



**Downtown Market and Financial
Analysis/Assessment
Request for Proposal
RFP# 20-21-06**

Proposal Due Date: 09/16/2020, 12:00 Noon

Contact Person: Thomas Barnett

Title: Director of Planning & Development Services

Phone Number: 252-329-4500

Email Address: tbarnett@greenvillenc.gov

Downtown Market and Financial Analysis/Assessment RFP# 20-21-06

Date: 8-17-2020

Subject: Downtown Market and Financial Analysis/Assessment

Contact: Thomas Barnett, Director of Planning and Development Services

The City of Greenville, Planning and Development Services Department is now accepting proposals for a market and financial analysis/assessment of our Downtown area (and contributing adjacent districts). The requirements for submitting a Proposal are stated in the attached Request for Proposal (the "RFP").

Sealed proposals endorsed for the Downtown Market and Financial Analysis/Assessment to be furnished to the City of Greenville (the "City") will be received by the Planning and Development Services Department at 201 W. 5th Street, Greenville, NC 27835 until September 16, 2020 at 12:00 noon. The City reserves the right to reject any or all proposals.

This RFP outlines a description of the services sought and the documents interested firms will be required to submit one (1) electronic copy of the Proposal on a flash drive in PDF and one (1) original Proposal signed in ink by a company official authorized to make a legal and binding offer, and three (3) full paper copies. The RFP must be submitted in a sealed box or opaque envelope plainly marked with the Proposal number and service description as follows:

Request for Proposals
Attention: Thomas Barnett
"Name of Company Submitting Proposal"
Downtown Market and Financial Analysis/Assessment
RFP# 20-21-06

Written questions concerning this RFP may be submitted to Thomas Barnett by email only at tbarnett@greenvillenc.gov. Please insert **RFP# 20-21-06** in the subject line.

SECTION ONE: GENERAL INSTRUCTIONS

1. READ, REVIEW AND COMPLY: It shall be the Vendor's responsibility to read this entire document, review all enclosures and attachments, and any addenda thereto, and comply with all requirements specified herein, regardless of whether appearing in these Instructions to Vendors or elsewhere in this RFP document.

2. LATE PROPOSALS: Late proposals, regardless of cause, will not be opened or considered, and will automatically be disqualified from further consideration. It shall be the Vendor's sole responsibility to ensure delivery at the designated office by the designated time.

3. ACCEPTANCE AND REJECTION: The City reserves the right to reject any and all proposals, to waive any informality in proposals and, unless otherwise specified by the Vendor, to accept any item in the proposal.

4. WITHDRAWAL OF PROPOSAL: No proposal may be changed or withdrawn after the time of the proposal due date. Any modifications or withdrawals requested before this time shall be acceptable only when such request is made in writing to the Financial Services Manager.

5. CONFLICT OF INTEREST: Each proposer shall affirm that no official or employee of the City of Greenville is directly or indirectly interested in this proposal for any reason of personal gain.

6. EQUAL EMPLOYMENT OPPORTUNITY: The City has adopted an Equal Employment Opportunity Clause, which is incorporated into all specifications, purchase orders, and contracts, whereby a vendor agrees not to discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or ancestry. A copy of this clause may be obtained at the City Clerk's Office, City Hall, Greenville, N. C. by submitting a proposal, the firm is attesting that they are an Equal Opportunity Employer.

7. MINORITY AND WOMEN BUSINESS ENTERPRISE (MWBE) PROGRAM: It is the policy of the City of Greenville to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including but not limited to, construction projects, supplies and materials purchase, and professional and personal service contracts. In accordance with this policy, the City has adopted a Minority and Women Business Enterprise (MWBE) Plan and subsequent program, outlining verifiable goals.

The City has established a 4% Minority Business Enterprise (MBE) and 4% Women Business Enterprise (WBE) goal for the participation of MWBE firms in supplying goods and services for the completion of this project. All firms submitting bids agree to utilize minority and women-owned suppliers and service providers whenever possible. Questions regarding the City's MWBE Program should be directed to the MWBE Office at (252) 329-4462.

8. LOCAL PREFERENCE: The City of Greenville has adopted a Local Preference Policy, Resolution No. 056- 13, and a Professional and other Services Policy, Resolution No. 057-13 that may pertain to this project. For more information please see the City of Greenville's webpage at www.greenvillenc.gov/financialservices/purchasingdivision.

9. REHABILITATION ACT AND ADA: Federal law prohibits handicapped discrimination by all governmental units. By submitting a proposal, the vendor is attesting to its policy of nondiscrimination regarding the handicapped.

10. TAXES: Sales taxes may be listed on the proposal, but as a separate item. No charge will be allowed for Federal Excise and Transportation tax from which the City is exempt.

11. CITY RIGHTS AND OPTIONS: The City, at its sole discretion, reserves the following rights:

- To supplement, amend, substitute or otherwise modify this RFP at any time.
- To cancel this RFP with or without the substitution of another RFP.
- To take any action affecting this RFP, this RFP process, or the Services subject to this RFP that would be in the best interests of the City.
- To issue additional requests for information or clarification from Offerors or to allow corrections of errors or omissions.
- To require one or more Service Providers to supplement, clarify or provide additional information in order for the City to evaluate the Responses submitted.
- To negotiate a contract with a Service Provider based on the information provided in response to this RFP.

12. PUBLIC RECORDS: Any material submitted in response to this RFP will become a “public record.” Proposers must claim any applicable exemptions to disclosure provided by law in their response to this RFP. Proposers must identify materials to be protected, and must state the reasons why such exclusion from public disclosure is necessary and legal. The City reserves the right to make all final determination(s) of the applicability of North Carolina General Statutes § 132-1.2, Confidential Information.

13. ACCURACY OF RFP AND RELATED DOCUMENTS: Each Company must independently evaluate all information provided by the City. The City makes no representations or warranties regarding any information presented in this RFP, or otherwise made available during this procurement process, and assumes no responsibility for conclusions or interpretations derived from such information. In addition, the City will not be bound by or be responsible for any explanation or conclusions regarding this RFP or any related documents other than those provided by an addendum issued by the City. Companies may not rely on any oral statement by the City or its agents, advisors, or consultants.

If a Company identifies potential errors or omissions in this RFP or any other related documents, the Company should immediately notify the City of such potential discrepancy in writing. The City may issue a written addendum if the City determines clarification necessary. Each Company requesting an interpretation will be responsible for delivering such requests to the City's designated representative as directed in RFP Section Three.

14. EXPENSE OF SUBMITTAL PREPARATION: The City accepts no liability, and Companies will have no actionable claims, for reimbursement of any costs or expenses incurred in participating in this solicitation process. This includes expenses and costs related to Proposal submission, submission of written questions, attendance at pre-proposal meetings or evaluation interviews, contract negotiations, or activities required for contract execution.

15. PROPOSAL BINDING: This proposal is binding for a period of ninety (90) days.

SECTION TWO: GENERAL TERMS AND CONDITIONS

- 1. NON-DISCRIMINATION:** The City of Greenville does not discriminate on the basis of race, color, sex, national origin, religion, age or disability. Any contractors or vendors who provide services, programs or goods to the City are expected to fully comply with the City's non-discrimination policy.
- 2. NON-COLLUSION:** Respondents, by submitting a signed proposal, certify that the accompanying submission is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under North Carolina or United States law.
- 3. PAYMENT TERMS:** The City agrees to pay all approved invoices Net Thirty (30) days from the date received and approved. The City does not agree to the payment of late charges or finance charges assessed by the seller or vendor for any reason. Invoices are payable in U.S. funds.
- 4. GOVERNING LAW:** Any agreement, contract or purchase order resulting from this invitation to bid, request for proposals or request for qualifications or quotes, shall be governed by the laws of the State of North Carolina.
- 5. SERVICES PERFORMED:** All services rendered under this agreement will be performed at the Seller's own risk and the Seller expressly agrees to indemnify and hold harmless The City of Greenville, its officers, agents, and employees from any and all liability, loss or damage that they may suffer as a result of claims, demands, actions, damages or injuries of any kind or nature whatsoever by or to any and all persons or property.
- 6. INDEPENDENT CONTRACTOR:** It is mutually understood and agreed the Seller is an independent contractor and not an agent of the City of Greenville, and as such, Seller, his or her agents and employees shall not be entitled to any City employment benefits, such as but not limited to vacation, sick leave, insurance, worker's compensation, pension or retirement benefits.
- 7. VERBAL AGREEMENT:** The City will not be bound by any verbal agreements.
- 8. INSURANCE REQUIREMENTS:** Contractor shall maintain at its own expense (a) Commercial General Liability Insurance in an amount not less than \$1,000,000 per occurrence for bodily injury or property damage; City of Greenville, 200 W. Fifth St. Greenville, NC 27834 shall be named as additional insured. (b) Professional Liability insurance in an amount not less than \$1,000,000 per occurrence-if providing professional services; (c) Workers Compensation Insurance as required by the general statutes of the State of North Carolina and Employer's Liability Insurance not less than \$500,000 each accident for bodily injury by accident, \$500,000 each employee for bodily injury by disease, and \$500,000 policy limit; (d) Commercial Automobile Insurance applicable to bodily injury and property damage, covering all owned, non-owned, and hired vehicles, in an amount not less than \$1,000,000 per occurrence as applicable. Certificates of Insurance shall be furnished prior to the commencement of Services.

9. E-VERIFY COMPLIANCE: The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Contractor utilizes a Subcontractor, the Contractor shall require the Subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. By submitting a proposal, The Proposer represents that their firm and its Subcontractors are in compliance with the requirements of Article 2 Chapter 64 of the North Carolina General Statutes.

10. IRAN DIVESTMENT ACT: By submitting a proposal, the Vendor certifies that: (i) it is not on the Iran Final Divestment listed created by the N.C. State Treasurer pursuant to N.C.G.S. 147-86.58; (ii) it will not take any actions causing it to appear on said list during the term of any contract with the City, and (iii) it will not utilize any subcontractor to provide goods and services hereunder that is identified on said list.

SECTION THREE: PROPOSAL

1. Introduction

This RFP is to assess and develop a real world appreciation and accurate understanding for the dynamics of the “Downtown” area in Greenville, NC; including locations of current businesses and services, all significant current and planned projects for the area, connections between Downtown and surrounding neighborhoods, sites that represent major development opportunities, adjacent districts likely to impact or be impacted by development projects in the downtown in preparation to providing data driven, implementable recommendations for downtown development.

2. Background

The City has several previous conceptual ideas/plans with some components that may inform or enlighten this request. We will provide these plans to you for review at the project start and ask that you include their appropriate/relevant information in your assessment. Example of plans are: Emerald Loop Vision Plan, Town Common Master Plan, Dickenson Avenue Corridor Study, etc.

Intended boundaries: See map of focus areas (*Attachment 2*)

3. Description of Services (Scope of Work)

- **Task 1:** Tour Downtown Greenville and adjacent districts (as described in #2 Background and Attachment 2 *above*)
- **Task 2:** Facilitate a visioning session with Downtown stakeholders (e.g. business/industry owners, residents, institutions, financial/lender institutions, real estate developers, stakeholders, leadership, etc.) to understand, list, and assess aspirations for the future of Downtown and associated areas and to list perceived existing strengths and weaknesses.
- **Task 3:** Interview either one-on-one or in small groups (less than 5) some of the essential leadership in the community to back-check evolving hypotheses or conclusions regarding best practices for downtown development
- **Task 4:** Prepare a market and financial analysis/assessment of Downtown, including:
 - Benchmarking of Downtown Greenville versus similarly situated communities (home to major institutions, more rural regional setting, use both in-state & national cities) that have succeeded in catalyzing a vibrant downtown experience that extends beyond the student experience to include a 24-7 vibrant economy. Summarize and assess impacts/lessons learned from three similar (size, demographics, etc.) communities to clarify and inform a potential market trajectory for development of Downtown Greenville if certain initiatives and strategies are pursued. Provide a report that discusses & contrasts the future of Downtown Greenville both with and without such initiatives.

- Assess demographic, economic, and societal trends, including population growth, job growth, and job composition by industry, income growth, market leakage, their impacts, and other pertinent indicators benchmarking trends to the City, region as a whole, the State of North Carolina, and the nation.
 - Assess residential, office, and retail markets to identify recent and pipeline development activity and trends in rents, absorption, market mobility, and vacancy. Based on data analysis and engagement with developers and brokers in the market, project the quantity of residential, office, and retail uses that are likely to be market supportable in Downtown Greenville: both status quo and if a new market development initiative were followed.
 - Identify and discuss a range of potential impacts of the recent social & economic upheaval due to Covid-19 and the recent protests and how their impact may/will be felt in this planning effort.
 - Identify reasonable and implementable strategies to mitigate any negative effects from same.
- **Task 5:** Conduct a SWOT (Strengths / Weaknesses/ Opportunities / Threats) analysis of Downtown: Based on physical conditions, interviews with stakeholders, and market findings, provide a comprehensive assessment of Downtown Greenville's strengths, weaknesses, opportunities, and threats. The SWOT analysis will inform the site-specific development feasibility analysis, and will be the basis for future strategy planning efforts for Downtown.
- **Task 6:** Identify conceptual programs for new development that accomplish the goals of local stakeholders. Do this for at least three priority sites. Analyze the financial feasibility of the development programs and identify whether there are funding gaps associated with the programs that would need to be filled in order to facilitate redevelopment. Identify the fiscal impacts of the development in terms of City tax revenues generated and compare that to a future where that and similar projects were not developed.
- **Task 7:** Outline/Detail 5 immediate and impactful specific strategies that must be action oriented and focused on sustained, appropriate, downtown economic growth. Priority shall be given to building momentum and to ensure continued plan implementation and overall project success.

4. Terms of Agreement

Should your submitted RFP be selected, work shall be completed and all analysis / assessment information submitted within 270 days (approximately 9 months). This project will require multiple visits to our jurisdiction. The City anticipates approximately 4-5 visits. Please include information outlining your thoughts / plans on the number of visits projected and brief outline / agenda of the visits. All schedules and meetings to be set up by awarded RFP firm.

5. Budget

5.1. Anticipated budget amount between \$50,000 and \$70,000.

6. Payment

- Payment of 20% of the RFP price after satisfactory completion of Task 1 & 2
- Payment of 50% upon satisfactory completion of Task 3 & 4
- Final Payment of 30% after satisfactory completion of all Downtown Market and Financial Analysis / Assessment RFP items.

Responders may submit alternate payment schedule for consideration.

7. Proposal Contents

The proposal shall provide elements listed below along with any supporting documentation you feel is needed and will contribute to the evaluation of the proposal.

- A. Letter of Transmittal - In the letter, we request that firms identify if they are a certified Historically Underutilized Business – HUB- by the NC HUB Office. This letter should also acknowledge any addenda presented by the City of Greenville. All addenda will be issued via the City's Purchasing Website at <https://www.greenvillenc.gov/government/financialservices/current-bid-opportunities>
- B. Firm's background and history
- C. Qualifications - Describe your firm's qualifications to complete this project. Include description of similar projects completed. Please include a list of team members, their roles in this project, level of involvement by percentage in this project, and brief background of their work with your firm.
- D. Project Approach- Anticipated project schedule: Should your RFP be selected, Notice to Proceed will be given. Task 1&2 should be completed within approximately ten (10) weeks, Task 3&4 should be completed within approximately 180 days (approximately 6 months). Project must be completed 270 days after receiving the notice to proceed. Provide information outlining your thoughts / plans on the number of visits projected and brief outline / agenda regarding each visit. Indicate the costs for additional visits if the City asks for same.
- E. Number of anticipated visits- include information outlining your thoughts / plans on the number of visits projected and brief outline / agenda regarding each visit. Indicate the costs for additional visits if the City asks for same.
- F. Provide a list of team members, their roles in this project, level of involvement by percentage in this project, and brief background of their work with your firm
- G. Projected timeline for completion of this project
- H. List of References - provide a list of current and past clients and general services provided. Identify clients that are similar to the City of Greenville (i.e.: size, complexity, location). Provide contact information (i.e.: name, phone number, email address).
- I. Cost/budget – Express all costs as a lump sum fee, including travel. Provide a per visit cost for *additional* site visits requested by the City. The City is not obligated for expenses not specifically listed.
- J. Details / task as outlined in #3 Description of Services – scope of work

8. Questions

Any questions you have regarding this RFP shall be submitted in writing and can be sent by email to tbarnett@greenvillenc.gov

The deadline for asking questions will be September 4, 2020 at 5:00 PM. Answers to submitted questions will be provided to the public via addendum on the website, by email to those who submitted the question, and by email to any direct known party of interest who may submit a bid by September 16, 2020 at 5:00 PM.

9. Procurement Schedule

Event	Date and Time
Issuance of RFP	8-21-2020 @ 10:00 AM
Deadline to Submit Questions	9-04-2020 @ 5:00 PM
Answers to Questions Provided	9-08-2020 @ 5:00 PM
Proposal Due	9-16-2020 @ 12:00 noon

10. Submission Requirements

- Submission: One complete electronic original version on flash drive, One complete signed paper original, and three complete copies:

To: Thomas Barnett, Director
Planning & Development Services
City of Greenville, NC
201 West 5th Street
Greenville, NC 27835

11. Evaluation Criteria

- 5 pts Letter of Transmittal – We request that firms identify if they are a certified Historically Underutilized Business – HUB- by the NC HUB Office.
- 20 pts Firm’s background and history
- 20 pts Qualifications
- 35pts Project Approach
- 10 pts List of References
- 5 pts Cost/Budget
- 5 pts Local vendor
- 100 pts possible

12. MWBE

Complete MWBE Forms provided in Attachment 1. Contact MWBE Coordinator, Ferdinand Rouse at x4862 with any questions regarding MWBE forms. *(See Attached MWBE forms)*

**City of Greenville/Greenville Utilities Commission
Minority and Women Business Enterprise Program**

ATTACHMENT 1

**City of Greenville
MWBE Guidelines for Professional Service Contracts
\$50,000 and above**

These instructions shall be included with each bid solicitation.

City of Greenville/Greenville Utilities Commission Minority and Women Business Enterprise Program

MWBE Guidelines for Professional Service Contracts \$50,000 and above

Policy Statement

It is the policy of the City of Greenville and Greenville Utilities Commission to provide minorities and women equal opportunity for participating in all aspects of the City's and Utilities' contracting and procurement programs, including but not limited to, construction projects, supplies and materials purchases, and professional and personal service contracts.

Goals and Good Faith Efforts

Service providers responding to this solicitation shall comply with the MWBE program by making Good Faith Efforts to achieve the following aspirational goals for participation.

	CITY	
	MBE	WBE
Professional Services	4%	4%

Submitters shall submit MWBE information with their submissions on the forms provided. This information will be subject to verification by the City prior to contract award. **As of July 1, 2009, contractors, subcontractors, suppliers, service providers, or MWBE members of joint ventures intended to satisfy City MWBE goals shall be certified by the NC Office of Historically Underutilized Businesses (NC HUB) only.** Firms qualifying as "WBE" for the City's goals must be designated as a "women-owned business" by the HUB Office. Firms qualifying as "MBE" for the City's goals must be certified in one of the other categories (i.e.: Black, Hispanic, Asian American, American Indian, Disabled, or Socially and Economically Disadvantaged). According to new Statewide Uniform Certification (SWUC) Guidelines, ethnicity supersedes gender; therefore, firms who are certified as both a "WBE" and "MBE" will satisfy the "MBE" category only. **Each goal must be met separately. Exceeding one goal does not satisfy requirements for the other.**

The City shall accept NCDOT certified firms on federally funded projects only.

Please note: A service provider may utilize any firm desired. However, for participation purposes, all MWBE firms who wish to do business *as a minority* must be certified by NC HUB. A complete database of NC HUB certified firms may be found at <http://www.doa.nc.gov/hub/>

Instructions

The submitter shall provide the following forms:

FORM 1—Sub-Service Provider Utilization Plan

This form provides the amount of sub-contracted work proposed on the project for MWBE. This proposed participation is based on the current scope of work. Submitter must turn in this form with submission. If the submitter does not customarily subcontract elements of this type of project, do not complete this form. Instead complete FORM 2.

FORM 2--Statement of Intent to Perform work without Sub-Service Providers

This form provides that the submitter does not customarily subcontract work on this type of project.

Sub-Service Provider Utilization Commitment

Submitted by the selected service provider after negotiation of the contract and prior to Award, this form lists the MWBE firms committed to participate on the project. This commitment will reflect any changes in the Plan due to adjustments in project scope.

NOTE: A firm is expected to maintain the level of participation proposed in FORM 1 – Sub-Service Provider Utilization Plan – unless there is a negotiated change in the service required by the City. A firm is also encouraged to increase MWBE participation in the Utilization Commitment as a result of ongoing Good Faith Efforts.

Proof of Payment Certification

Submitted by the selected service provider with each payment application, listing payments made to subconsultants. This form is not provided with the submission.

In addition to the forms provided above, each service provider must provide a discussion of its diverse business policies and procedures to include the good faith efforts it employed to utilize minority and women-owned firms on this project. This discussion must include:

- 1. Outreach efforts that were employed by the firm to maximize the utilization of MWBE's.*
- 2. A history of MWBE firms used on similar projects; and*
- 3. The percentage participation of MWBE firms on these projects.*

NOTE: Those service providers submitting FORM 2 should discuss and provide documentation to justify 100% performance without the use of subconsultants (both majority and minority) per the statements of the form.

Minimum Compliance Requirements: All written statements, signed forms, or intentions made by the Submitter shall become a part of the agreement between the Submitter and the City for performance of contracts. Failure to comply with any of these statements, signed forms, or intentions or with the minority business guidelines shall constitute a breach of the contract. A finding by the City that any information submitted (either prior to award of the contract or during the performance of the contract) is inaccurate, false, or incomplete, shall also constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. It shall be solely at the option of the City whether to terminate the contract for breach or not. In determining whether a Submitter has made Good Faith Efforts, the City will evaluate all efforts made by the Submitter and will determine compliance in regard to quantity, intensity, and results of these efforts.

Sub-Service Provider Utilization Plan FORM 1

(Must be included with submission if subcontracting any portion of work)

We _____, do certify that on the
 _____ we propose to expend a minimum of _____%

of the total dollar amount of the contract with certified **MBE** firms and a minimum of _____% of the total dollar amount with **WBE** firms.

Name, Address, & Phone Number of Sub-Service Provider	*MWBE Category	Work description	% of Work

*Minority categories: Black, African American (**B**), Hispanic or Latino (**L**), Asian American (**A**) American Indian (**I**), Female (**F**) Socially and Economically Disadvantaged (**S**) Disabled (**D**)

The undersigned intends to enter into a formal agreement with MWBE firms for work listed in this schedule conditional upon execution of a contract with the current scope proposed by the Owner.

The undersigned hereby certifies that he/she has read the terms of this agreement and is authorized to bind the submitter to the agreement herein set forth.

Date: _____

Name & Title of Authorized Representative _____

Signature of Authorized Representative _____

Statement of Intent to Perform work without Sub-Service Providers FORM 2

(Must be included with submission if not subcontracting any portion of work)

We, _____, hereby certify that it is our
intent to perform 100% of the work required for the _____ contract.
(Project Name)

In making this certification, the Proposer states the following:

- i. It is a normal and customary practice of the Proposer to perform all elements of this type of contract with its own workforce and without the use of sub-consultants. *The Proposer has substantiated this by providing documentation of at least three (3) other projects within the last five (5) years on which they have done so.*
 Check box to indicate documentation is attached.
- ii. The Proposer has a valid business reason for self-performing all work on the Contract as opposed to subcontracting with a MWBE. The Proposal must describe the valid business reason for self-performing, and the Proposer must submit with its Bid or Proposal documentation sufficient to demonstrate to the Authority reasonable satisfaction the validity of such assertions.
 Check box to indicate documentation is attached.
- iii. If it should become necessary to subcontract some portion of the work at a later date, the Proposer will notify the City and institute good faith efforts to comply with all requirements of the MWBE program in providing equal opportunities to MWBEs to subcontract the work. **The firm will also submit a Request to Change MWBE Participation Form (even if the final sub-consultant is not MWBE).**

The undersigned hereby certifies that he or she has read the terms of this certification and is authorized to bind the Proposer in accordance herewith.

Date: _____

Name & Title of Authorized Representative _____

Signature of Authorized Representative _____

Sub-Service Provider Utilization Commitment

(Must be submitted after contract negotiation and prior to Award)

We _____, do certify that on the
(Company Name)
_____ we will expend a minimum of _____ %
(Project Name)

of the total dollar amount of the contract with certified **MBE** firms and a minimum of _____ % of the total dollar amount of the work with **WBE**.

Name, Address, & Phone Number of Sub-Service Provider	*MWBE Category	Work description	% of Work

*Minority categories: Black, African American (**B**), Hispanic or Latino (**L**), Asian American (**A**) American Indian (**I**), Female (**F**) Socially and Economically Disadvantaged (**S**) Disabled (**D**)

The undersigned will enter into a formal agreement with MWBE firms for work listed in this schedule. Failure to fulfill this commitment may constitute a breach of contract.

The undersigned hereby certifies that he/she has read the terms of this commitment and is authorized to bind the submitter to the commitment herein set forth.

Date: _____

Name & Title of Authorized Representative _____

Signature of Authorized Representative _____

REQUEST TO CHANGE MWBE PARTICIPATION

(Submit changes only if recipient of intent to award letter, continuing through project completion.)

Project: _____

Bidder or Prime Consultant: _____

Name & Title of Authorized Representative: _____

Address: _____ Phone #: _____

_____ Email Address: _____

Original Total Contract Amount: \$ _____

Total Contract Amount (including approved change orders or amendments): \$ _____

Will this request change the dollar amount of the contract? Yes No

If yes, give the total contract amount including change orders and proposed change: \$ _____

The proposed request will do the following to overall MWBE participation (please check one):

Increase Decrease No Change

Name of sub-consultant: _____

Service provided: _____

Proposed Action:

Replace sub-consultant

Perform work in-house

For the above actions, you must provide one of the following reasons (Please check applicable reason):

The listed MBE/WBE, after having had a reasonable opportunity to do so, fails or refuses to execute a written contract.

The listed MBE/WBE is bankrupt or insolvent.

The listed MBE/WBE fails or refuses to perform his/her subcontract or furnish the listed materials.

The work performed by the listed sub-consultant is unsatisfactory according to industry standards and is not in accordance with the plans and specifications; or the sub-consultant is substantially delaying or disrupting the progress of the work.

If replacing sub-consultant:

Name of replacement sub-consultant: _____

Is the sub-consultant a certified MWBE? ___ Yes ___ No

If no, please attach documentation of outreach efforts employed by the firm to utilize an MWBE.

Dollar amount of original consultant contract \$ _____

Dollar amount of amended consultant contract \$ _____

Other Proposed Action:

___ Increase total dollar amount of work

___ Add as an additional sub-consultant*

___ Decrease total dollar amount of work

___ Other

Please describe reason for requested action: _____

**If adding additional sub-consultant:*

Is the sub-consultant a certified MWBE? ___ Yes ___ No

If no, please attach documentation of outreach efforts employed by the firm to utilize an MWBE.

Dollar amount of original consultant contract \$ _____

Dollar amount of amended consultant contract \$ _____

Interoffice Use Only:

Approval ___Y ___N

Date _____

Signature _____

Proof of Payment Certification
MWBE Contractors, Suppliers, Service Providers

Pay Application No. _____
Purchase Order No. _____

Project Name: _____

Prime Service Provider: _____

Current Contract Amount (including change orders): \$ _____

Requested Payment Amount for this Period: \$ _____

Is this the final payment? ___Yes ___No

Firm Name	MWBE Category*	Total Amount Paid from this Pay Request	Total Contract Amount	Total Amount Remaining

*Minority categories: Black, African American (B), Hispanic or Latino (L), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (S) Disabled (D)

Date: _____

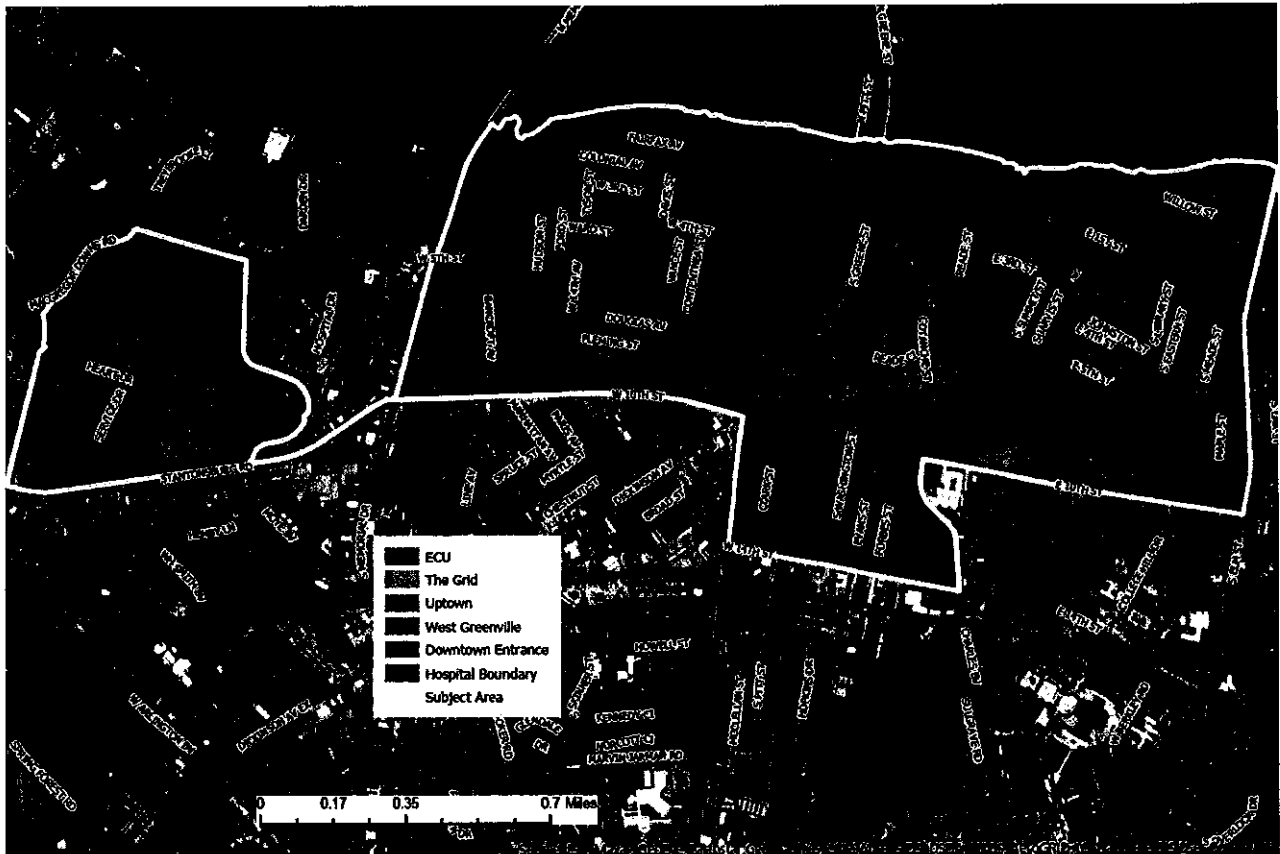
Certified By: _____
Name

Title

Signature

Downtown Market and Financial Analysis/Assessment

Attachment 2



Doc #1133153