of the governmental entity.

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

#2 - Statement of Past Performance (pg. 2 of 2)

Firm Name _____

C. Other Projects

1. If your firm has **not** performed work for the Council or any local, state, or federal entity, answer the following questions with respect to your firm's projects that were completed within the previous 3 years and that are similar in size and scope to the Council's project.

- (a) Did your firm meet each project deadline, milestone, etc.? Yes No N/A
- (b) Did your firm complete each project on time? Yes No N/A
- (c) Did your firm complete each project within budget? Yes No N/A
- (d) Did your firm have issues with client communication, community outreach, or similar? Yes No N/A
- (e) Did your firm receive any complaints from the client regarding quality of work products? Yes No N/A
- (f) Were any of your firm's contracts terminated for any performance issues? Yes No N/A
- (g) Is your firm currently in breach or default of a contract with a client based upon a failure to perform? Yes No N/A

(h) Provide the name of each of the projects identified in sub-part (C)(1)(a)(i) and the name of the client.

D. All Projects

1. In the previous 3 years, has your firm ever had a client (e.g. person / entity contracting with your firm) that:

- (a) sued to compel performance? Yes No
- (b) sued to recover damages based upon the alleged failure of your firm to perform as required by the contract? Yes No
- (c) called upon a surety to perform the work? Yes No

Please provide any additional information that explains any performance issues or any other information that you believe will help the Council evaluate your firm's past performance. If you need more space, use the form titled "Additional Information."

CERTIFICATION

By signing below, I certify that I am authorized to sign this Statement of Past Performance on behalf of my firm and that the information contained on this form is accurate and complete to the best of my knowledge.

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

#3 - Firm Responsibility Certification (pg. 1 of 2)

Firm Name _____

As described in Section IV, Part A, Sub-Part 2 of the solicitation documents, the Council will not award a contract for the project to a firm that the Council's determines is not responsible. For each responsive submittal, the Council will conduct an initial review of the firm's responsibility. As part of this initial responsibility determination, the Council will review the answers your firm provides in its submittal and on this Attachment B, Form #3 - Firm Responsibility Certification. More information regarding the Council's responsibility determination can be found in Section IV, Part A, Sub-Part 2 of the solicitation documents.

Your firm must answer each of the questions below and an authorized representative of your firm **must sign and date** the certification. **A typed signature is not acceptable.**

If your firm is selected for a contract award, your firm, and each of its subcontractors / joint venture partners may be required to complete, sign, and return the *Firm Responsibility Information - Detailed Questionnaire*, so that the Council can make a firm responsibility determination in accordance with Section IV, Part F of the solicitation documents. A copy of this questionnaire is provided in Appendix 4 to the solicitation documents. A firm selected for a contract award for this project (including subcontractors / joint venture partners) may be deemed not responsible or ineligible for contract award if the firm fails to complete the questionnaire, as requested, or if the firm's questionnaire reveals any unexplained, material misstatements on this Attachment B, Form #3 - Firm Responsibility Certification.

The Council reserves the right to request additional information from your firm regarding the answers to the questions below.

1. Did you review the Firm Responsibility Questionnaire provided in Appendix 4 to the solicitation documents? Yes No
2. Based on your review of the Firm Responsibility Questionnaire, does your firm have any issues or deficiencies that may lead the Council to making a finding of non-responsibility? Yes No
If "Yes," use the form titled "Additional Information" to disclose the issues or deficiencies.
3. Is your firm able and willing to provide the documentation necessary to demonstrate that it has, or has the ability to obtain, the financial, technical, and administrative capacity and resources to successfully complete the Council's project within the estimated performance period? Yes No
If "No," use the form titled "Additional Information" to explain.
4. Does your firm's insurance coverage meet the minimum requirements described in the *Draft Contract Terms & Conditions, Paragraph 5*? Yes No
If "No," use the form titled "Additional Information" to explain.
5. Based on your review of the the Council's Conflicts of Interest Policy and the Conflicts of Interest Questionnaire & Disclosure Statement (see Appendix 3), will your firm need to disclose:
 - (a) a conflict of interest with respect to this procurement action (e.g. access to non-public information that provides or may appear to provide your firm with an unfair competitive advantage)? Yes No
 - (b) a conflict of interest with respect to the contract that will be awarded for this project (e.g. an interest that will impair or may appear to impair your firm's ability to objectively perform work for the Council's project)? Yes No

If "Yes," use the form titled "Additional Information" to briefly describe the nature of the conflict. If selected for a contract award, your firm will be required to fully disclose any conflict on the Conflicts of Interest Questionnaire & Disclosure Statement.

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

#3 - Firm Responsibility Certification (pg. 2 of 2)

Firm Name _____

6. Within the previous 3 years has your firm, any affiliate, any predecessor company or entity, owner, director, officer, partner, principal, or proprietor been subject to any of the following:
- (a) a government suspension or debarment? Yes No
 - (b) a governmental entity's rejection (including pending actions) of any bid or disapproval of any proposed subcontract for lack of responsibility? Yes No
 - (c) a governmental entity's denial or revocation of prequalification? Yes No
 - (d) a voluntary exclusion agreement? Yes No
 - (e) a finding of non-responsibility for any reason by a federal or state governmental entity / agency? Yes No
 - (f) had one or more public transactions (federal, state, or local) terminated for cause or default? Yes No
 - (g) an indictment for, or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) for, fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property? Yes No
 - (h) a civil judgment rendered against it for commission of any of the offenses enumerated in Question 6, Part (g)? Yes No
 - (i) a conviction of the commission of any of the offenses enumerated in Question 6, Part (g)? Yes No
 - (j) a grant of immunity with respect to the commission of any of the offenses enumerated in Question 6, Part (g)? Yes No
- If "Yes" to any of (a) through (j), use the form titled "Additional Information" to explain.*
7. Is your firm, any affiliate, any predecessor company or entity, owner, director, officer, partner, principal, or proprietor currently subject to any pending actions as enumerated in Question 6, Parts (a) through (j)? Yes No
- If "Yes," use the form titled "Additional Information" to explain.*

CERTIFICATION

By signing below, I certify that I am authorized to sign this Firm Responsibility Certification on behalf of my firm and that the information contained on this form is accurate and complete to the best of my knowledge.

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____

ATTACHMENT B Firm Information

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

Additional Information

Use this form to provide any information that you either could not provide on Forms #1 - 3 or that explains any of the answers you provided on Form #3. You may attach as many of these sheets that you need to provide the requested information.

Please make sure that you indicate the form and question for which you are providing additional information (i.e. Form #3, Box #2; Form #1, Former Firm Names, etc.)

Firm Name _____

Attachments for Illustrative Purposes
To find editable versions of the attachments visit:
www.ewgateway.org/contracting-opportunities/rfp-030119-metro

ATTACHMENT C Affirmative Action Checklist

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

Responding Firm _____

Please answer each of the questions below.

1. Does your firm have an affirmative action plan? Yes No
2. What date was the plan adopted? N/A Date
3. In the spaces below, provide the name and contact information for your firm's affirmative action officer. My firm does not have a person who is responsible for affirmative action matters.

Name	_____	Title	_____
Phone Number	_____	E-mail	_____
4. How many persons are employed by your firm? _____

Attachments for Illustrative Purposes
To find editable versions of the attachments visit:
www.ewgateway.org/contracting-opportunities/rfp-030119-metro

ATTACHMENT D Contract Terms & Conditions Comments

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

Use this form to notify the Council about any concerns you may have about the draft contract terms and conditions. The draft contract terms and conditions can be found as Appendix 2 on the Council's website at www.ewgateway.org/about-us/what-we-do/doing-business-with-ewg/contracting-opportunities/. These concerns can include, but are not limited to: questions, comments, or requests for changes.

If the draft contract terms and conditions are acceptable and you do not have any questions, comments, or requests for changes, please check the "No" box.

If you have any questions, comments, or request for changes please check the "Yes" box and use the space provided below to explain your concerns. Please make sure that you reference the applicable contract Paragraph and Part number.

This form must be signed and returned to the Council with your submittal.

It is the responsibility of each responding firm to review the draft contract terms and conditions. The Council may not consider a firm's requests for changes to the contract if the firm's concerns are not noted on this form. It is within the Council's sole discretion to consider requests for contract changes that the selected consultant did not include on this form.

It is within the Council's discretion to decide whether or not to change any contract terms and conditions, even if concerns are noted on this form. Any terms that are required by state or federal rules, regulations, or statutes or by the Council's agreement with a funding agency are not negotiable and are not subject to change.

No - The firm does not have any questions, comments, or requests for changes.

Yes - The firm has a question, comment, or request for a change as noted below.

Attachments for illustrative purposes
To find editable versions of the attachments visit: www.ewgateway.org/contracting-opportunities/info-030119-metro

Responding Firm _____

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____

ATTACHMENT E RFP Minimum Requirements Checklist

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

This form includes a list of all of the items that need to be included in your submittal. Some items listed on this form may not be required (shown below with an "N/A" option). For those items that are not listed in Section III, Part B of the RFP, check the "N/A" box. Refer to Section III, Part B of the RFP for a complete description of the items listed below. Review Section III, Part A of the RFP for the Submittal Formatting and Other Requirements, including the number of copies that need to be submitted.

Sub-Part 1 - Approach & Qualifications

- 1. Letter of Interest
- Includes statement committing submittal for 90 days*
- Includes point of contact information for questions*
- 2. Project Approach
- Includes Project Schedule*
- 3. Qualifications
- (a) Experience Summaries
- (b) Team Org Chart N/A
- (c) Addresses
- (d) Time Availability for Key Personnel Form
- (e) Prior Work Experience / Past Performance Form
- (f) Work Sample(s) N/A
- (g) References

Sub-Part 2 - Project Price

Attachment A

Sub-Part 3 - Firm Information

Attachment B

Sub-Part 4 - Other Forms & Certifications

- 1. Attachment C
- 2. Attachment D
- 3. Attachment E
- 4. D/S/W/MBE Participation
- (a) 0% Statement N/A
- (b) Attachments F & G N/A

Responding Firm _____

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____

To find editable versions of the attachments visit: www.ewgateway.org/contracting-opportunities/rfp-030119-metro

ATTACHMENT F
D/S/W/MBE Participation Form

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

Total Proposed Project Costs

D/S/W/MBE Information

Type of Firm (Check all that apply)	Name & Address	\$ Value of Work	Estimated % Participation
1. <input type="checkbox"/> DBE <input type="checkbox"/> SBE <input type="checkbox"/> WBE <input type="checkbox"/> MBE	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>
2. <input type="checkbox"/> DBE <input type="checkbox"/> SBE <input type="checkbox"/> WBE <input type="checkbox"/> MBE	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>
3. <input type="checkbox"/> DBE <input type="checkbox"/> SBE <input type="checkbox"/> WBE <input type="checkbox"/> MBE	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>
4. <input type="checkbox"/> DBE <input type="checkbox"/> SBE <input type="checkbox"/> WBE <input type="checkbox"/> MBE	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>
5. <input type="checkbox"/> DBE <input type="checkbox"/> SBE <input type="checkbox"/> WBE <input type="checkbox"/> MBE	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>
Total		<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>

In general, any work performed by a firm that is not a D/S/W/MBE cannot be counted toward the D/S/W/MBE participation for the project. This includes work that a D/S/W/MBE subcontracts to a non-D/S/W/MBE. A D/S/W/MBE that has been included as part of the project team must disclose its intent to subcontract a portion of its work to a non-D/S/W/MBE.

Will any of the D/S/W/MBEs listed above subcontract out any of its work to a non-D/S/W/MBE? Yes No

If "Yes," please provide a description of the work that will be subcontracted to a non-D/S/W/MBE and the estimated percentage of work to be subcontracted.

The undersigned submits the above list of D/S/W/MBEs that will be used to accomplish, at least in part, the work described in the solicitation documents.

Responding Firm _____

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____

ATTACHMENT G
Letter of Intent to Perform as a D/S/W/MBE

MetroLink System-Wide Security Assessment, Phase 2 - # 030119-METRO

Prime Contractor Name _____

The undersigned intends to perform work in connection with the above captioned project as one of the following (*check one*):

- a prime contractor a subcontractor
 a joint venture other (*please specify*)

The undersigned represents that it is a certified (*check all that apply*):

- DBE SBE
 WBE MBE

The undersigned is prepared to perform the work described below in connection with the above captioned project.

What is the dollar value of the undersigned's work? _____

In general, any work performed by a firm that is not a D/S/W/MBE cannot be counted toward the D/S/W/MBE participation for the project. This includes work that a D/S/W/MBE subcontracts to a non-D/S/W/MBE. A D/S/W/MBE that has been included as part of the project team must disclose its intent to subcontract a portion of its work to a non-D/S/W/MBE.

Will the undersigned subcontract out any of its work to a non-D/S/W/MBE? Yes No

If "Yes," please provide a description of the work that will be subcontracted to a non-D/S/W/MBE and the estimated percentage of work to be subcontracted.

The undersigned submits this letter of intent to perform as a D/S/W/MBE and certifies that it is prepared to perform the work described in this letter for the dollar value indicated above and that the information provided in this letter is accurate and true to the best of his/her knowledge.

D/S/W/MBE Name _____

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____