

Request for Qualifications

The Design and Permitting of Mountain Bicycling Trails At Wildwood Park

Proposal Due Date: Thursday, July 29, 2021 by 4 p.m.

Location: Jaycee Park – Recreation and Parks Administrative Office
2000 Cedar Lane
Greenville, NC 27858

**This Request for Qualifications
managed by:**

**Mr. Mark Nottingham
Parks Planner
P.O. Box 7207
Greenville, NC 27835
Telephone: (252) 329-4567
Email: mnottingham@greenvillenc.gov**

Invitation to Proposers

City of Greenville, NC

Date: July 7, 2021

Subject: Provision of Mountain Bicycling Trail Design Services at Wildwood Park

Contact: Mark Nottingham, (252) 329-4567, mnottingham@greenvillenc.gov

The City of Greenville Recreation and Parks Department will accept statements of qualifications/proposals from prospective design firms till **4 p.m. E.D.T. on Thursday July 29, 2021**, for the opportunity to design and permit mountain bike trails at Wildwood Park, 3450 Blue Heron Drive.

Proposals will be accepted in a hard copy format at Jaycee Park Administrative Building, 2000 Cedar Lane, Greenville, NC 27858, or electronically as an attachment e-mailed to mnottingham@greenvillenc.gov.

[IMPORTANT! The City of Greenville is unable to receive e-mail attachments in excess of ten (10) MB.]

Parties interested in submitting a proposal may obtain documents from the Purchasing Office by written request (e-mail acceptable). Requests may be directed to Mark Nottingham, Parks Planner, PO Box 7207, Greenville, NC 27835-7207, mnottingham@greenvillenc.gov.

These forms may also be obtained via download from the City's website:

<https://www.greenvillenc.gov/government/financial-services/current-bid-opportunities>

Summary of Work

The City of Greenville is requesting proposals from qualified firms and/or individuals to produce construction plans and obtain any required permits for 4-5 miles of mountain bicycle trails. The design needs to include special features and elements that are found in trails used for organized mountain bike events. The trails will be located in areas of Wildwood Park that may contain wetlands, riparian buffers, and may be in the floodway. The scope of work shall include obtaining any required permits related to but not limited to the aforementioned environmental conditions. The design firm shall also produce colored conceptual design features proposed for the Wildwood Park Mountain Bike Trails. The conceptual design shall approved by the City early on in the project schedule. This project shall also include the design of unique trail signage for the trail heads and associated trail markers. The selected firm will need to work with City staff and community stakeholders/project funders throughout the design process.

NOTES:

- (1) One parcel (#25421) located in the proposed trail area is not currently owned by the City of Greenville but is currently being acquired by eminent domain which is scheduled to be complete on September 09, 2021.
- (2) A map of the proposed project area is shown below:



GENERAL INSTRUCTIONS

Read, Review, and Comply: It shall be the Proposer's responsibility to read this entire document, review all enclosures, 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 RFQ document.

Late Proposals: Late proposals, regardless of cause, will not be opened or considered, being automatically disqualified from consideration. It shall be the Proposer's sole responsibility to ensure delivery at the designated office by the designated time.

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 Proposer, to accept any item in the proposal.

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 Parks Planner, Mark Nottingham (mnottingham@greenvillenc.gov).

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.

Rehabilitation Act and ADA: Federal law prohibits handicapped discrimination by all governmental units. By submitting a proposal, the Proposer is attesting to its policy of nondiscrimination regarding individuals with disabilities.

City Rights and Options: The City, at its sole discretion, reserves the following rights:

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

Public Records: Any material submitted in response to this RFQ will become a "public record." Proposers must claim any applicable exemptions to disclosure provided by law in their response to this RFQ. 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.

Accuracy of RFQ and Related Documents: Each Proposer must independently evaluate all information provided by the City. The City makes no representations or warranties regarding any information presented in this RFQ, 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 RFQ or any related documents other than those provided by an addendum issued by the City. Proposers may not rely on any oral statement by the City or its agents, advisors, or consultants.

If a Proposer identifies potential errors or omissions in this RFQ or any other related documents, the Proposer should immediately notify the City of such potential discrepancy in writing. The City may issue a written addendum if the City determines clarification is necessary. A Proposer requesting an interpretation will be responsible for delivering such requests to the City's designated representative, Parks Planner, Mark Nottingham, (mnottingham@greenvillenc.gov).

Expense of Submitting the Statement of Qualifications: The City accepts no liability, and Proposers 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.

Proposal Binding: This proposal is binding for a period of ONE HUNDRED TWENTY (120) days.

Questions Regarding the RFQ:

Proposers wishing to request a clarification of the RFQ requirements must submit written questions to Mark Nottingham (mnottingham@greenvillenc.gov) by Monday, July 19 at 12:00 p.m. (EDT). Any final addendum will be published by Friday July 23.

GENERAL INFORMATION

A. PURPOSE

The purpose of this Request for Qualifications(RFQ) is to solicit proposals from qualified and interested firms for the design and permitting of mountain bicycle trails at Wildwood Park, Greenville, NC.

The goal is to have the trail contain sections for beginners, intermediate riders, and more advanced level riders. The trail will be a single-track trail approximately 4' -5'wide and approximately 4-5 miles long. While the trail shall be 4'-5' wide where possible, it should maintain a narrow appearance. Trail construction shall be sustainable, constructed to minimize erosion, and require little maintenance. The trail shall contain unique elements commonly found in bicycle skills courses and more developed mountain bike parks. The trails should also be located on the site to minimize any closures due to high river levels.

B. BACKGROUND

The Wildwood Park Development Plan (scheduled to be completed this summer) has identified the desire to construct mountain bike trails and proposed an area for the trail development. Development of phase one at Wildwood Park will be complete in the summer of 2021 and Greenville Recreation and Parks is looking to immediately provide recreational amenities within the park. Mountain bike trails will be one of these amenities.

TERMS OF AGREEMENT

Anticipated term of the contract would be for the period of six months.

PAYMENT

The Proposer's required amount of fees to complete the proposed scope of work will be reviewed upon selection.

C. PROVISION OF SERVICES

Under the terms and conditions of the contract, the selected firm/team shall be responsible for the complete design of the mountain bike trails which results in a set of complete construction plans and project manual. The plans and project manual shall include a level of detail required to obtain all required permits. The selected firm must also apply for and obtain all required permits for the construction of the trails. The selected vendor agrees to comply with applicable local, state, and federal ordinances, statues, laws, rules, regulations and best business practices.

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. The Contractor represents that the Contractor and its Subcontractors are in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

Iran Divestment Act

As a result of the Iran Divestment Act of 2015 (Act), Article 6E, N.C. General Statute § 147-86.55, the

State Treasurer published the Final Divestment List (List) which includes the final companies and persons engaged in investment activities in Iran and will be updated every 180 days. The list can be found at <https://www.nctreasurer.com/inside-the-department/OpenGovernment/Pages/Iran-Divestment-Act-Resources.aspx>

By submitting the Proposal, the Contractor certifies that, as of the date of this bid, it is not on the current list created by the State Treasurer. The Contractor must notify the Department immediately if, at any time before the award of the contract, it is added to the list.

As an ongoing obligation, the Contractor must notify the Department immediately if, at any time during the contract term, it is added to the list. Consistent with § 147-86.59, the Contractor shall not contract with any person to perform a part of the work if, at any time the subcontract is signed, that person is on the then-current List.

During the term of the Contract, should the Department receive information that a person is in violation of the Act as stated above, the Department will take action as appropriate and provided for by law, rule or contract.

F. CITY REQUEST FOR QUALIFICATIONS(RFQ)

The City of Greenville reserves the right to reject any and all proposals, waive informalities, and award contracts which appear to be in its best interest.

The City shall not be liable for any cost incurred in connection with preparation and submittal of any proposal.

The City reserves the right to make an award based on factors that include but are not limited to experience, quality of proposal, staff credentials, specific services provided, methods of operation, and established safety policies and procedures. Contracts may be awarded to Proposer(s) who have submitted proposal(s) deemed to be in the best interest(s) of the City. The City may award a contract based on the proposals submitted without further discussions or negotiations. Selection of the best proposal(s) will be made on the basis of the criteria set forth in this RFQ. The City reserves the right to negotiate the final terms of the contract.

G. PROPOSER'S INSPECTION

It will be the responsibility of the individual Proposers to visit the park location to understand the layout of the park.

H. CONFIDENTIALITY

If the Proposer must include in its proposal material of a confidential nature, i.e., not intended for disclosure to third persons, the Proposer should so indicate. Notice is given that under the North Carolina public records laws such information may be subject to release even if marked confidential. The City will notify the Proposer of such a request and afford the Proposer the opportunity to take whatever action it deems necessary if the Proposer desires to object to the release. The City will then exercise its best efforts to protect this information, but only to the extent that the law permits. The City assumes no responsibility for any loss or damage which may result out of any breach of confidentiality, including but not limited to attorney's fees, monetary or business losses, costs, fines or damages awarded or such other costs associated with any court or administrative action concerning whether the information should be released or not.

I. CITY OF GREENVILLE LOCAL PREFERENCE POLICY

It is the policy of the City of Greenville to ensure the best overall value in the procurement of goods and services and to support the City's economic development. Therefore, the City of Greenville has adopted a Local Preference Policy which provides a preference to eligible local bidders in the awarding of certain city contracts. The City's Local Preference Policy may be found at:

www.greenvillenc.gov/home/showdocument?id=456

Questions regarding the City's Local Preference Policy should be directed to the Purchasing Division of the City of Greenville at (252) 329-4664.

In accordance with the City's Local Preference Policy, being local is a factor to be considered in determining the qualifications of the entity or person submitting a proposal.

J. REPRESENTATIONS

1. The City will not be bound by any representations that are not set forth in the RFQ.
2. The Proposer is responsible for making all necessary investigations/examinations of documents, operations, city website information, and premises affecting performance. It is mutually agreed that the submission of a proposal shall be considered conclusive evidence that the Proposer has made such investigations/examinations.
3. Any reasonable inquiry to determine the responsibility of a Proposer may be entertained. The submission of a proposal shall constitute permission by the Proposer for the City to verify all information contained therein. If the City deems it necessary, additional information may be requested from the Proposer. Failure to comply with any such request may disqualify a Proposer from further consideration.
4. The Proposer may withdraw the proposal at any time prior to the day/date/time which is set forth herein as the deadline for acceptance of proposals, upon written request for same to Parks Planner, Mark Nottingham (mnottingham@greenvillenc.gov).
5. All proposals shall be firm offers and may not be withdrawn for a period of one hundred twenty (120) days following the day/date/time set to receive proposals.
6. Conflict of Interest – By submitting this proposal, each bidder shall affirm that:
 - (a) No official or employee of the City of Greenville is directly or indirectly interested in this proposal for any reason of personal gain.
 - (b) The proposal is genuine; that the same is not sham or collusive; that all statements of fact therein are true; that such proposal was not made in the interest or behalf of any person, partnership, company, association, or corporation not therein named or disclosed.
 - (c) The Proposer has not directly or indirectly by agreement, communication, or conference with anyone, attempted to induce action prejudicial to the interest of the City of Greenville, or any other Proposer, or anyone else interested in the proposed agreement; that the Proposer has not in any manner sought by collusion to secure an advantage over any other Proposer.

INSTRUCTIONS TO PROPOSERS

A. MINIMUM REQUIREMENTS FOR RESPONSIVE RFQ

A Proposer's response to this RFQ must be made according to the specifications set forth in this section, both for content and sequence.

Any proposal failing to comply with said specifications and therefore deemed to be non-responsive shall be subject to rejection by the City. A Proposer may correct, revise or withdraw any proposal up to the closing date or time for submission of proposals designated in these instructions. Proposals received after the time for submission will be rejected. The Director of Recreation and Parks, at his/her option, may permit a Proposer to correct a minor mistake such as a calculation mistake, a minor omission such as failure to include a referenced document in the proposal, to correct a minor informality or withdraw a proposal after the closing date for submission of proposals if sufficient evidence can be presented citing extenuating circumstances.

1. MINIMUM QUALIFICATIONS:

In order to be deemed minimally qualified for consideration in the award of the service contract, a Proposer must:

- a. Have experience in the provision of similar services as requested, or evidence of other equivalent experience /qualifications to provide the service requested.
- b. Be a certified Professional Trail Builder with the Professional Trail Builders Association.

2. ITEMS TO SUBMIT

In order to be deemed fully responsive to this RFQ, a Proposer must complete and submit the following:

- a. **List of staff to be involved in the project and their qualifications, the proposed project manager shall be identified**
- b. **List of previous relevant experience and references for those projects**
- c. **Proposed scope of work, including proposed project schedule**
- d. **Project Approach**
- e. **PROPOSAL FORM**
- f. **MWBE Forms**

Proof of Insurance: Proposers shall submit a Certificate of Insurance for the operations involved. 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, as described below, will be available to the Proposer for the term of the contract. The following minimum requirements are required by the City of Greenville:

The selected Proposer agrees to purchase and maintain at its own expense during the term of this contract the following program(s) of insurance covering its operations. Such insurance shall be provided by insurer(s) satisfactory to the CITY and evidence of such programs satisfactory to the CITY shall be delivered to the CITY on or before the effective date of this Contract. Such evidence shall specifically identify this contract and shall

contain express condition that the **CITY is to be given written notice of at least thirty (30) days in advance of any modification or termination of any program of insurance.** Such insurance, with the exception of Workers' Compensation insurance, shall be primary to, and not contributing with, any other insurance maintained by City, and **shall name the CITY as an additional insured:**

Commercial General Liability: Bodily injury and property damage liability as shall protect the vendor and any subcontractor performing work under this contract from claims of bodily injury and property damage which arise from operation of this contract whether or not such operations are performed by the vendor. Such insurance coverage must indemnify and hold harmless the City of Greenville, its managers, directors and employees for any negligent acts whether by commission or omission of the vendor, vendor's employees and any subcontractor and employees of the subcontractor. The amounts of such insurance shall not be less than one million dollars (\$1,000,000.00) bodily injury each occurrence/aggregate and one million dollars (\$1,000,000.00) property damage each occurrence/aggregate, or one million dollars (\$1,000,000.00) bodily injury and property damage combined single limits each occurrence/aggregate. This insurance shall include coverage for products/completed operations, personal injury liability and contractual liability.

Auto Liability: Proof of automobile insurance in accordance with North Carolina laws.

Workers' Compensation: If applicable, a program of Workers' Compensation insurance in an amount and form to meet all statutory requirements of the laws of the State of North Carolina.

a. PROPOSAL FORM:

1. Complete and utilize as the cover sheet for your proposal. (Form located on page 13 of this RFq).

3. PREPARATION OF THE PROPOSAL

- A. Any proposals that are submitted in a hard copy format must be **typed in a minimum 11 point font** for submission on 8 ½" x 11" white paper and must be bound in a secure manner.
- B. Any proposals submitted electronically as an attachment must follow the format in "A" above: typed, minimum 11 pt. font, and – except for supplementary materials - be printable on 8½" X 11" paper. (**Note: The City is unable to receive e-mail attachments in excess of 10 MB.**)
- C. Material/data not specifically requested for consideration, but which the Proposer wishes to submit, must not appear within the proposal, but may appear only in an "additional data" section. This specifically refers to the following types of data:
 - a. standard brochures/photographs
 - b. promotional material with minimal technical content
 - c. generalized narrative of supplementary information
 - d. supplementary graphic materials
- D. If proposal is made by a partnership, it shall be signed with the partnership name and by an authorized general partner, and the full names and current mailing addresses of each general and limited partner shall be supplied.

If the proposal is made by a joint venture, it shall be signed with the full name and current mailing address of each participant of the "joint venture." If the proposal is made by a corporation, it shall be signed by the

president and secretary in the corporate name with the corporate seal affixed. In all cases, each signature must have the proper acknowledgment of execution attached to the proposal form.

- E. When proposals are signed by an agent other than an officer of a corporation or a member of a general partnership, a power of attorney authorizing the signature must be submitted with the proposal.
- F. The City may request additional information from any person, firm or corporation submitting a proposal.

4. SUBMISSION OF THE PROPOSAL

- A. If submitted in person or by postal services, should be in sealed envelope plainly labeled with the name, mailing address and telephone number of the proposer, and the notation, "Wildwood Park Mountain Bike Trail Design Proposal." (E-mail submissions should include the subject line, "Wildwood Park Mountain Bike Trail Design Proposal.")
- B. It is the sole responsibility of the Proposer to assure that the proposal is received before the submission deadline. A Proposer shall bear all risks associated with delays in mail, courier services, hand-delivery or e-mail.

5. DEADLINE FOR RECEIPT OF PROPOSAL

- A. The City will receive proposals by **4 p.m., Thursday July 29, 2021** at the location or email address indicated below:

Mr. Mark Nottingham, Parks Planner
Jaycee Park Administrative Building
2000 Cedar Lane
Greenville, NC 27858
mnottingham@greenvillenc.gov

Proposals received after the above date and time shall not be considered.

SELECTION PROCESS AND EVALUATION CRITERIA

A. SELECTION PROCESS

The City reserves the right to act as sole judge of the content of the proposals submitted for the City's evaluation/selection.

B. EVALUATION CRITERIA

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

1. Proposer's Experience and Capability 35%
 - a. Proposer's previous experience providing the services requested by this RFQ or equivalent experience and qualifications.
 - b. Proposer's adherence to all applicable local, state, and federal regulations.

- c. Qualifications and certifications of the individuals who will coordinate and deliver the services pursuant to this RFQ.
2. Proposed Scope and Schedule 40%
 - a. Quality, availability, character, and value of services to be provided at Wildwood Park.
 - b. Demonstration of understanding of full project scope.
 - c. Operational impact to City staff in support of the contracted service.
 - d. Quality and thoroughness of proposal.
 3. Concepts and Approach 20%
 - a. Demonstration of the Proposer's understanding of the Greenville Recreation and Parks Department's mission, facilities and operations, future growth potential, and customer base.
 - b. Proposal demonstrates thoughtful, efficient, and comprehensive project approach.
 4. Local Preference Policy 5%
 - a. In accordance with the City's Local Preference Policy, being "headquartered" locally is a factor that will be considered in determining the qualifications of the entity or person submitting a proposal.

C. EVALUATION PROCESS

The evaluation of proposals will be conducted by a selection panel chosen by the City. In all cases, the panel on the whole will have the appropriate experience in the conduct, administration and evaluation of projects, proposals, agreements and operations similar to the subject of the RFQ.

The City, at its option, may invite one (1) or more Proposers to make an oral presentation to the selection panel. During these interviews, the selected Proposers will be allowed to present such evidence as may be appropriate in order that the panel can effectively analyze all materials and documentation submitted as part of the proposals. The City is not required to conduct interviews of any Proposers and may award solely on the basis of written submission. The panel will employ the applicable criteria and their expertise in evaluating all proposals, and thereafter shall create a prioritized ranking of highest to lowest of all selected proposals. Those proposals ranked in the top five may be requested to provide a best and final offer before a/the final award(s) is/are made.

D. APPROVAL OF CONTRACT

Subsequent to the aforementioned process, the selection panel chosen by the City will recommend and seek authorization to award a contract to the Proposer(s) earning the highest ranking(s) by the panel.

MINORITY & WOMEN BUSINESS ENTERPRISE (M/WBE) 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 (M/WBE) 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 M/WBE firms in supplying goods and services for the completion of this contract. All firms submitting qualifications and/or proposals agree to utilize minority and women-owned suppliers and service providers whenever possible.

Questions regarding the City’s M/WBE Program should be directed to the M/WBE Office at (252) 329-4462.

E. EQUAL EMPLOYMENT OPPORTUNITY CLAUSE

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 on the basis 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, NC. By submitting qualifications and/or proposals, the firm is attesting that they are an Equal Opportunity Employer.

Federal law (Rehabilitation Act and ADA) prohibits handicapped discrimination by all governmental units. By submitting a proposal, the vendor is attesting to its policy of nondiscrimination regarding individuals with disabilities.

PROCUREMENT PROCESS

Schedule and Process: The following chart shows the schedule of events for the conduct of this RFQ. The key events and deadlines for this process are as follows:

Event	Date and Time
Issuance of RFQ	Thursday, July 8, 2021
Deadline to Submit Questions	Monday, July 19, 2021 – 12:00 p.m.
Answers to Questions Provided	Friday, July 23, 2021 – 4:00 p.m.
Proposal Due	Thursday, July 29, 2021 – 4:00 p.m.

Upon review of the RFQ documents, firms may have questions to clarify or interpret the RFQ in order to submit the best proposal possible. To accommodate the Proposal Questions process, vendors shall submit any such questions by the above due date. Written questions shall be emailed to mnottingham@greenvillenc.gov by the date and time specified above. Please enter “RFQ Wildwood Park Mountain Bike Trails - Question” on the subject line of the email.

Responses will be posted in the form of an addendum to the RFQ on the City’s website at:

<https://www.greenvillenc.gov/government/financial-services/current-bid-opportunities>

No information, instruction or advice provided orally or informally, whether made in response to a question or otherwise in connection with this RFQ, shall be considered authoritative or binding.

No contact regarding this RFQ will be allowed between Proposers or potential Proposers and employees of the CITY staff after issuance of the RFQ with the exception of the CITY contact person named on the cover page. Any such contact may disqualify a firm from further consideration. Requests for clarification from Proposers will be allowed provided that such requests are made through the Parks Planner in writing (mnottingham@greenvillenc.gov).

PROPOSAL FORM

Name of Proposer _____ Date _____

TO: Mr. Mark Nottingham, Parks Planner
Jaycee Park Administrative Building
2000 Cedar Lane
Greenville, NC 27858
mnottingham@greenvillenc.gov

Dear Mr. Nottingham:

A PROPOSAL FOR THE PROVISION OF DESIGN AND PERMITTING SERVICES FOR MOUNTAIN BICYCLE TRAILS AT WILDWOOD PARK

I propose to provide the required conceptual and construction design documents necessary to construct mountain bicycle trails at Wildwood Park. I also propose to provide the required permitting to construct the trails at Wildwood park.

The undersigned hereby respectfully submits this proposal, including any required documents and/or statements.

Signature

Printed Name

Address

Phone (s)

Addenda Received _____

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

**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.

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 subconsultants. *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 subconsultant 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
 _____ we will expend a minimum of _____%

(Company Name)

(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 subconsultant: _____

Service provided: _____

Proposed Action:

___ Replace subconsultant

___ 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 subconsultant is unsatisfactory according to industry standards and is not in accordance with the plans and specifications; or the subconsultant is substantially delaying or disrupting the progress of the work.

If replacing subconsultant:

Name of replacement subconsultant: _____

Is the subconsultant 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 subconsultant*

Decrease total dollar amount of work

Other

Please describe reason for requested action: _____

**If adding additional subconsultant:*

Is the subconsultant 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 _____

Pay Application No. _____

Purchase Order No. _____

Proof of Payment Certification
MWBE Contractors, Suppliers, Service Providers

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