



**REQUEST FOR PROPOSAL (RFP)
FOR PREPARATION OF THE**

2020-2025 CONSOLIDATED PLAN

(To include a Neighborhood Revitalization Strategy Area Plan; Housing and Homeless Needs Assessment; Housing Market Analysis; and an Analysis on Impediments to Fair Housing Choice)

for

Fayetteville Economic and Community Development (FECD) Department
433 Hay Street
Fayetteville, NC 28301
Phone: (910) 433-1590

and

Cumberland County Community Development (CCCD)
707 Executive Place
Fayetteville, NC 28305
Phone: (910) 323-6112

Important Dates

Responses Due: May 15, 2019

Selection of (s): by June 1, 2019

Projected Project Start Date: July 1, 2019

TABLE OF CONTENTS

Section 1 General Information

- A. Purpose
- B. Background
- C. RFP Schedule
- D. Existing Background Material

Section 2 Scope of Work

Section 3 Instructions to Proposers

- A. Proposals Deemed Responsive to This RFP
- B. Submissions of the Proposal
- C. Deadline for Receipt of Proposals

Section 4 Selection Process and Evaluation Criteria

- A. Selection Process
- B. Evaluation Process/Criteria
- C. Approval of Contract
- D. Questions

Section 5 General Information and Requirements

Section 6 Request for Proposal Submission Form

SECTION 1 GENERAL INFORMATION

A. PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit proposals from qualified consultants to assist the City of Fayetteville (City) and County of Cumberland (County), North Carolina in preparing (and submitting as required) its next 5-year Consolidated Plan (FY2020-2025) and Annual Action Plan (PY2020-2021) pursuant to 24 CFR Part 91, per the IDIS Consolidated Plan Template, as necessary to receive a direct allocation of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD). The Consolidated Plan will also include a Neighborhood Revitalization Strategy Area (NRSA) plan for census tracts identified by both the City and County.

In May 2020, the City and County will be required to submit to the U.S. Department of HUD a Consolidated Plan, which will provide the framework for the use of federal Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) entitlement funds for the five-year period: July 1, 2020 through June 30, 2025. The requirements of the Consolidated Plan are set out in HUD regulations at 24 CFR Part 91 (attached).

A Consolidated Plan includes the grantee's needs assessment, market analysis, and strategic plan for addressing priority needs for the period of the plan. An Annual Action Plan provides detail on the grantee's use of CPD funds for a given year. The NRSA plan identifies locally designated areas where geographically targeted revitalization efforts are carried out through multiple activities in a concentrated and coordinated manner.

This proposal seeks a proposer to submit a project report for either one of the options listed below. If the proposer is considering submitting a bid for both options, the bids will need to be submitted separately for each option.

Option 1: Preparation of the entire Consolidated Plan, NRSA(s), and the Analysis of Impediments to Fair Housing Choice by the consultant. The requirements are outlined in 24 CFR Part 91, “A Desk Guide for Using IDIS to Prepare the Consolidated Plan, Annual Action Plan, and CAPER/PER”, HUD Notice CPD-16-16 (Neighborhood Revitalization Strategy Areas (NRSAs) in the Community Development Block Grant (CDBG) Entitlement Program, and “Fair Housing Guide” attached.

Option 2: This option does not seek preparation of the entire Consolidated Plan by the consultant, but only a project report consisting of the components listed below and as required in 24 CFR Part 91, “A Desk Guide for Using IDIS to Prepare the Consolidated Plan, Annual Action Plan, and CAPER/PER”, HUD Notice CPD-16-16 “Neighborhood Revitalization Strategy Areas (NRSAs) in the Community Development Block Grant (CDBG) Entitlement Program”, and “Fair Housing Guide” attached:

- 1. Neighborhood Revitalization Strategy Area(s);**
- 2. Housing and Homeless Needs Assessment;**
- 3. Housing Market Analysis; and**
- 4. Analysis of Impediments to Fair Housing Choice.**

The project report for either option will be a vital part of the material used in prioritizing needs and preparing goals, objectives, and strategies for the Plan.

It will be essential for the project report (for either option) to be completed by December 1, 2019, in order to allow enough time to complete the rest of the Consolidated Planning process.

B. BACKGROUND

Cumberland County, North Carolina is an entitlement jurisdiction which consists of nine incorporated municipalities (Eastover, Falcon, Fayetteville, Godwin, Hope Mills, Linden, Spring Lake, Stedman, and Wade). Each entitlement jurisdiction is responsible for conducting its own activities within its respective boundaries as well as the administration of the entitlement grants and preparation of all plans and reports.

The City of Fayetteville is an entitlement jurisdiction which covers those areas annexed within its municipal limits, whereas Cumberland County’s jurisdiction covers the remaining seven incorporated municipalities as well as the unincorporated areas of the County. The two military reservations are not included in Cumberland County’s entitlement jurisdiction. Cumberland County covers 652.4 square miles with a population of 332,546 (2017 Census).

Cumberland County Community Development is a department of county government that administers entitlement funding received by Cumberland County and the Fayetteville Economic and Community Development Department is a department of city government that administers entitlement funding received by the City of Fayetteville. In addition to the annual entitlements of CDBG and HOME funds, Cumberland County also receives two competitive grants for homeless related housing and services. The Cumberland County area also includes one HUD-supported public housing authority. Finally, there are a number of agencies which are active in the field of affordable housing, homelessness, and supportive housing services, which receive no federal funding, but rely on other forms of support.

The Cumberland County/Fayetteville area is extremely varied in its topographic, demographic, economic and social characteristics. Land uses run from protected wilderness through managed forest and agricultural areas to suburban and urban areas. Development is rapidly increasing throughout most of the area, with an accompanying transition from a formerly rural, agricultural economy to an urban and suburban economy based on light manufacturing, construction, services and retail. However, inadequate access to utilities limits the amount of buildable land.

C. RFP SCHEDULE

The anticipated schedule for the project report:

RFP publication	April 1, 2019
Proposal deadline	May 15, 2019
Selection of Qualified Consultant	June 1, 2019
Consultant commences work	July 1, 2019
Agency/Citizen Interviews	July 1 – September 30, 2019
Draft of Project Report from Consultant Due	November 15, 2019
Final Project Report from Consultant Due	December 1, 2019
Public review and comment period	December 15, 2019 – January 15, 2020
Final Consolidated Plan published;	March 2020

County/City Public Hearing

D. EXISTING BACKGROUND MATERIAL

The following material is attached for general guidance:

1. HUD Regulations at 24 CFR Part 91 (Consolidated Submission for Community Planning and Development Programs; Final Rule);
2. A Desk Guide for Using IDIS to Prepare the Consolidated Plan, Annual Action Plan, and CAPER/PER;
3. A Desk Guide for Using CPD Maps;
4. HUD Notice CPD-16-16 Neighborhood Revitalization Strategy Areas (NRSAs) in the Community Development Block Grant (CDBG) Entitlement Program;
5. Fair Housing Planning Guide;
6. The City's and County's 2015 Consolidated Plan;
7. HUD Notice CPD-19-02 (Low- and Moderate-Income Summary Data Updates) and other recent Census data (as necessary);
8. GIS data and maps as requested; and
9. Other plans and studies as requested.

SECTION 2 SCOPE OF WORK

The proposer shall prepare a project report for either Option 1 or Option 2 as indicated in Section 1.A of this RFP. The project report must meet the requirements set out in the federal regulations at 24 CFR Part 91, **excluding those paragraphs pertaining only to HOPWA grantees**. The proposer will submit the project report which will include all the required data and other information outlined in the relevant sections of 24 CFR Part 91, “A Desk Guide for Using IDIS to Prepare the Consolidated Plan, Annual Action Plan, and CAPER/PER”, HUD Notice CPD-16-16 “Neighborhood Revitalization Strategy Areas (NRSAs) in the Community Development Block Grant (CDBG) Entitlement Program”, and “Fair Housing Guide” attached. The data and information assembled in the project report must be identifiable for each jurisdiction (City and County).

This work shall also include:

1. Assembling data from various sources and presenting it in the tables required by HUD, with additional tabulations and maps needed to present the fullest possible picture of housing needs and market conditions throughout the City and County area.
 2. Analyzing, summarizing, and drawing conclusions from the data, including, where appropriate, comparisons with national and state data that will assist the Steering Committee and Focus Groups in prioritizing local needs.
 3. Drawing the maximum possible extent on existing material available to the City, County, and local agencies.
 4. Meet with City and County staff to plan and coordinate area’s stakeholders’ meetings and focus group sessions. Attending at least some community meetings and meetings of the Steering Committee and Focus Groups to present reports and assist with the process of drawing up priorities and strategies. This work may be billed separately at an hourly rate to be included in the proposal.
-
1. Providing, in addition to the final project report, a copy of all data used in the report in its most disaggregated form, together with its source.
 2. An examination of the project area and housing market and prevalent practices in related transactions as they directly or indirectly impact housing choice. Public and private transactions and entities need to be evaluated; including, but not limited to, the following areas: Town, City, and County laws; ordinances, regulations, policies and procedures; mortgage lending; insurance sales and underwriting; property appraisal; realtors; mortgage brokerage; and property management.
 3. An explanation of how areas were evaluated, what was found, proposed methods of correction to address identified impediments; and identification of potential financial and organizational resources to implement the corrective actions.
 4. A process for obtaining input from citizens in the community, especially those for whom fair housing is a concern, by holding public meetings or other forums.

|

**SECTION 3
INSTRUCTIONS FOR PROPOSALS**

A. PROPOSALS DEEMED RESPONSIVE TO THIS RFP

In order to be deemed fully responsive to this RFP, a proposer must complete and submit the following information, forms, and documents as part of the proposal. Any proposal that fails to comply with these instructions shall be deemed non-responsive and shall be subject to rejection by CCCD AND FECD. CCCD AND FECD may allow a proposal to be amended to make it responsive if there are extenuating circumstances. CCCD AND FECD may also request additional information from any person, firm, or corporation submitting a proposal.

- a. Name of firm, address and telephone number.
- b. Brief history of firm, including year firm was established and any prior firm names.
- c. The firm's capabilities and prior experience in the specific technical areas needed for this project.
- d. Listing of similar projects including date, duration, cost, and staff assigned.
- e. A list of personnel to be assigned to the project, with experience records of each person.
- f. Outside associates, sub-vendors, and consultants that may be retained (see provisions on Minority Business Plan).
- g. A description of how your firm would conduct the project, including each task in the scope of work and any sub-tasks that may be necessary.
- h. A proposed time schedule for completing each task in the Scope of Work and a method of assuring that the time schedule is met, including the name of the person responsible for the time schedule.
- i. Cost estimates for completing the Project report as outlined in Section 2, Scope of Work.
- j. Proposer's Equal Employment Opportunity (EEO) Certification.
- k. A minimum of three (3) business references giving current names, addresses and telephone numbers in each instance, with the type of services provided if the references are clients.
- l. A Certificate of Insurance evidencing coverage as follows: \$1,000,000 Professional Liability; General Liability \$1,000,000 per occurrence; \$2,000,000 aggregate Automobile Liability; \$300,000 Worker's Compensation to statutory limits; Employers liability, with the City of Fayetteville and the Cumberland County to be named as an additional insured for General Liability. In the absence of such certificate, proposers may submit a Letter-of-Commitment from an acceptable insurance company setting forth that the required insurance coverage will be available to the proposer at the

time/term of contract commencement. Letters-of-Intent from insurance brokers will not be considered acceptable.

B. SUBMISSION OF THE PROPOSAL

1. All proposals must be typed for submission on 8-1/2 x 11” white paper and must be bound in a secure manner.
2. Material/data not specifically requested for consideration, but which the proposer wished to submit, must not appear with the proposal form, but may appear only in an “additional data” section. This has specific reference to the following types of data:
 - a. standard brochure/photographs;
 - b. promotional material with minimal technical content;
 - c. generalized narrative or supplementary information; and
 - d. supplementary graphic materials.
3. The Bidding Firm (s) shall submit **one (1) original** with **(1) identical copy** of the Response in print and with **one PDF copy provided on USB drive**. An original signature must be included on the “CITY OF FAYETTEVILLE AND COUNTY OF CUMBERLAND REQUEST FOR PROPOSAL SUBMISSION FORM” (See Section 6 of the RFP) document submitted with original document. The envelope shall be plainly marked with the name, current mailing address and telephone number of the proposer, and shall state:

“Proposal for a Consolidated Plan Project Report (Option #) – City of Fayetteville / County of Cumberland”
4. An official authorized to bind the respondent to its contents for a period of not more than sixty (60) days thereafter must sign the proposal.

C. DEADLINE FOR RECEIPT OF PROPOSALS

1. Proposals must be received by mail or by hand delivery to the attention of:

Cumberland County Community Development
707 Executive Place
Fayetteville, North Carolina 28305

****Note: No electronically transmitted proposals will be accepted.**

2. Proposals shall be received on or before **May 15, 2019 by 4:00 p.m. EST.** Proposals received after the above assigned date and time shall not be considered.
3. It is the sole responsibility of the proposer to ensure the proposal is received before the submission deadline. A proposer shall bear all risks associated with delays in mail, courier services, or delivery.

SECTION 4
SELECTION PROCESS AND EVALUATION CRITERIA

A. SELECTION PROCESS

CCCD and FECD reserve the right to act as sole judge of the content of the proposals submitted for evaluation and selection.

CCCD and FECD may, at their sole discretion, reject any or all proposals submitted in response to this RFP. CCCD and FECD shall not be liable for any cost incurred in connection with preparation and submittal of any proposal.

Selection of the best proposal will be made on the basis of the criteria set forth in this RFP.

B. EVALUATION PROCESS/CRITERIA

A selection panel will conduct the evaluation of proposals. CCCD and FECD, at its option, may invite one (1) or more proposers to make an oral presentation to the selection panel. It is the intention that selection of a consultant will be made within thirty (30) days of the submission deadline. CCCD and FECD reserve the right to negotiate terms and conditions with the selected proposer.

Selection of the best responsible proposal will be based upon the following considerations/criteria:

1. Experience and capability of the firm to perform Scope of Work;
2. Experience of personnel assigned to the project;
3. Time schedule proposed to accomplish tasks in the Scope of Work;
4. Completeness and clarity of the approach to each item in Scope of Work;
5. Estimated cost of services;
6. Any additional suggestions which may have a positive contribution to the project;
and
7. The use of certified minority contractors/vendors as a part of the project.

C. APPROVAL OF CONTRACT

Depending on the amount of the contract, CCCD and FECD may approve the contract forthwith, or may recommend and seek authorization from its respective Board to award a contract with the selected proposer. This recommendation shall be rendered at the Boards' meetings and is subject to public review and comment.

In the event that CCCD and FECD determines, in its sole discretion, that it is necessary to revise any Part of this RFP, an addendum, supplement, or amendment to this RFP will be posted at http://www.co.cumberland.nc.us/community_dev.aspx and http://www.cityoffayetteville.org/community_development/default.aspx. It is the responsibility of the proposer to check the website for any such addendums, supplements, or amendments made to the RFP.

E. QUESTIONS

All questions related to this RFP may be directed to either of the following:

Delores (Dee) Taylor, Interim Director
Cumberland County Community Development
E-mail: smclean@co.cumberland.nc.us
(910) 323-6112

Cynthia Blot, Director
Fayetteville Economic & Community Development
E-mail: cblot@ci.fay.nc.us
(910) 433-1590

Questions shall be in written form and may be sent by mail, facsimile or e-mail.

**SECTION 5
GENERAL INFORMATION AND REQUIREMENTS**

EFFECTIVE PERIOD OF PROPOSAL

All proposals are required to remain in effect for at least 90 days from the date submitted to the County for review.

PUBLIC INFORMATION

All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary and are subject to public disclosure.

MWE/WBE & UTILIZATION OF SMALL BUSINESSES

Please state and certify whether your firm or any potential sub-contractors participate in the Minority and Women Owned Business Enterprise (MBE/WBE).

It is the policy of the United States that small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUB Zone small business concerns, small disadvantaged business concerns, and women-owned small business concerns shall have the maximum practicable opportunity to participate in performing contracts let by any Federal agency, including contracts and subcontracts for subsystems, assemblies, components, and related services for major systems. It is further the policy of the United States that its prime contractors establish procedures to ensure the timely payment of amounts due pursuant to the terms of their subcontracts with small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUB Zone small business concerns, small disadvantaged business concerns, and women-owned small business concerns.

The Contractor hereby agrees to carry out this policy in the awarding of subcontracts to the fullest extent consistent with efficient contract performance. The Contractor further agrees to cooperate in any studies or surveys as may be conducted by the United States Small Business Administration or the awarding agency of the United States as may be necessary to determine the extent of the Contractor's compliance with this clause.

Contractors acting in good faith may rely on written representations by their subcontractors regarding their status as a small business concern, a veteran-owned small business concern, a service-disabled veteran-owned small business concern, a small disadvantaged business concern, or a women-owned small business concern.

EQUAL EMPLOYMENT OPPORTUNITY

Consultant will be required to comply with all applicable federal and state equal opportunity, affirmative action, and minority representation laws.

CLARIFICATIONS AND INTERPRETATIONS

Any clarifications or interpretations of this RFP that materially affect or change its requirement will be provided by the City and County as an addendum. These items must be received by the County 10 days prior to the proposal due date to allow for proper notification. All such addenda issued by the City and County shall be issued before the proposals are due as part of the RFP, and all Respondents shall acknowledge receipt of and incorporate each addendum in its Responses. Any additional information or addenda will be posted on the County's website

http://co.cumberland.nc.us/departments/community-development-group/community_development and the City's website at <http://fayettevillenc.gov/government/city-departments/purchasing-division>.

NO LOBBYING

Respondent acknowledges and accepts that from the Date of Issuance of the RFP until a final decision has been made by the City and County, it will not take any action, make any effort or support, or engage others on its behalf to take actions or efforts, with attempt to influence the decision-making process for this RFP in the favor of the Respondent. This includes direct contact with the County Commissioners, County Manager, County Staff of Cumberland County, City Council, City Manager, City Staff of City of Fayetteville, and others who may be engaged in the process or grant program. Additionally, the Respondent acknowledges and accepts that it will not attempt to use public communication such as the news media, social media, etc. as a means of attempting to influence the RFP evaluation or decision-making process. Any Respondent violating any of the aforementioned conditions is subject to immediate disqualification for consideration.

RESERVATION OF RIGHTS

The City and County may evaluate the Responses based on the anticipation completion of all or any portion of the Project. The City and County reserves the right to reject any and all Responses and re-solicit for new Responses; or to reject any and all proposals and temporarily or permanently abandon the Project. The City and County makes no representations, written or oral, that it will enter into any form of agreement with any respondent to this RFP for any project and no such representation is intended or should be construed by the issuance of this RFP.

ACCEPTANCE OF EVALUATION METHODOLOGY

By submitting Responses to this RFP, Respondent accepts the evaluation process and acknowledges and accepts that the determination of the most qualified firm(s) will require subjective judgments by the City and County.

NO REIMBURSEMENT FOR COSTS

The Respondent acknowledges and accepts that any costs incurred from the Respondent's participation in this RFP shall be at the sole risk and responsibility of the Respondent.

ELIGIBLE RESPONDENTS

Only individual firms or lawfully formed business organizations may apply (this does not preclude a Respondent from using consultants). The City and County will contract only with the individual firm or formal organization that submits its Responses.

REFERENCE CHECKS

Respondent acknowledges and accepts that through the RFP evaluation process reference checks and background investigation may be conducted as part of the due-diligence process.

DISPOSITION OF PROPOSALS

All submitted proposals become the property of the City and County.

NONCONFORMING TERMS AND CONDITIONS

A proposal that includes terms and conditions that do not conform to the terms and conditions in the RFP is subject to rejection as non-responsive. The City and County reserves the right to permit the Proposer to withdraw nonconforming terms and conditions from its proposal prior to a determination

by the City and County of non-responsiveness based on the submission of nonconforming terms and conditions.

DEBARMENT AND SUSPENSION

By submitting a proposal, the Proposer certifies that it is not currently debarred nor suspended from submitting proposals for contracts issued by any political subdivision or agency of the State of North Carolina or the Federal government; and that it is not a person or entity that is currently debarred or suspended from submitting proposals from contracts issued by any political subdivision or agency of the State of North Carolina or the Federal government. Respondent must be registered at Sam.gov to be eligible.

OTHER SUPPLEMENTAL CONDITIONS REQUIREMENT

In accordance with the applicable statutes and regulations governing the CDBG, HOME, other federal funds or State funds, I hereby certify that:

Utilization of Minority/Women & Disadvantaged Contractors – Projects receiving federal funds must notify and include minority and women contractors in their bidding process. Executive Order 11625 (Utilization of Minority Business Enterprise) and Executive Order 12138 (Utilization of Female Business Enterprise).

Davis-Bacon Prevailing Wage Rate Labor Standards – Any construction project receiving \$2,000 or more in federal funds, as applicable, will be required to comply with prevailing wage requirement.

Section 3 – Projects receiving federal funding that involve building or public facilities improvements must, to the greatest extent feasible, utilize area lower income residents for employment and training opportunities (24 CFR Part 135).

Environmental Regulations – All funded projects must undergo environmental review to ensure compliance with the National Environmental Protection Act regulations. In accordance with 24 CFR Part 58.22, the applicant agrees to refrain from undertaking any physical activities or choice-limiting actions until the City and County has issued the agency a written environmental notice to proceed. Choice-limited activities include, but not limited to, acquisition of real property, leasing, repair, rehabilitation, demolition, conversion, or new construction. This limitation applies to all parties in the development process, including public or private nonprofit or for-profit entities, or any of their contractors.

Title VI of the Civil Rights Act of 1964 – No person shall be excluded from participation in, be denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance on the grounds of race, color, or national origin. (Public Law 99-352).

Title VIII of Civil Rights Act of 1969 – The Fair Housing Act prohibits discrimination in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including otherwise making unavailable or denying a dwelling to a person, because of race, color, religion, sex, national origin, or familial status. (Public Law 90-294).

American Disabilities Act – Projects receiving federal funding involving physical activities must include accessibility and comply with the Americans with Disabilities Act guidelines. Any federal funded service must be provided in an accessible location.

Drug-Free Workplace – The agency shall make a good faith effort to maintain a drug-free workplace. (24 CFR Part 21).

Anti-Lobbying – No federal funds shall be used for the purpose of influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress, or an employee of a member of congress. (UCS Title 31 Section 1352).

Lead-Based Paint – Any activities involving the presence of lead-based shall comply with the requirements of 24 CFR Part 35.

Community Development Block Grant Program funds shall be used exclusively for eligible activities permitted by 24 CFR Part 570.

Home Investment Partnerships Program (HOME) funds shall be used exclusively for eligible activities permitted by 24 CFR 92.

SECTION 6
CITY OF FAYETTEVILLE AND COUNTY OF CUMBERLAND
REQUEST FOR PROPOSAL SUBMISSION FORM
CONSULTANT FOR 2020-2025 CONSOLIDATED PLANNING PROCESS

COMPANY _____

ADDRESS _____

CONTACT PERSON _____

TELEPHONE NUMBER _____

EMAIL _____

NOTE TO RESPONDENTS: SUBMIT ENTIRE SECTION WITH RESPONSE. THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED, AND RETURNED WITH THE RESPONDENT'S QUALIFICATIONS. FAILURE TO COMPLETE, SIGN, AND RETURN THIS EXECUTION OF OFFER WITH THE QUALIFICATIONS, MAY RESULT IN REJECTION OF THE QUALIFICATIONS.

SIGNING A FALSE STATEMENT VOIDS THE SUBMITTED QUALIFICATIONS OR ANY AGREEMENTS OR OTHER CONTRACTUAL ARRANGEMENTS, RESULTING FROM THE SUBMITTAL OF A FALSE STATEMENT(S) WITHIN THE RESPONDENT'S QUALIFICATIONS, AND THE RESPONDENT MAY BE REMOVED FROM ALL FUTURE PROPOSER LISTINGS OF CCCD AND FECD DEPARTMENTS. A FALSE CERTIFICATION SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT AND, AT THE CITY'S AND COUNTY'S OPTION, MAY RESULT IN TERMINATION OF ANY RESULTING CONTRACT.

By signature hereon, Respondent acknowledges and agrees that (1) this RFP is a solicitation for interest and is not a contract or an offer to contract; (2) the submission of Responses by Respondent in response to this RFP will not create a contract between the City / County and Respondent; (3) neither the City / County or the Committee, or any of their representatives, have made a representation or warranty, written or oral, that one or more contracts with the City / County will be awarded under this RFP; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFP.

By signature hereon, Respondent offers and agrees to furnish to the City / County all the products and/or services more particularly described in its Responses, and to comply with all terms, conditions and requirements set forth in the RFP document and contained herein.

By signature hereon, Respondent affirms that they have not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant, elected officials, leadership or staff of the County, City or partner organizations in connection with the submitted Responses.

By signature hereon, the Respondent hereby certifies that neither the Respondent; nor the firm, corporation, partnership or Developer represented by the Respondent; or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state or the Federal antitrust laws, nor communicated directly or indirectly the Responses made to any competitor or any other person engaged in such line of business.

By signature hereon, Respondent represents and warrants that:

Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFP;

Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFP;

By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFP is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements which may result from the submission of the Response.

By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFP.

By signature hereon, Respondent affirms that it has not violated any of the noted No-Lobbying provisions or specifications contained in this RFP.

By signature hereon, Respondent agrees to defend, indemnify, and hold harmless the City / County and the Committee, all of their officers, agents and employees against all claims, actions, demands, proceedings, costs, damages, and liabilities, arising out of, connecting with, or resulting from, any acts or omissions of Respondent; or any agent, employee, subcontractor or supplier of Respondent in the execution or performance of any agreements; or other contractual arrangements which may result from the submission of these Responses.

By signature hereon, Respondent acting in good faith may rely on written representations by their subcontractors regarding their status as a small business concern, a veteran-owned small business concern, a service-disabled veteran-owned small business concern, a small disadvantaged business concern, or a women-owned small business concern.

The Respondent shall confirm that a subcontractor representing itself as a HUB Zone small business concern is certified by SBA as a HUB Zone small business concern by accessing the System for Award Management database or by contacting the SBA. Options for contacting the SBA include –

HUB Zone small business database search application Web page at
http://dsbs.sba.gov/dsbs/search/dsp_searchhubzone.cfm; or <http://www.sba.gov/hubzone>;
In writing to the Director/HUB, U.S. Small Business Administration, 409 3rd Street,
SW., Washington DC 20416; or
The SBA HUB Zone Help Desk at hubzone@sba.gov

Submitted and certified this _____ day of _____

By: _____

Signature Date: _____

Name (Printed): _____

Title: _____

Signature: _____