



**REQUEST FOR PROPOSALS
RFP# 08.2.21**

**August 3, 2021 Issued
September 17 Responses Due**

**Planning Services for the development of the
Buckhead Employer Assisted Housing Program**

**Livable Buckhead
3340 Peachtree Road
Suite 1640
Atlanta, GA 30326**

REQUEST FOR PROPOSALS (RFP) 08.02.21

Sealed Proposals for RFP 08.02.21 Planning Services for the development of the Buckhead Employer Assisted Housing Program will be received by Livable Buckhead, hereinafter called “LBI.” Planning Services whose proposals meet the criteria established in the Request for Proposals, at the sole discretion of LBI, may be considered for Contract award. LBI may, by direct negotiation, finalize terms with the service provider who is selected for award based on proposals. LBI reserves the right to reject any or all responses for any reason. Clarification of information may be requested by LBI.

Work is to commence on or about September 1, 2021.

LBI, at its sole discretion, may short-list firms that are deemed to best meet LBI’s requirements, taking into consideration all criteria listed in the RFP. Negotiations will be conducted in person or with the most qualified firm as identified by LBI or, if short-listing occurs, with all of the short-listed proposers. LBI requires pricing to remain firm for the duration of the contract. Failure to hold firm pricing for the duration of the contract will be sufficient cause for LBI to declare a proposal non-responsive.

A technical proposal must be submitted in a sealed envelope which shall be clearly marked RFP Buckhead Employer Assisted Housing Program - TECHNICAL PROPOSAL. One (1) printed and signed unbound original, three (3) bound copies, and one (1) electronic copy in PDF on a USB drive of the **technical proposals shall be submitted no later than 2:00 pm, Friday, September 17, 2021.** One copy of the cost proposal should be submitted in a **separate, sealed envelope** from the technical proposal clearly marked RFP 08.02.21 – Buckhead Employer Assisted Housing Program– COST PROPOSAL. (Proposals will not be submitted by facsimile or e-mail). [Failure to submit the cost proposal in a separate, sealed envelope may result in your proposal being deemed non-responsive.] At which time noted, all proposals received will be publicly opened and read. Any proposal received after the time and date specified for the opening of the proposals will not be considered, but will be returned unopened.

Questions regarding proposals should be directed to denise@livablebuckhead.org no later than 3 p.m. August 13, 2021. All questions and responses will be posted to the LBI website by August 20, 2021. An addendum acknowledgement section is included in the cost proposal form. Failure to acknowledge the addendums (list numbers and date) will deem the proposal non-responsive and not be considered. Proposals are legal and binding when submitted.

Proposal must be addressed as follows:

Denise Starling
Executive Director
Livable Buckhead
3340 Peachtree Road
Suite 1640
Atlanta, GA 30326

No Proposal may be withdrawn for a period of sixty (60) days after the time and date scheduled (or subsequently rescheduled) for proposal opening.

A selection committee comprised of the “Project Management Team” leading the effort will review proposals. The Project Management Team will include representatives from Livable Buckhead, ARC and selected community partners. After reviewing the proposals, the team may, at its discretion, request formal presentations from one or more of the proposers (at proposer’s expense) whose proposals appear to best meet the requirements.

The proposer awarded the Contract must provide proof of sufficient liability insurance (see Attachment “B”), along with any other required insurance coverage and evidence of business or occupational license.

The Project Management Team reserves the right to waive any informalities or irregularities of proposals, to request clarification or information submitted in any proposal, to request additional information from any proposer, or to reject any or all proposals, and to re-advertise for proposals. LBI also reserves the right to extend the date or time scheduled for the opening of proposals.

Award, if made, will be to the responsible and responsive proposer submitting the proposal which is deemed by LBI with direction from the Project Management Team, to be the most advantageous to the community, price and other factors being considered.

Award of this project is contingent upon receipt of the federal funding awarded to the project. LBI reserves the right not to award a contract should those funds not be made available.

To ensure the proper and fair evaluation of proposals, communication initiated by a proposer or its agent to an employee of the organizations evaluating or considering the proposal during the period of time following the issuance of the RFP, the opening of proposals and prior to the time a decision has been made with respect to the Contract award is prohibited. The Project Management Team may initiate communication with a proposer in order to obtain information or clarification needed to develop a proper and accurate evaluation of the proposal. Any communication initiated by proposer during evaluation should be via e-mail to denise@livablebuckhead.org. Unauthorized communication by the proposer may disqualify the proposer from consideration.

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PART ONE - BACKGROUND

Introduction

Livable Buckhead has been awarded Community Development Assistance Program (CDAP) funds on behalf of the Buckhead Community to develop an Employer Assisted Housing Program for Buckhead.

The goal of this effort is to implement one of the three primary recommendations from the Buckhead Housing Stratification and Commute Analysis study: to connect workers with existing housing opportunities by developing and launching a program of employer supported incentives. Two key outcomes are:

1. The development of a comprehensive and actionable set of strategies to engage employers in providing housing assistance to employees in Buckhead earning less than \$50,000 to provide those employees the opportunity to live in the community where they work resulting in decreased commute traffic for the community as a whole.
2. Activate the community's financial, civic and corporate capacity and engage key individuals/entities to form collaborative partnerships to spearhead specific tasks necessary to lead to successful implementation of the program.

Community Background

The Buckhead Community is a commanding economic powerhouse for the Atlanta Metropolitan Region and the Southeast United States. This reputation is well-earned and has been cultivated from years of community building as reputable neighborhood for residents and businesses in the City of Atlanta. As one of the region's leading employment centers, the home of two of the Southeast's premier shopping destinations, Buckhead proves to serve as a major focal point in the region.

The magnitude of Buckhead's draw has created a community that enjoys/ boasts/ maintains/ experiences/ has some of the highest housing prices in the Southeast. Just over the last decade employment within the Buckhead Core has out-paced residential growth substantially. These economic conditions contribute to the area's acute jobs-to-housing mismatch. Although this problem is not exclusive to Buckhead, it is severely pronounced in the district.

More Buckhead employees should have the opportunity to call Buckhead home. Even with the addition of new housing throughout the community, most of these options are out of reach for a large portion of the workforce. As of 2016, 98% of Buckhead area employees commuted to Buckhead from outside of the district.

The jobs-to-housing imbalance is a primary contributor to Buckhead's traffic congestion. Buckhead organizations need to collaborate in order to better understand the dynamic housing needs within the district. These organizations, in partnership with employers and area service providers, must push for more diversified types of housing, pursue provision of economical housing options within the district for area workers, and enhance transit usage to provide greater

access to residential areas and nearby transit-oriented activity centers, including Lindbergh, Dunwoody, Brookhaven, Chamblee, and Doraville.

Nearly 40% of the Buckhead Core’s estimated 68,500 employees work in industry sectors with average incomes of less \$50,000. However, only approximately 3,500 apartment units are available in the Buckhead Core with rents at or below \$1,500/month. This means that there are currently just fewer than seven employees for every resident in the Buckhead Core, despite the growth in residential units during the period. Private market-rate housing development will continue to provide the greatest number of new residential units in the area, adding units with average prices exceeding \$1,500/ month. Land and development costs often guide this luxury pricing. However, demand also exists for units at lower rates.

To meet demand and expand housing options across a broader range of household incomes in the Buckhead Core a multipronged approach is needed.

This multi-pronged analysis will require a robust and comprehensive public engagement strategy. The following scope of work also seeks to approach the housing issue very specifically from a transportation standpoint. This positioning is critical as it ensures the problem is viewed as relevant to everyone in the community. It is anticipated that this effort will require a multidisciplinary team of consultants with specific expertise in transportation, housing and economic/market analysis to achieve the desired outcomes.

Project Leadership

The work outlined in this RFP will be contracted through Livable Buckhead, managed by Denise Starling, and led by a project management team, a stakeholder committee and a stakeholder committee.

Project Management Team – The Project Management Team will consist of one representative from each of the following organizations: BCID, Livable Buckhead and the Buckhead Coalition, this will be the management team leading the effort and supporting the Project Manager.

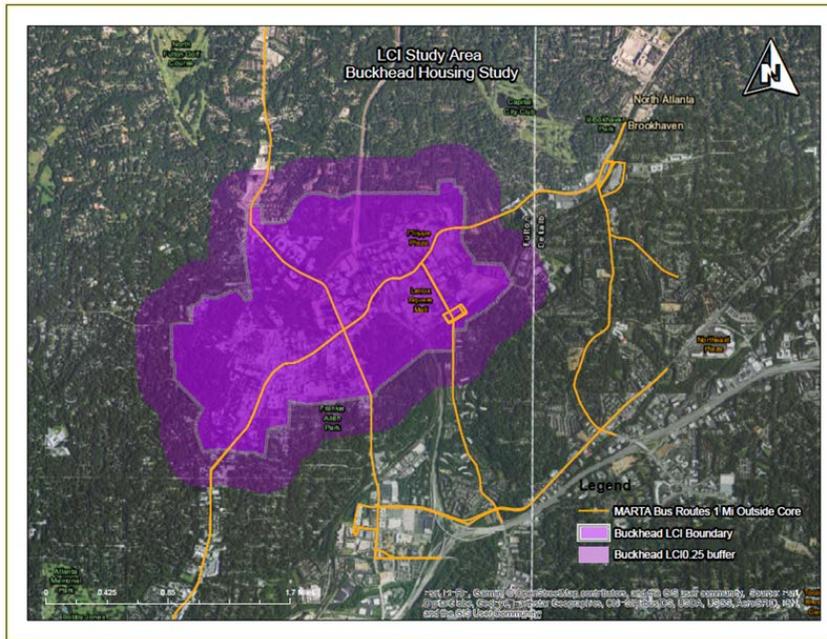
Stakeholder Committee – The intent of this plan development is to include extensive public engagement ensuring all stakeholders are actively engaged in the project. In order to achieve this, the project will be led by a Stakeholder Committee comprised of the following representatives (not finalized):

- City of Atlanta
- Private fund representative
- Atlanta Housing Authority
- Gables Residential
- Buckhead Coalition
- AMLI Residential
- ULI
- Banking – Large/small scale
- Capital/Investment Attraction
- MARTA
- Community Foundation
- Invest Atlanta
- Hotelier
- Major employers
- Restaurant employer
- Retail employer
- Atlanta Public Schools,
- Private School Representative

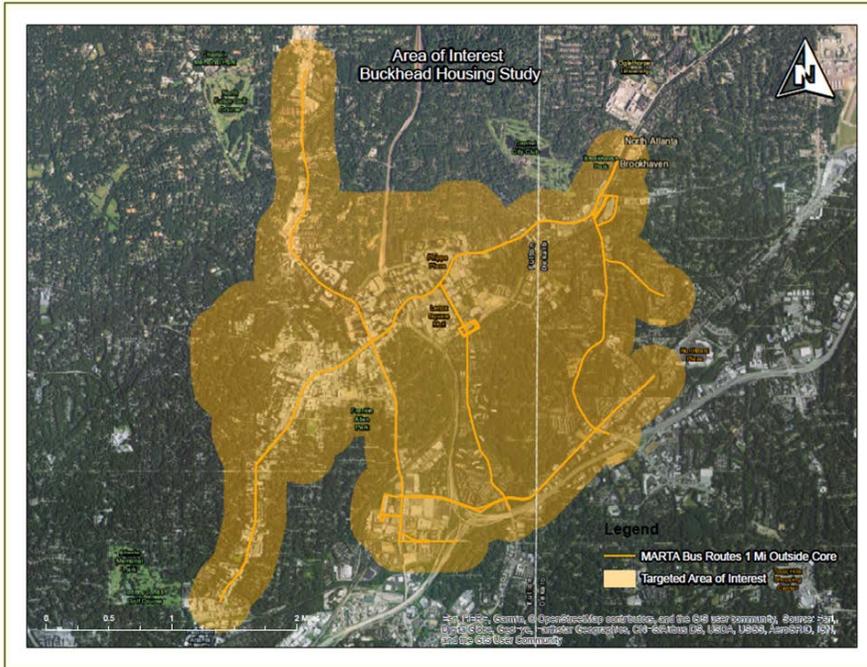
- Metro Atlanta Chamber
- Atlanta City Council District 7&8

Project Study Area - The study will cover two geographies. For those tasks related to defining and quantifying the workforce, the commercial core will be used as shown in Map “A” below. For those tasks related to identifying the opportunities for housing, a broader area including all of Buckhead and adjacent communities accessible with 25 minutes by bus will be incorporated as depicted in Map “B” below.

MAP A: Workforce/Commercial Core



Map B: Housing Opportunity Area



PART TWO - SCOPE OF SERVICES

I. General: The proposed scope of services in this Request for Proposals is in support of the following Atlanta Regional Commission (ARC) sub element: 802 CAS – Livable Centers Initiative Investment Policy Studies. Portions of the Atlanta Metropolitan Transportation Planning Area are in maintenance for both ozone and PM2.5 standards under the Clean Air Act under the Clean Air Amendments of 1990. Because of this designation, the region must look toward better development practices that support increased use of transportation modes other than single occupant vehicles (SOV) to help reduce emissions and meet air quality requirements. The LCI Program seeks to increase the use of alternatives to driving alone by developing transportation projects and other programs to improve accessibility, expand mixed-uses, utilize transit and support further development in the study area. Evaluation of the existing structure and development of likely scenarios should produce recommendations for future investment that support ARC’s Livable Centers Initiative Program.

II. Project Background

The Buckhead Housing and Commute stratification analysis conducted in 2019 included an in-depth evaluation of the housing stock and employment in the community, and through a gap analysis identified the potential demand to fill 6,000 units of affordable and workforce housing for those households making less than \$50,000 each year.

Two challenges stand in the way of making this happen: 1) there are not 6,000 units in this price range in the existing inventory, and 2) the community will not support the addition of new units without ensuring that Buckhead’s workforce will occupy them. Currently, only 8% of the workforce lives within the community - which is the root of our traffic problem. This trend is

likely to continue with any new units that come on-line and will result in additional traffic without direct intervention to create connectivity between employers and the housing stock.

Since the development of the Buckhead Housing and Commute stratification analysis, the City of Atlanta has proposed sweeping reform to single family zoning that impacts Buckhead's most prestigious and sought-after neighborhoods in an effort to provide additional and affordable housing in the City. These proposals have sparked significant opposition in Buckhead and have become one of the key pillars behind a recent move by residents to de-annex the community from the City of Atlanta overall. Such a move would prove detrimental to the City and region, so this work is critical in bridging the divide.

The goal of this project is to develop an *actionable* and highly detailed employer assisted housing program and strategy directed toward those positions making less than \$50,000 per year and tailored to meet the specific needs of the community as identified through direct and meaningful engagement with Buckhead employers, residential property managers and developers. The program should build upon existing programs available through existing agencies and provide a variety of options that can be tailored to meet the needs of a wide range of employers. The outcome will be very specific to the Buckhead community; however, the process for developing the approach should be replicable for other areas and the outcome should benefit a broader area to the extent actionable.

III. Scope of Services

- 1. Determine employer appetite/willingness to participate in employer assisted housing programs in a manner that both educates employers about the need and recruits their active participation**
 - a. Develop and deploy statistically significant communitywide employer survey
 - b. Conduct focus groups with key employers representing a cross section of employers with jobs in targeted pay scale.
 - c. Conduct at least 10 face to face or zoom meetings with Buckhead's largest employers to solicit their participation.
 - d. Conduct 3 presentations to civic organizations with active employer participation including Livable Buckhead, Buckhead Coalition, Buckhead Business Association and Buckhead Hotel Council.
- 2. Determine employee level of interest in taking part in housing programs offered through employer in a manner that both educates them about the program and recruits their active participation**
 - a. Develop and deploy statistically significant communitywide employee survey in both English and Spanish to ensure participation by underrepresented and anticipated high need audiences. Target survey participation of at least 30% for ten of Buckhead's largest employers.
 - b. Conduct 5 focus groups with key employees representing a cross section of employers with jobs in targeted pay scale (in Spanish and English).

- c. Analyze survey findings and job characteristics (such as turnover rates) to determine and quantify the target market for participation.
- 3. Determine rental community appetite/willingness to participate in employer assisted housing programs in a manner that both educates managers about the need and recruits their active participation.**
 - a. Conduct focus group meeting with key property/asset managers representing a cross section of price points to solicit their participation.
- 4. Conduct review of federal and state fair housing and rent control laws (*to be conducted early in engagement to ensure whole process in appropriately guided*)**
 - a. Determine applicability to employer assisted housing programs to ensure program does not run afoul of these laws and regulations
 - b. Prepare written summary of findings including identification of any legal or regulatory changes needed to implement programs in Georgia
- 5. Research**
 - a. Conduct peer research of existing programs, including but not limited to, The Greater Minnesota Housing Fund.
 - i. Identify universe of potential employer assisted options (down payment assistance, gap financing, rent subsidies, loan guarantees, etc) including those oriented toward existing employers and recruitment tools for prospective employers considering locating in the community.
 - ii. Review program delivery structure of existing programs
 - iii. Identify opportunities to tie housing to traditional transportation demand management practices and programs.
 - b. Conduct review of applicant screening criteria to determine barriers for acceptance to participating properties.
 - c. Identify potential partner programs that might be leveraged by compiling an inventory of organizations and their respective programs making home ownership more accessible to low- and moderate-income households in Atlanta.
 - d. Develop/compile a cache of case studies for existing employer assisted housing programs locally and throughout the country.
 - e. Identify funding/resources available to support program including public, private and philanthropic options including but not limited to urban enterprise zone, public programs and private investment.
- 6. Develop toolkit of strategies**
 - a. Analyze data from surveys conducted in Tasks 1 and 2 to determine areas of compatibility for program development.
 - b. Develop package of strategies that allows existing and future employers to participate at multiple levels of buy-in.
 - i. Identify potential options for existing and potential future employer contributions including down payment assistance, development loans, land donation, rent subsidy, etc.
 - ii. Assess local housing capacity and resources including for profit and non-profit organizations.

1. Determine partnerships needed to launch and oversee program
 2. Ensure strategies are compliant with fair housing laws identified in previous task
 3. Develop implementation timeline
 - c. Determine organizational structure necessary to support ongoing program
 - i. Identify staffing needs and resources
 - ii. Determine participating partners
 - iii. Develop resource requirements (financial and personnel)
 - d. Develop Marketing and Messaging Materials for use in employer recruitment
 - i. Employer-facing educational materials
 - ii. Employee facing educational materials
 - iii. elected official and legislator facing materials
 - e. Train key staff to work with employers to recruit participants and implement the programs
- 7. Develop Comprehensive guide for program development to be shared with other communities within Georgia and throughout the country.**

Community engagement

The development of this strategy has to be rooted in input provided directly by the employers and workers in the community to ensure it is feasible, so community engagement is a critical component of the development of the strategy.

Community engagement strategies will include:

1. Develop a steering committee to provide strategic direction from a variety of stakeholder viewpoints. Sample members to include (Hotel HR representative, Local Restaurantur like 5th group, GA Restaurant Association, Latin American Association, Gables Residential, AMLI Residential, Atlanta Housing, Simon Property Group, Macys, Atlanta Apartment Association, First Service Residential, Major employers)
2. Conduct areawide survey targeting employer input (English and Spanish)
 - a. Conduct Presentations to major civic business associations
3. Conduct areawide survey targeting employee input (English and Spanish)
 - a. Conduct focus groups with key employers having large percentages of moderate to low-income wage jobs. (Hotel, retail, etc)
4. Utilize existing Livable Buckhead employer council to provide feedback
5. Conduct focus groups

The targeted employment sectors (retail, restaurant and hotel) for this work are those that are traditionally inclusive of under-represented populations in Buckhead, so we will make a concerted effort to work through our existing partnerships with local hotel general managers, retail property managers and HR directors to conduct engagement events that specifically meet these people where they are. We will also pursue a partnership with the Latin American Association to engage them through the steering committee and through their existing classes and community events.

Final Deliverables

- Comprehensive analysis of survey input including detailed written analysis of findings as well as topline results.

- Comprehensive documentation on peer programs
- Written analysis of fair housing and other applicable laws and regulations that guide program implementation including easily digestible executive summary.
- Detailed strategy to deploy employer assisted housing developed specifically to respond to the needs and opportunities of the Buckhead market including comprehensive work plan, timeline, resource allocations, partner roles and responsibilities, and metrics for evaluating program success.
- Graphically designed sales materials/key messages/toolkit of options
- Training modules and actual training for key staff

PART THREE: PROPOSAL FORMAT

- **Cost Proposal**

The cost proposal should be submitted in a **SEPARATE**, sealed envelope from the technical proposal. Do not include the Cost Proposal Form in the technical proposal.

The cost proposal should include a detailed line-item budget including all labor and direct costs broken down by task. If the proposal includes recommended services beyond the scope listed, those should be called out separately as optional services.

The Project Management Team reserves the right to award all or part of the proposed project and is likely to authorize implementation of the project by phase/trail segment.

The Project Management Team reserves the right to negotiate actual fees for the project following the consultant selection.

- **Technical Proposal**

The technical proposal should be submitted in a sealed envelope. To aid in thorough and consistent review, the technical proposal shall be submitted on no more than 25, one-sided 8½” x 11” pages in no smaller than 10-point font and shall be clearly organized. Tabs and required forms will not be counted towards the 25-page limit.

Each proposal shall include a Title Page and a Table of Contents. The Title Page should identify the project; the name of the firm, name of the firm’s primary contact, address, telephone number, fax number and email address. The Table of Contents shall contain the sections and corresponding page number for the items listed below. All pages of the proposal must be clearly identified and consecutively numbered and correspond to the Table of Contents.

Project Approach – Each proposer shall provide with its proposal a summary Project Plan that describes the proposer’s approach to the successful implementation of the proposed services. Each proposer shall submit, in the order below:

- a. A detailed outline of proposed methodology to complete the project including a high-level timeline and brief descriptions of the key tasks, key milestones and key deliverables. An estimate of hours per task by professional personnel category for the project phases/deliverables should be included.
- b. State the proposer’s belief of the scope of the intended strategy within the RFP. If there are any gaps between what the proposer believes should be the proper scope of the services given all information known at the time of this RFP, the proposer should clearly state these gaps in this section and clearly mark these concerns as such;
- c. Discussion of the assumptions relating to the responsibilities and/or commitments the proposer is expecting of LBI throughout the life of this project.

Team Qualifications – Each proposer shall document its staff, experience and qualifications by providing in its proposal a Staffing Plan describing the manner in which it plans to manage and staff the awarded contract, including the resumes of key and critical personnel, to successfully complete the project objectives on a timely basis and within the agreed upon budget. The Staffing Plan should include, as a minimum, the proposed project manager and key functional and technical team members and their related roles and shall provide, at a minimum, the following for each team member:

- a. Qualifications, including experience in the proposed project methodology and public sector and/or municipal experience;
- b. Summary of experience, including the number of years of relevant experience, years with the firm and representative project experience with project name, client and date performed;
- c. Other supporting documentation which demonstrates the ability to successfully perform the work;
- d. The intent, if any, to subcontract implementation personnel. The ARC has set a DBE goal of 15.1%. Specifically, describe the functions to be subcontracted and the expertise and credentials required from the subcontractor and include the subcontractor’s company name; and
- e. The proposer’s assurance, to the extent possible, that the proposed team members will be available and remain on the project until its completion. Include the availability of replacement team members in the event the proposed team members become unavailable prior to the commencement of or during the project.

Project Experience – Each proposer shall provide three case histories of recent similar projects completed by the firm.

Project Schedule – Each proposer shall provide a detailed project schedule corresponding to the proposed methodology and highlighting key tasks and milestones including all public engagement activities.

Additional Materials – Each proposer may, but is not required to, include references, qualifications, resumes and any other materials deemed necessary but not provided otherwise (such as promotional literature, white papers, etc.) They should be clearly marked “Additional Materials” and will not be included with the 25-page maximum guideline for the proposal length. Note that these materials may or may not be reviewed by all evaluators and will not be part of the official evaluation except to the extent they support qualifications and experience. Any out-of-scope services not covered in other sections should be included here with a description of the personnel likely to be involved, and the resources brought to bear (including costs and/or hourly rates) should be provided.

PART FOUR - EVALUATION OF PROPOSALS

The Project Management Team will review all proposals submitted. After reviewing the proposals, the team may, at its discretion, invite to interview and demonstrate performance (at proposer's expense at LBI's site) one or more of the proposers whose proposals appear to best meet the requirements stated in the RFP. The purpose of such an interview would be for all proposers to elaborate upon their proposal before a recommendation for ranking of the proposals is made. Interview responses, and performance, along with the written proposal and samples (if any), will become part of proposer's submission to be evaluated pursuant to the evaluation criteria. The BCID reserves the right to short-list proposers for further consideration.

- **Selection Criteria**

LBI, with guidance provided by the Project Management Team, may award the Contract to the responsible and responsive proposer submitting the proposal which is deemed to be the most advantageous to the community by the Project Management Team, price and other factors being considered. The following are the evaluation criteria the Project Management Team will consider in determining which proposal is most advantageous to the community:

- Project Understanding and Approach: The community is looking for an innovative and creative approach that recognizes the uniqueness and character of the community and builds off those assets to develop a vision that sets Buckhead apart from other communities.
- Qualifications: the community is looking for a diverse team of professionals comprised of seasoned individuals with vision, creativity, technical competence and experience in implementation to ensure the plans developed are visionary as well as technically sound and feasible.
- Similar Experience: While every community is unique, experience with similar planning efforts is critical.
- Interview: Public engagement is the most critical component of any communitywide visioning effort, therefore, the community is seeking a team with dynamic personalities that engage and inspire as they develop a rapport with the community.
- Pricing: Cost effective proposals are of significant importance in awarding this contract. The cost proposal should include a detailed line item budget including all labor and direct costs broken down by task and hours. If the proposal includes recommended services beyond the scope listed, those should be called out separately as optional services.

- **Criteria Weighting**

The proposals will be ranked using the following allocation of points with the total eligible points being 100.

- Written Proposal /Project Approach: maximum of 30 points
- Qualifications/Expertise: Maximum of 20 points
- Interview: Maximum of 30 points
- Cost: Maximum of 20 points

- **Selection Schedule:**

Advertise RFP:	August 2,2021
Questions Due:	August 13, 2021
Responses Provided:	August 20, 2021
Proposals Due:	Sept 3, 2021
Evaluate Proposals:	Sept 6-10, 2021
Conduct Interviews	Sept 13-17, 2021
Award Contract:	Sept 20, 2021
Begin Work:	October 1, 2021
Completion (no later than)	October 1, 2022

- **Acceptance of Proposals**

The project Management team reserves and holds without any liability on the part of LBI the following rights and options:

- To reject any and/or all submittals or portions of submittals
- To reject a sub consultant
- To re-advertise if deemed necessary
- To interview candidates prior to making a selection
- To issue subsequent Requests for Qualifications or Requests for Proposals
- To not negotiate or contract for the services
- To approve, disapprove, modify or cancel any of the scope of work to be undertaken

- **Contract Negotiations**

The contract for the work proposed in the RFP will be contracted through Livable Buckhead. LBI will negotiate the terms of the contract with the firm(s) submitting the top-ranked response(s) or another ranked choice should negotiations with the top-ranked firm fail.

- LBI will not reimburse any costs incurred prior to a formal notice to proceed should a contract award result from this solicitation.

Equal Opportunity:

This will be an equal opportunity project; a consultant will be sought without regard to age, disability, religion, creed or belief, political affiliation, race, sex, or ethnicity and encourages the use of minority and disadvantaged business owners.

* * * * * END OF SPECIFICATIONS * * * * *

**Attachment “A”
COST PROPOSAL FORM**

RFP 03.16 10-year update for the Livable Centers Initiative (LCI) Buckhead Action Plan

Acknowledgement is hereby made of the following Addendum(s) received since issuance of the Contract Documents (identified by number)

Addendum No.	Date	Addendum No.	Date	Addendum No.	Date
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Company Name: _____

It shall be the responsibility of each Proposer to visit the BCID’s website to determine if addendum(s) were issued and, if so, to obtain such addendum(s). Failure to acknowledge an addendum above shall not relieve the Proposer from its obligation to comply with the provisions of the addendum(s) not acknowledged above.

Work is to commence on or about April 15, 2016.

The BCID requires pricing to remain firm for the duration of the initial term of the contract. Failure to hold firm pricing for the initial term of the contract will be sufficient cause for the BCID to declare bid non-responsive.

Termination for Cause: The BCID may terminate this agreement for cause upon ten days prior written notice to the Consultant of the Consultant’s default in the performance of any term of this agreement. Such termination shall be without prejudice to any of the BCID’s rights or remedies by law.

Termination for Convenience: The BCID may terminate this agreement for its convenience at any time upon 30 days written notice to the Consultant. In the event of the BCID’s termination of this agreement for convenience, the Consultant will be paid for those services actually performed. Partially completed performance of the agreement will be compensated based upon a signed statement of completion to be submitted by the Consultant, which shall itemize each element of performance.

Termination for fund appropriation: The BCID may unilaterally terminate this Agreement due to a lack of funding at any time by written notice to the Consultant. In the event of the BCID’s termination of this Agreement for fund appropriation, the Consultant will be paid for those services actually performed. Partially completed performance of the Agreement will be compensated based upon a signed statement of completion to be submitted by the Service Provider which shall itemize each element of performance.

The contractor agrees to provide all work to complete the project described in this document for the amount listed below.

- | **TASK 1 – EMPLOYER PARTICIPATION ANALYSIS** _____ \$ _____
- | **TASK 2 – EMPLOYEE PARTICIPATION ANALYSIS** _____ \$ _____
- | **TASK 3 – RENTAL PROPERTY PARTICIPATION ANALYSIS** _____ \$ _____
- | **TASK 4 – LEGAL REVIEW/FAIR HOUSING COMPLIANCE** _____ \$ _____
- | **TASK 5 – PEER PROGRAM RESEARCH** _____ \$ _____
- | **TASK 6 – PROGRAM DEVELOPMENT** _____ \$ _____
- | **TASK 7 – GUIDE DEVELOPMENT** _____ \$ _____
- | **TASK 8 - FINAL REPORT/DOCUMENTATION** _____ \$ _____

TOTAL COST \$ _____

Legal Business Name _____

Federal Tax ID _____

| Address_ _____

Representative Signature _____

Printed Name _____

Telephone Number _____

Fax Number _____

Email Address _____

Attachment “B” Insurance Standards

The Consultant shall obtain and maintain the following insurance coverages issued by an insurance company authorized to do business in the State of Georgia with a minimum A.M. Best rating of “A VII” and reasonably acceptable to the CID. Consultant shall provide certificates of insurance evidencing these coverages to CID upon execution of this Agreement.

- A. Workmen's Compensation Insurance in accordance with the laws of the State of Georgia.
- B. Commercial General Liability Insurance including Bodily Injury and Property Damage in an amount of not less than Two Million Dollars (\$2,000,000) in the aggregate and One Million Dollars (\$1,000,000) per occurrence.
- C. Automobile Liability Insurance in an amount not less than Two Million Dollars (\$2,000,000) in the aggregate and One Million Dollars (\$1,000,000) per occurrence.
- D. Valuable Papers Insurance in an amount sufficient to assure the restoration of any plans, drawings, field notes, or other similar data relating to the work covered by the Project.
- E. Professional Liability Insurance in the minimum of One Million Dollars (\$1,000,000) per claim and One Million Dollars (\$1,000,000) in the aggregate.
- F. Umbrella Insurance in the minimum of Five Million Dollars (\$5,000,000) over and above the underlying required coverages of Commercial General Liability and Auto Liability coverage.

Consultant shall provide CID a minimum thirty (30) days written notice prior to any change in insurance coverage. Said liability insurance policies shall name CID and Livable Buckhead as additional insureds.

Attachment “C”

Governing Regulations/Required Forms

Non-Collusion Affidavit – Form B

The Proposal shall include Form B, certifying that the Proposal is not the result of and has not been influenced by collusion.

Conflict of Interest Disclosure Statement – Form C

Pursuant to Section 1.6.3, the Proposal shall include a certification on Form C describing potential organizational conflicts of interest, including disclosure of all relevant facts concerning any past, present, or currently planned interest that may present an organizational conflict of interest.

Participating Members, Contractors and Key Personnel Commitment –Form G

The Proposal shall include a completed Form G confirming the identity, current availability and commitment to the Project of the Participating Members, Major Non- Participating Members and Key Personnel for the Major Non-Participating Members that were listed by Proposer in the SOQ, subsequently approved in writing by GDOT in accordance the procedures set forth in this ITP.

Equal Employment Opportunity Certification – Form H

The Proposal shall include an executed copy of Form H, regarding participation in contracts subject to federal equal employment opportunity requirements.

DBE Certification and Program Description – Form I

The Proposal shall include an executed copy of Form I confirming, among other things, that Proposer will make a good faith effort to obtain DBE commitments equal to or exceeding the DBE participation goal in Section 1.8. The Proposal shall also include a commitments list for the project as specified in Form I.

Buy America Certification – Form J

The Proposal shall include an executed copy of Form J, regarding federal “Buy America” requirements.

Use of Contract Funds for Lobbying Certification – Form K

The Proposal shall include an executed copy of Form K, regarding use of contract funds for lobbying.

Debarment and Suspension Certification – Form L

The Proposal shall include an executed copy of Form L, regarding debarment and suspension of contractors.

GA Security & Immigration Compliance Act Certification - Form R

The Proposal shall include an executed copy of Form R regarding security and immigration compliance.

(Signature)

(Signature)

(Name Printed)

(Name Printed)

(Title)

(Title)

Subscribed and sworn to before me this ____ day of , 201__.

Notary Public in and for
said County and State
[Seal]

My commission expires:

[Duplicate or modify this form as necessary so that it accurately describes the entity making the Proposal and so that it is signed on behalf of all partners, members, joint venture members, Participating Members and Major Non-Participating Members.]

FORM C
Conflict of Interest Disclosure Statement

Proposer's Name: _____ ("Proposer")

Proposer's attention is directed to Section 1.6.3 of the ITP regarding organizational conflicts of interest and the restrictions applicable to such conflicts. Proposers are advised that certain firms will not be allowed to participate on any Proposer's team for the 10-Year Update for the Livable Centers Initiative Buckhead Action Plan Project (the "**Project**") because of their work with GDOT in connection with the Project Procurement.*

* Initially capitalized terms not otherwise defined herein shall have the meanings ascribed thereto pursuant to the Instructions to Proposers within the Request for Proposals for the Project.

1. Required Disclosure of Conflicts

In the space provided below, and on supplemental sheets as necessary, identify all relevant facts relating to past, present, or planned interest(s) of the Proposer's team (including the Proposer, Participating Members, Major Non-Participating Members, proposed consultants and proposed subcontractors, and their respective chief executives, directors, and other key personnel for the project) which may result, or could be viewed as, an organizational conflict of interest in connection with this RFP.

For any facts relating to past, present, or planned interest(s) of the Proposer's team (including the Proposer, Participating Members, Major Non-Participating Members, proposed consultants and proposed subcontractors, and their respective chief executives, directors, and other key personnel for the project) which may result, or could be viewed as, an organizational conflict of interest in connection with this RFP, the Proposer shall disclose (a) any current contractual relationships with GDOT, (b) any past, present, or planned contractual or employment relationships with any officer or employee of GDOT, and (c) any other circumstances that might be considered to create a financial interest in the contract by any GDOT member, officer or employee, officer or employee if Proposer is awarded the DB Agreement. Proposer shall also disclose matters such as ownership of ten percent (10%) or more of the stock of, or having directors in common with, any of the individuals or entities involved in preparing the RFP. Proposer shall also disclose contractual relationships (i.e. joint ventures) with any of the individuals or entities involved in preparing the RFP, as well as relationships wherein such individual or entity is a contractor or consultant (or subcontractor or subconsultant) to Proposer or a member of Proposer's team. The foregoing is provided by way of example, and shall not constitute a limitation on the disclosure obligations. _____

2. Explanation

In the space provided below, and on supplemental sheets as necessary, identify steps the Proposer or other entities have taken or will take to avoid, neutralize, or mitigate any organizational conflicts of interest described herein. _____

FORM G
Form of Participating Members, Major Non-Participating Member, Contractors and Key Personnel Commitment

Proposer's Name: _____ (the "Proposer")

Proposer hereby commits that, if awarded the project (the "**Project**"), the Proposer will use the entities and individuals listed below for their stated positions and that, to the extent within the Proposer's control, such entities and individuals will be available to fulfill their Project-related responsibilities.

Participating Member: _____

Participating Member: _____

Participating Member: _____

Lead Contractor: _____

Project Manager: _____

Superintendent: _____

Lead Engineering Firm: _____

Lead Design Engineer: _____

Key Personnel: _____

Signed: _____

Printed Name: _____

Title: _____

Date: _____

FORM H
Equal Employment Opportunity Certification

[To be executed by the Proposer, Participating Members, Major Non-Participating Members and proposed Contractors]

The undersigned certifies on behalf of _____, that:
(Name of entity making certification)

[check one of the following boxes]

It has developed and has on file at each establishment affirmative action programs pursuant to 41 CFR Part 60-2 (Affirmative Action Programs).

It is not subject to the requirements to develop an affirmative action program under 41 CFR Part 60-2 (Affirmative Action Programs).

[check one of the following boxes]

It has not participated in a previous contract or subcontract subject to the equal opportunity clause described in Executive Orders 10925, 11114 or 11246.

It has participated in a previous contract or subcontract subject to the equal opportunity clause described in Executive Orders 10925, 11114 or 11246 and, where required, it has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Signature: _____

Title: _____

Date: _____

If not Proposer, relationship to Proposer: _____

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by Proposers only in connection with contracts which are subject to the equal opportunity clause. Contracts that are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally, only contracts of \$10,000 or under are exempt.) Currently, Standard Form 100 (EEO-1) is the only report required by Executive Orders or their implementing regulations.

Proposers, Participating Members, Major Non-Participating Members or proposed Contractors who have participated in a previous contract subject to the Executive Orders and have not filed the required reports shall note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

**FORM I
DBE Certification**

DISADVANTAGED BUSINESS ENTERPRISES REQUIREMENTS

The following overall statewide goal for participation by DBEs is established for professional services and construction work:

DBE

2% of the overall Project design and construction costs, with respect to the race conscious participation by the Design-Build Team.

DBE Certification

By signing below, the Proposer certifies that (1) Design-Build Team will provide a good faith effort to meet the goal; and (2) Design-Build Team will submit a DBE Commitments List meeting the requirements set forth in Attachment 6 to Exhibit 8 to the DB Agreement. See page of this form for Commitments List requirements.

Failure to submit the DBE Commitments List will be considered a breach of the requirements of the RFP. As a result, the Proposal Bond provided by the Proposer will become property of GDOT and the Proposer will be precluded from participating in any re-procurement of the DB Agreement for the Project.

[name]

[title]

The DBE firms to be utilized as counting toward the proposed goal must be listed on this form, along with their addresses, type of work and the amount to be paid to each of the minority firms. The amount entered will not necessarily be the contract amount, but must be the actual amount that will be paid to the DBE firm. In the case of a DBE supplier, the amount paid and 60% of that amount both will be entered; and only the 60% figure should be added to the total. An example of this is shown in the example chart:

Vender Number	Company Name and Address (City and State)	Type of Work	*Work Code	Race Neutral	Race Conscious	Amount
	ABC Oil Company Atlanta, GA	Diesel Fuel Supplier				\$80,000.00 (60%= \$48,000.00)

* For Departmental use ONLY. Do not fill in Work Codes.

The Contractor shall indicate for each DBE and Type of Work whether the DBE Participant is Race Neutral or Race Conscious by placing a checkmark in the appropriate column.

PLEASE NOTE: For 60% of the amount paid to a DBE supplier to be eligible to count toward fulfilling the DBE goal, the supplier must be an established “regular dealer” in the product involved, and not just a broker. A “regular dealer” would normally sell the product to several customers and would usually have product inventory on hand.

FORM J
Buy America Certification

The undersigned Proposer hereby certifies on behalf of itself and all contractors (at all tiers) the following:

- a. Proposer shall comply with the Federal Highway Administration (“FHWA”) Buy America Requirements of 23 CFR 635.410, which permits FHWA participation in the DB Agreement only if domestic steel and iron will be used on the Project. To be considered domestic, all steel and iron used and all products manufactured from steel and iron must be produced in the United States and all manufacturing processes, including application of a coating, for these materials must occur in the United States. Coating includes all processes that protect or enhance the value of the material to which the coating is applied. This requirement does not preclude a minimal use of foreign steel and iron materials, provided the cost of such materials does not exceed 0.1% of the design-build contract price.

- b. A false certification is a criminal act in violation of 18 U.S.C. 1001. Should this certification be investigated, Proposer has the burden of proof to establish that it is in compliance.

- c. At Proposer’s request, GDOT may, but is not obligated to, seek a waiver of Buy America requirements from FHWA if grounds for the waiver exist. However, Proposer certifies that it will comply with the applicable Buy America requirements if a waiver of those requirements is not available or not pursued by GDOT.

Date: _____

Signature: _____

Title: _____

Proposer’s Name: _____

FORM K
Use of Contract Funds for Lobbying Certification

The undersigned Proposer certifies on behalf of itself and all contractors (at all tiers) the following:

1. The Proposer certifies, to the best of its knowledge and belief, that:
 - a. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
 - b. If any funds (other than federal appropriated funds) received by Proposer under the RFP or DB Agreement have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions, and shall include a copy of said form in its proposal or bid, or submit it with the executed DB Agreement or any or Subcontract.
2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
3. Proposer shall require that the language of this certification be included in all lower tier subcontracts which exceed one hundred thousand dollars (\$100,000) and that all such recipients shall certify and disclose accordingly.
4. The undersigned certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the undersigned understands and agrees that the provisions of 31 U.S.C. §3801, et seq., apply to this certification and disclosure, if any.

[Note: Pursuant to 31 U.S.C. §1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than ten thousand dollars (\$10,000) and not more than one hundred thousand dollars (\$100,000) for each expenditure or failure.]

Date: _____

Proposer: _____

Signature: _____

Title: _____

FORM L

Debarment and Suspension Certification

The undersigned Proposer certifies on behalf of itself, and all Participating Members, Major Non-Participating Members and Contractors identified by such Proposer as of the date hereof, as follows:

The undersigned certifies to the best of its knowledge and belief, that it and its principals:

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;

b. Have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of 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;

c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, State or local) with commission of any of the offenses enumerated in paragraph 1b of this certification; and

d. Have not within a three (3) year period preceding this application/proposal had one or more public transactions (federal, State or local) terminated for cause or default.

Where the Proposer is unable to certify to any of the statements in this certification, it shall attach a certification to its proposal or bid stating that it is unable to provide the certification and explaining the reasons for such inability.

Date: _____

Proposer: _____

Signature: _____

Title: _____

FORM R
GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT

Contract No. and Name: _____
Design-Build Agreement for the _____ Project (the "Project")
Name of Contracting Entity: _____

By executing this affidavit, the undersigned person or entity verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with the Georgia Department of Transportation has registered with, is authorized to participate in, and is participating in the federal work authorization program commonly known as E-Verify,¹ in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91.

The undersigned person or entity further agrees that it will continue to use the federal work authorization program throughout the contract period, and it will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the undersigned with the information required by O.C.G.A. § 13-10-91(b). The undersigned person or entity further agrees to maintain records of such compliance and provide a copy of each such verification to the Georgia Department of Transportation at the time the subcontractor(s) is retained to perform such service.

EEV/E-Verify™ User Identification Number	Date of Authorization
BY: Authorized Officer or Agent (Name of Person or Entity)	Date
Title of Authorized Officer or Agent	Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____
DAY OF _____ 2011

Notary Public _____ [NOTARY SEAL]

My Commission Expires: _____
¹ or any subsequent replacement operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify Information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603.

List of states that verify immigration status prior to issuance of a driver's license or I.D. card and only issue to persons lawfully present in the United States, as required by O.C.G.A Section 13-10-91(b)(5).

Compliant

Alabama
Arizona
Arkansas
California
Colorado
Connecticut
Delaware
Florida
Georgia
Hawaii
Indiana
Iowa
Kansas
Kentucky
Louisiana
Maine
Michigan
Minnesota
Mississippi
Missouri
Montana
Nebraska
Nevada
New Hampshire
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Pennsylvania
South Carolina
South Dakota
Tennessee
Texas
Vermont
Virginia
West Virginia
Wisconsin
Wyoming

New Mexico
New York
Rhode Island
Utah
Washington

Compliance Verification Pending

Maryland
Massachusetts

Non-Compliant

Alaska
Idaho
Illinois
New Jersey

