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# *REQUEST FOR PROPOSALS*

*No. RFP-202.02-14*

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*Request for Proposals for*

*CENTRAL OAHU TRANSPORTATION STUDY*

Proposals Due:  
4:00 *p.m.*, Hawaii Standard Time  
*November 21, 2014*



Oahu Metropolitan Planning Organization  
707 Richards Street, Suite 200  
Honolulu, Hawaii 96813-4623  
(808) 587-2015

[www.OahuMPO.org](http://www.OahuMPO.org)

Note: If this RFP was downloaded from a Web site, the Offeror must provide contact information to the OahuMPO Project Manager (see Section V) in order to be notified of any changes made to the RFP or any clarifying statements. Failure to provide contact information to OahuMPO may result in the submission of an incomplete or non-responsive proposal.

# TABLE OF CONTENTS

## Contents

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TABLE OF CONTENTS .....	i
SECTION I – INTRODUCTION AND KEY DATES .....	1
SECTION II – SCOPE OF WORK .....	3
SECTION III – TERM OF CONTRACT .....	12
SECTION IV – PROPOSAL FORMAT AND CONTENT.....	13
SECTION V – PRE-PROPOSAL ACTIVITIES.....	19
SECTION VI – PROPOSAL SUBMITTAL .....	20
SECTION VII – CONSULTANT SELECTION / METHOD OF AWARD .....	20
SECTION VIII – CONSULTANT SELECTION CRITERIA.....	21
SECTION IX – SPECIAL CONDITIONS.....	22
A. RESERVATIONS .....	22
B. PUBLIC RECORDS.....	22
C. RIGHT TO CANCEL.....	22
D. ADDITIONAL INFORMATION .....	22
E. DISCUSSIONS.....	22
F. PROTEST PROCEDURES.....	23
G. TITLE VI ASSURANCE.....	23
H. TAX CLEARANCE .....	23
I. WAGES AND LABOR LAW COMPLIANCE.....	23
J. INSURANCE .....	24
K. DEBARMENT AND SUSPENSION.....	24
L. DRUG FREE WORKPLACE.....	25
M. FALSE STATEMENTS.....	25
N. SMALL BUSINESS PARTICIPATION.....	25
O. ENVIRONMENTAL STEWARDSHIP .....	25
P. LOBBYING ACTIVITIES .....	26
SECTION X - ATTACHMENTS .....	27
ATTACHMENT A CONSULTANT SELECTION CRITERIA.....	28
ATTACHMENT B OFFER FORM OF-1 .....	31
ATTACHMENT C OFFER FORM OF-2.....	33
ATTACHMENT D DISADVANTAGED BUSINESS ENTERPRISE PROGRAM.....	35
ATTACHMENT E GENERAL INFORMATION REGARDING DBES HDOT EXHIBIT III.....	37
ATTACHMENT F REQUIREMENTS FOR PARTICIPATION BY DBES HDOT EXHIBIT B .....	41
ATTACHMENT G STATEMENT OF AFFIRMATION AND ACKNOWLEDGEMENT OF DBE REQUIREMENTS .....	44
ATTACHMENT H SUBCONSULTANT CONFIRMATIONS FOR EACH DBE SUBCONSULTANT.....	46
ATTACHMENT I PROMPT PAYMENT CERTIFICATION.....	48
ATTACHMENT J FINAL REPORT OF DBE PARTICIPATION.....	50
ATTACHMENT K TITLE VI ASSURANCE–SUPPLEMENTAL NOTICE.....	53
ATTACHMENT L OAHUMPO’S TITLE VI ASSURANCE.....	55
ATTACHMENT M CERTIFICATE OF INSURANCE SPO FORM 150.....	57
ATTACHMENT N DEBARMENT & SUSPENSION CERTIFICATION .....	59
ATTACHMENT O DRUG FREE WORKPLACE CERTIFICATION.....	62
ATTACHMENT P CERTIFICATION REGARDING LOBBYING.....	67
ATTACHMENT Q ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION.....	71

## SECTION I – INTRODUCTION AND KEY DATES

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### 1. Introduction

The Oahu Metropolitan Planning Organization (OahuMPO) requests proposals for an Offeror to assess the multi-modal transportation needs of the Central Oahu region, and identify key transportation system improvements, strategies, and policies that can improve regional transportation mobility and access in a sustainable way. The study shall develop desired multi-modal strategies and system improvements that are technically feasible, financially realistic, sustainable, and meet regional transportation needs.

### 2. Cancellation

The RFP may be cancelled and any or all proposals rejected in whole or in part, without liability, when it is determined to be in the best interest of the State of Hawaii (State) and/or the public.

### 3. Terms and Acronyms

CFR	Code of Federal Regulations
County	City and County of Honolulu
DBE	Disadvantaged Business Enterprise
DTS	City and County of Honolulu Department of Transportation Services
HAR	Hawaii Administrative Rules
HDOT	Hawaii Department of Transportation
HRS	Hawaii Revised Statutes
HST	Hawaii Standard Time
OahuMPO	Oahu Metropolitan Planning Organization
RFP	Request for Proposals
SLH	Session Laws of Hawaii
SPO	State Procurement Office
State	State of Hawaii
TMA	Transportation Management Area
USC	United States Code
USDOT	United States Department of Transportation
§	Section

#### 4. Key Dates

The dates below are OahuMPO's best estimate of the anticipated schedule of events. If a component of this schedule is delayed, the rest of the schedule will likely be shifted by the same number of days.

RFP available	<i>October 21, 2014</i>
Deadline for submittal of written questions	<i>October 31, 2014</i>
OahuMPO's response and posting of written questions due	<i>November 10, 2014</i>
Proposals due by 4:00 p.m. HST	<i>November 21, 2014</i>
Evaluation Committee ranks proposals	<i>December 8, 2014</i>
Discussions with priority-listed consultants	<i>December 15, 2014</i>
Best and Final Offers due (if any)	<i>January 5, 2015</i>
Offeror selection and award	<i>January 12, 2015</i>
Anticipated contract start date (Notice to Proceed)	<i>February 16, 2015</i>

**Sealed competitive proposals submitted in response to this RFP must be received at Oahu Metropolitan Planning Organization, Suite 200, Ocean View Center, 707 Richards Street, Honolulu, Hawaii 96813 no later than 4:00 p.m. HST, November 21, 2014.** Proposals should be mailed or delivered to:

Pamela Toyooka, Office Manager  
Oahu Metropolitan Planning Organization  
707 Richards Street, Suite 200  
Honolulu, HI 96813-4623

**See detailed requirements set forth in Section VI of this RFP.**

Questions concerning the RFP must be submitted in writing (e-mail is acceptable) and received by OahuMPO no later than 4:00 p.m. Hawaii Standard Time, on *October 31, 2014*. Answers to written questions received by the deadline as well as any changes to the RFP via addenda or amendments will be posted to the OahuMPO's Web site ([www.oahumpo.org](http://www.oahumpo.org)) by 2:00 p.m. on November 10, 2014. Refer to the RFP for complete instructions. All prospective Offerors are urged to check the OahuMPO's Web site regularly for updates.

#### 5. Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS) Chapter 103D and its administrative rules. All prospective Offerors are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective Offeror shall constitute admission of such knowledge on the part of such prospective Offeror.

## SECTION II – SCOPE OF WORK

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### Notice to Offerors:

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The Oahu Metropolitan Planning Organization (OahuMPO) is the established Transportation Management Area agency designated by the United States Secretary of Transportation under 23 USC 134 and 49 USC 5303 that is responsible for conducting regionally-significant transportation planning studies on the Island of Oahu. The OahuMPO is issuing this RFP and will serve as the manager of the project in cooperation with its cooperating agencies: the State of Hawaii Department of Transportation, the City and County of Honolulu Department of Transportation Services, and the Honolulu Authority for Rapid Transportation.

OahuMPO requires an Offeror to assess the multi-modal transportation needs of the Central Oahu region, and identify key transportation system improvements, strategies, and policies that can improve regional transportation mobility and access in a sustainable way. The study shall develop desired multi-modal strategies and system improvements that are technically feasible, financially realistic, sustainable, and meet regional transportation needs.

Central Oahu, the project study area, has experienced rapid urban development in the last 30 to 40 years. The OahuMPO in its Oahu Regional Transportation Plan for 2035 (ORTP 2035) recognized Central Oahu as a “high growth” region of the island and noted the longer travel times for commuters in the region.

The rapid urbanization of Central Oahu has led to increased traffic congestion during peak periods, increased transit needs, and a perceived desire by residents in the study area to improve mobility and access within and outside the region. Further, a number of high impact developments that have been approved for the region are anticipated to significantly impact regional travel patterns and strain the transportation infrastructure needed to support those projects.

The project study will adopt the overall transportation goals of OahuMPO’s ORTP 2035 that emphasizes strategies, projects and programs that implement congestion mitigation, sustainable transportation projects and programs, and consider system preservation and safety.

The RFP is available to all interested firms. The RFP provides the specifications and instructions for submitting a proposal and other required information. Interested firms must fully respond to and comply with the specifications and instructions contained in the RFP. The RFP is available for pickup at the OahuMPO office or may be downloaded from its Web site at [www.OahuMPO.org](http://www.OahuMPO.org). For additional information, contact Randolph Sykes at (808) 587-2015.

OahuMPO, a subrecipient of the United States Department of Transportation (USDOT) Federal Highway Administration and Federal Transit Administration metropolitan planning funds via Hawaii Department of Transportation (HDOT), has adopted HDOT’s Disadvantaged Business Enterprise (DBE) Program in its entirety, and follows HDOT’s contract provisions. OahuMPO hereby notifies all Providers that it will affirmatively ensure that, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252 United States Code (USC) 2000d to 2004d-4 and Title 49 Code of the Federal Regulations (CFR), United States Department of Transportation, Subtitle A, Office 3 of the Secretary Part 21, *Nondiscrimination in Federally-Assisted Programs of the Department of Transportation*, issued pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, age, or

handicap/disability in consideration for an award. Refer to the *Title VI Assurance – Supplemental Notice* contained in Attachment K of the RFP, which is made an integral part of this request.

The Equal Employment Opportunity Regulations of the U.S. Secretary of Labor Implementing Executive Order 11246, as amended, shall be complied with on this project.

USDOT regulations entitled *Participation by Disadvantaged Business Enterprise in Department of Transportation Programs*, 49 CFR Part 26 is applicable to this project. The contract DBE goal for this project is indicated in Attachment F, *Requirements for Participation by DBEs*, of the RFP.

The budget for this project is \$500,000.00, inclusive of Hawaii General Excise Tax and Oahu Surcharge.

OahuMPO reserves the right to reject any or all proposals and to waive any defects in said proposals if it is deemed in the best interest of the State and/or the public.

## Scope Summary

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The goal of this project is to assess the multi-modal transportation needs of the Central Oahu region, and identify key transportation system improvements, strategies, and policies that can improve regional transportation mobility and access in a sustainable way. The study shall develop desired multi-modal strategies and system improvements that are technically feasible, financially realistic, sustainable, and meet regional transportation needs.

### **Task 1: Coordinate and review past and on-going traffic, transit, and land use studies prepared by other agencies, establish a project management working group, and stakeholder involvement process.**

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The goal of this task is to ensure that existing and on-going studies inform the outcomes of this project for consistency and maximum coordination across agencies.

#### **1.1 Identify existing and on-going studies relevant to this project**

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The Offeror shall research and identify existing and on-going studies that have been or are underway by the State of Hawaii Department of Transportation, the City and County of Honolulu Department of Transportation Services, the Honolulu Authority for Rapid Transportation, OahuMPO, and the City and County of Honolulu Department of Planning and Permitting (collectively, “the cooperating agencies”).

##### **Deliverables:**

- 1.1a: A listing of existing and on-going studies that has been developed in cooperation with the cooperating agencies
- 1.1b: A technical report summarizing the analysis of each of those studies identifying factors and other considerations relevant to the goals of this project

#### **1.2 Establish a project management working group.**

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The Offeror shall establish a project management working group with which it consults on a regular basis for guidance on project oversight, direction and feedback to the Offeror, while the day-to-day management of the study, the

details of data being gathered, memoranda and/or reports being prepared, etc., is the responsibility of the Project Manager. It is assumed throughout this RFP that especially those reports wherein the Offeror proposes criteria and/or assumptions, all decisions concerning the application of those criteria and/or assumptions will be made in consultation with the project management working group.

Deliverables:

1.2a: A schedule to be set for meetings of the project management working group in consultation with the cooperating agencies' staff. The project management working group may initially meet more often than once a month but, then, meet only as necessary to receive updates, accomplishments, etc., from the Project Manager and Offeror.

1.2b: Agendas for each of the meetings to be coordinated with the Project Manager at least ten working days in advance of the scheduled meeting date.

1.2c: Minutes of each meeting identifying the date, time, and place of the meeting, who was in attendance, and the topics discussed and any decisions taken at the meeting. In addition, the minutes shall clearly define any follow-up actions required on the part of the Offeror and/or the cooperating agencies.

### 1.3 Establish a stakeholder involvement process

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The Offeror shall coordinate with the project management working group to establish an early and on-going stakeholder involvement process that conforms to the requirements of the [OahuMPO's Participation Plan](#).

Deliverables:

1.3a: A listing of stakeholders, including members of the general public and those "traditionally underserved," as defined in Title VI of the United States Code as well as Executive Order 12898 (1994) related to environmental justice.

1.3b: A plan for soliciting input from stakeholders early in and continually throughout the study.

1.3c: A summary of input provided by stakeholders and documentation of the disposition of those comments.

1.3d: A technical report identifying the key factors resulting from the stakeholder involvement process that are incorporated into the final study report.

### 1.4 Identify relevant transportation user surveys that may inform or provide details not necessarily documented in the existing and on-going studies identified in subtask 1.1, above.

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The Offeror shall coordinate with the cooperating agencies to determine what transportation user surveys have been conducted that have relevance to the area and goals of this project, obtain survey results, and supplement the analysis done in subtask 1.1, as appropriate, and, if necessary, conduct an additional survey.

Deliverables:

1.4a: A listing of transportation user surveys that have been conducted by the coordinating agencies relevant to Central Oahu since 2000.

1.4b: A survey, if required, conducted to supplement information from prior surveys required to inform critical aspects of this study.

1.4c: A technical report summarizing analysis of the survey results documenting how they may affect or be incorporated into the analyses done in subtask 1.1.

## Task 2: Establish performance measures and measures of sustainability, collect and establish a comprehensive baseline multi-modal transportation dataset.

The priority of this task is to establish performance measures and measures of sustainability. These measures will dictate the type of data that need to be collected and should provide a focus on what relevant transportation and/or other data need to be collected. This multi-modal transportation dataset, for purposes of this study, provides a framework to integrate arterial traffic information (for vehicles, bicycles, and pedestrians) and public transit (bus, paratransit, and rail passengers, headways, etc.) information into a common data platform in order to understand the impact of a change in one subsystem on the larger system as a whole.

### 2.1. Establish performance measures and measures of sustainability.

The Offeror, in cooperation with the project management working group, shall identify performance measures and measures of sustainability that will serve to guide the determination of appropriate data required for purposes of this study.

#### Deliverables:

2.1a: A listing of the performance measures that are appropriate to the analyses required to meet the scope and goals of this project.

2.1b: A document that contains the definition of each of the performance measures including, but not limited to, any algorithm or set of calculations required to quantify the performance measures.

2.1c: A listing of measures of sustainability that will ensure that the goals and purposes of this project will be maintainable and supportable financially for the useful life of the projects and/or programs determined to be within the scope of this project.

2.1d: A document that contains the definition of each of the measures of sustainability including, but not limited to, any algorithm or set of calculations required to quantify and ensure that sustainability.

### 2.2. Identify the elements of and create a data dictionary for the information required to ensure optimal analyses of the area and components of this study.

The Offeror, in consultation with the cooperating agencies, shall develop a comprehensive listing of all data elements required for the analyses required throughout the course of this study. These data shall be those applicable to all forms of vehicular travel including, but not limited, to cars, trucks, buses, bicycles, as well as pedestrians.

#### Deliverables:

2.2a: A listing of the data elements necessary for the analyses required to meet the scope and goals of this project.

2.2b: A document that contains the definition of each of the data elements as used within the meaning and context of this project.

2.2c: A technical report identifying any data element(s) not available in existing sources and a detailed plan for acquiring such data.

### 2.3. Collect the data identified in subtask 2.2 of this section.

The Offeror, working with the cooperating agencies, shall collect the data identified in subtask 2.1 and populate a database suitable for the analyses needed to meet the scope and goals of this project.

Deliverables:

2.3a: A populated database suitable for the analyses required to complete this project.

2.3b: Obtaining and/or collecting data not currently in available sources for integration into that database.

***Task 3: Analyze and evaluate regional transportation, demographic, economic, and land use trends and issues.***

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The goal of this task is to develop an understanding of the regional transportation, demographic, economic, and land use trends and issues affecting the Central Oahu area.

***3.1 Analyze and evaluate the demographic, economic, and land use trends and issues affecting Central Oahu***

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The Offeror shall analyze and evaluate the demographic, economic, and land use trends and issues affecting Central Oahu as documented in the Central Oahu Sustainable Communities Plan (2014) as well as the detail found within the ORTP 2035.

Deliverables:

3.1a: A technical report describing the criteria identified and proposed to be used for analyses of the demographic, economic, and land use trends and issues affecting Central Oahu.

3.1b: A technical report identifying any assumptions underlying the analyses of these factors.

3.1c: A technical report identifying the performance measures proposed to be used to measure the successful outcomes of the goals and objectives of this project.

3.1d: A technical report assessing the demographic, economic, and land use trends and issues affecting Central Oahu

***3.2 Analyze and evaluate the impacts of the trends and issues identified in subtask 3.1 on regional transportation.***

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The Offeror shall analyze and evaluate the regional transportation system based on its analyses performed in subtask 3.1.

Deliverables:

3.2a: A technical report identifying the transportation alternatives that are technically feasible, financially realistic, sustainable, and meet regional transportation needs.

3.2b: A technical report assessing the impacts of the trends and issues identified in subtask 3.1 on each of the transportation alternatives identified in the technical report required by subtask 3.2b.

***Task 4: Determine and assess current and future multi-modal needs and opportunities for the region through technical methodologies, user surveys, and stakeholder outreach. The technical forecasting of future traffic, transit, land use, and other related projections will utilize and be done in coordination with OahuMPO's current travel demand forecast model and Congestion Management Process.***

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The goal of this task is to determine and assess current and future (2035) multi-modal needs and opportunities for the Central Oahu region, especially with regard to the commute between Central Oahu and the Primary Urban Center.

4.1 Forecast future traffic, transit, land use, and other related projections for each of the multi-modal scenarios that the Offeror evaluates using the OahuMPO TransCAD transportation demand forecast model and Congestion Management Process.

Consistent with the transportation alternatives identified in deliverable 3.2a, the Offeror shall identify a minimum of three (3) multimodal scenarios that are technically feasible, financially realistic, sustainable, and meet regional transportation needs

Deliverables:

4.1a: Program the OahuMPO TransCAD model to capture the necessary attributes of each of the transportation alternatives and run the model.

4.1b: A technical report analyzing the output of each of the individual model runs.

4.1c: A technical report contrasting and comparing the outcomes of the model runs and providing recommendations for both implementation and, possibly, further study.

4.1d: A technical report providing a ranking of the impacts of the alternatives using OahuMPO's Congestion Management Process.

Task 5: Identify potential strategies and system improvements for key corridors in the region, including but not limited to, transit improvements with connections to the Honolulu rail transit system and the Central Highway.

The goal of this task is to identify potential strategies and system improvements for key corridors in the Central Oahu region that are technically feasible, financially realistic, sustainable, and meet regional transportation needs.

5.1 Identification of potential strategies and systems improvements for key corridors in the Central Oahu region.

Based on its assessments in tasks 1 – 4, the Offeror shall identify potential strategies and system improvements appropriate for achieving the goal of this project to meet current and future regional needs that are technically feasible, financially realistic, and sustainable.

Deliverables:

5.1a: A report that identifies the criteria proposed for evaluating the selection of potential strategies and systems improvements for the Central Oahu region.

5.1b: A technical report identifying each of the potential strategies and system improvements that the Offeror recommends based upon its analyses completed for tasks 1 – 4.

5.2 Perform a feasibility assessment of the potential strategies and system improvements identified in subtask 5.1.

The Offeror shall conduct a feasibility analysis for each of the potential strategies and system improvements identified in subtask 5.1.

Deliverables:

5.2a: A report identifying the criteria the Offeror proposes for evaluating and determining the feasibility of the potential strategies and system improvements.

5.2b: A technical report prioritizing the potential strategies and system improvements based on the criteria identified in deliverable 5.2a.

5.3 Perform a financial assessment identifying the implementation costs, inclusive of but not limited to, land acquisition, design, and construction.

The Offeror shall provide a financial assessment of the costs of implementing each of the potential strategies and improvements identified in subtask 5.1.

Deliverables:

5.3a: A report identifying the financial assumptions that the Offeror proposes to employ in developing the financial assessments required for this project including, but not limited to, assumed baseline costs for land acquisition, construction material, transit equipment, and inflation factors.

5.3b: A technical report assessing the financial requirements of each of the potential strategies and tasks identified in subtask 5.1.

5.4 *Provide a sustainability assessment identifying the life-cycle costs associated with maintaining each of the potential strategies and system improvements identified in subtask 5.1.*

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The Offeror shall develop an assessment of the sustainability, i.e., operations and maintenance of the potential strategies and system improvements for their useful life-cycle.

Deliverables:

5.4a: A report identifying the assumptions the Offeror proposes for assessing the sustainability of the potential strategies and system improvements.

5.4b: A technical report applying the sustainability assumptions to each of the potential strategies and system improvements.

*Task 6: The potential strategies and system improvements shall be provided (not exhaustive) in terms of transportation measures, expected performance, project delivery and land acquisition costs, environmental impacts and possible mitigation, time, and operations and maintenance costs.*

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The goal of this task is to consolidate the information developed under task 5 of this RFP in order to understand the order-of-magnitude of impacts of the potential strategies and system improvements in terms of expected performance, project delivery and land acquisition costs, environmental impacts and possible mitigation, time, and operations and maintenance costs.

6.1 *Identify the performance measures that are recommended for assessing the potential strategies and system improvements developed under task 5.*

---

The Offeror shall identify and define the means of measuring performance measures for determining the order-of-magnitude of impacts of the potential strategies and system improvements.

Deliverables:

6.1a: A report that documents the recommended performance measures and the data and algorithms required for determining the magnitude of impacts of the potential strategies and system improvements.

6.1b: A technical report that analyzes the application of the performance measures to both current and future conditions, consistent with the scenarios identified in subtask 4.1.

6.1c: A technical report that analyzes the application of the performance measures to the potential strategies and system improvements and, based on those outcomes, develops a preliminary ranking of the potential strategies and system improvements.

6.2 *Assess the project delivery and land acquisition costs associated with the potential strategies and system improvements on a consolidated basis.*

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The Offeror shall assess the order-of-magnitude environmental impacts and high-level assessment of possible mitigation required for implementation of the potential strategies and system improvements identified by this study.

Deliverables:

6.2a: A report defining the potential order-of-magnitude environmental impacts associated with each of the potential strategies and system improvements analyzed in task 5.

6.2b: A technical report identifying the possible mitigation required for each of the order-of-magnitude environmental impacts including, but not limited to, the potential scope of the mitigation measure(s) required, the order-of-magnitude cost(s) associated with those measure(s), any alternative that may be reasonably considered as alternatives to the Offeror's recommended proposed mitigation strategy.

6.3 Provide an estimate of the time required to implement the potential strategies and system improvements.

The Offeror shall develop an estimate of the time required to implement the potential strategies and system improvements as well as identify recommendations concerning the staging of those potential strategies and system improvements over time.

Deliverables:

6.3a: A report estimating underlying assumptions the Offeror proposes for the time required for all aspects of each of the potential strategies and system improvements including, but not limited to, design, land acquisition, environmental assessment and mitigation, and construction.

6.3b: A technical report that applies the assumptions identified in deliverable 6.3a to each of the potential strategies and system improvements.

6.4 Provide an estimate of the operations and maintenance costs resulting from implementation of the potential strategies and system improvements.

The Offeror shall develop an estimate in presumed year-of-expenditure dollars of the operations and maintenance costs associated with each of the potential strategies and system improvements.

Deliverables:

6.4a: A report identifying the assumptions the Offeror proposes for estimating the on-going operations and maintenance costs for the potential strategies and system improvements.

6.4b: A technical report applying the assumptions documented in deliverable 6.4a to the operations and maintenance of the potential strategies and system improvements.

*Task 7: Conduct a multi-modal transportation systems benefit-cost analysis of the regional and environmental impacts of the potential strategies and system improvements. The comparison shall provide for the evaluation of individual and system (i.e., several solutions) to each other in terms of transportation benefits, impacts/costs and trade-offs, ideally in a "dashboard" type format.*

The goal of this task is to develop a multi-modal transportation systems benefit-cost analysis of the regional and environmental impacts of the potential strategies and system improvements.

*7.1 Define the benefits and costs associated with each of the individual potential strategies and system improvements.*

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The Offeror shall analyze and document the benefits and costs associated with each of the potential strategies and system improvements.

Deliverables:

7.1a: A report documenting the assumptions underlying the benefits and costs associated with assessment of the potential strategies and system improvements.

7.1b: A technical report analyzing the benefits and costs of each of the potential strategies and system improvements based on the assumptions identified in deliverable 7.1a.

*7.2 Compare and contrast the benefits and costs associated with the several potential strategies and system improvements to each other.*

---

The Offeror shall conduct an analysis that compares and contrasts the benefits and costs of the individual potential strategies and system improvements to each other in terms of transportation benefits, and impacts, costs, and trade-offs, ideally in a "dashboard" type of format.

Deliverables:

7.2a: A technical report that compares and contrasts the outcomes of the potential strategies and system improvements in terms of the performance measures identified in subtask 6.1.

7.2b: A technical analysis of the trade-offs between and across the potential strategies and system improvements.

7.2c: A technical analysis of the benefits and costs associated with the several potential strategies as identified in tasks 6.3 and 6.4.

*Task 8: Compare and prioritize those potential strategies and system improvements that meet the desired purpose mentioned above (technically feasible, financially realistic, and sustainable).*

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The goal of this task is to compare and prioritize those potential strategies and system improvements that meet the goals of this study.

*8.1 Compare and prioritize those potential strategies and system improvements that meet the goals of this study.*

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The Offeror shall compare and prioritize the potential strategies and system improvements that best meet the goals of this study with regard to technical feasibility, financial reasonability, and long-term sustainability.

Deliverables:

8.1a: A technical report summarizing a global view of the combined potential strategies and system improvements that meet the goals of this study.

8.1b: A technical report that compares and prioritizes the potential strategies and system improvements that, in the Offeror's assessment, best meet the goals of this study based on all facets of analyses performed through task 7.

*Task 9: Develop recommendations and an implementation timeframe to set priorities for those strategies and system improvements.*

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The goal of this task is to develop recommendations and an implementation timeframe to serve as a guide for the implementation of the prioritized potential strategies and system improvements.

9.1 Develop recommendations for which of the potential strategies and system improvements should be considered for implementation.

The Offeror shall develop recommendations, in consultation with the cooperating agencies, identifying which of the potential strategies and system improvements that have been considered throughout tasks 1 – 8 should be considered for implementation.

Deliverables:

9.1a: A report documenting the Offeror's recommendations as to the priority in which those strategies and system improvements should be considered for funding and implementation.

9.1b: A technical report providing an analysis of potential impacts if the Offeror's recommendations cannot be implemented by the cooperating agencies.

9.2 Develop a recommended timeframe for guiding the staging and implementation of the recommended strategies and system improvements.

The Offeror shall develop a recommended timeframe to assist the cooperating agencies in determining how to optimize the staging and implementation of the recommended strategies and system improvements.

Deliverables:

9.2a: A report that provides a recommended timeframe that may be used to guide the cooperating agencies in optimizing the staging and implementation of the recommended strategies and system improvements.

9.2b: A technical report providing an analysis of potential impacts if the Offeror's recommended timeframe cannot be implemented by the cooperating agencies.

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### **SECTION III – TERM OF CONTRACT**

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The contract shall be for a period of twelve (12) months, beginning approximately *February 16, 2015* and ending *February 15, 2016*.

Unless terminated, OahuMPO and the Offeror may extend the term of the contract for an additional period of not more than six (6) months without the necessity of rebidding, upon mutual agreement in writing at least one (1) month prior to expiration of the contract. The contract price for the extended period shall remain the same or lower than the initial price.

The Offeror or OahuMPO may terminate the extended contract period at any time by providing two (2) weeks prior written notice.

Should the Offeror find defects and questionable or objectionable items in the RFP, the Offeror shall notify the OahuMPO in writing prior to the deadline for written questions as stated in Section I – Introduction and Key Dates of this RFP, as amended. This will allow the issuance of any necessary corrections and/or amendments to the RFP by addendum, and mitigate reliance on a defective solicitation and exposure of proposal(s) upon which award could not be made.

For the purposes of this contract, Randolph Sykes, (808) 587-2015, or authorized representative, is designated the Contract Administrator.

## SECTION IV – PROPOSAL FORMAT AND CONTENT

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### Introduction

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One objective of the RFP is to make proposal preparation easy and efficient, giving the Offeror ample opportunity to highlight their proposals. The proposal shall be considered a complete plan for accomplishing the tasks described in this RFP, including any supplemental tasks the Offeror identifies as necessary to successfully meet the goals outlined in this RFP.

The proposal shall describe in detail the Offeror's ability and availability of services to meet the project goals defined in this RFP. Proposals shall be prepared in a straightforward and concise manner and in a consistent format. Emphasis should be on completeness and clarity of content. Should OahuMPO require additional information for the proposal, the Offeror shall provide the requested information within two (2) business days of that request.

The contents of any proposal shall not be disclosed during the review, evaluation, or discussion processes. Once notice of the award is posted, all proposals, successful and unsuccessful, become available for public inspection. Those sections that the Offeror and OahuMPO agree are confidential or proprietary (if any) should be identified as such by the Offeror in its proposal; those sections shall be kept confidential. Note that price is **not** considered confidential and **will not be withheld**.

Submission of a proposal shall constitute an incontrovertible representation by the Offeror of understanding, acceptance, and compliance with every requirement of this RFP; and that the RFP documents are sufficient in scope and detail to indicate and convey reasonable understanding of all terms and conditions of performance of the work.

### Format and Content

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The proposal shall be organized into sections following the exact format described below – using all titles, subtitles, and numbering. Each section must be addressed individually and pages must be numbered.

The proposal shall be limited to twenty (20) double-sided pages (8.5 inches by 11 inches), inclusive of resumes, graphics, forms, pictures, photographs, dividers, front and back covers, etc.; but not of letters of commitment from Subconsultants, DBE documentation, or the transmittal letter.

Type size and margins for text pages should be in keeping with accepted standard formats for desktop publishing and processing, and should result in no less than three hundred fifty (350), but no more than five hundred (500) words per page.

#### Cover Page

Include the following:

- Name of project
- Names and business addresses of the firms that will conduct the work
- Name, title, mailing address, telephone number, fax number, and e-mail address for the contact person

## Section I

### Proposal Transmittal Letter

Include a transmittal letter to confirm that the Offeror shall comply with the requirements, provisions, terms, and conditions specified in the RFP. The letter should be signed by an official authorized to bind the Offeror contractually. Include the following in the letter:

1. Exceptions to this RFP:

The Offeror shall certify that it takes no exception(s) to this RFP. If the Offeror does take exception(s) to any portion of the RFP, the specific portion to which exception is taken must be identified and explained, and an alternative, if any, should be proposed. Failure to make exceptions to the RFP will be deemed a waiver of any objection.

2. Statement of Impartiality:

This project requires an impartial and unbiased approach on the part of the Offeror team. Include a statement declaring that the Offerors and Subcontractors are not currently participating, and will not participate, during the performance of these services, in any other similar work involving a third party with interests currently in conflict with or likely to be in conflict with OahuMPO's interests.

3. Corrective Actions and Responses to Notices of Deficiencies:

Include a statement declaring whether the Offeror and/or Subcontractors have received any Corrective Actions or Notices of Deficiencies from any government agency or private entity. Include a listing of any such notices received and the response provided by the Offeror or Subconsultants.

4. Litigation:

The Offeror shall disclose any pending litigation to which the Offeror (and/or Subconsultants) is a party, including the disclosure of any outstanding judgment(s). If applicable, include an explanation(s).

5. Offer Form OF-1:

Include a signed Offer Form OF-1 (Attachment B) with the exact legal name, as registered with the Department of Commerce and Consumer Affairs, if applicable, and address of the Offeror's firm. Also include the name, mailing address, e-mailing address, and telephone and fax numbers of the person that OahuMPO should contact regarding the proposal.

6. Offer Form OF-2:

Include a signed Offer Form OF-2 (Attachment C) stating the total contract cost for accomplishing the development and delivery of the services. Note that pricing shall include labor, materials, supplies, all

applicable taxes, and any other costs incurred to provide the specified services.

7. Subcontractors

If subcontractor(s) will be used, append a statement to the transmittal letter from each subcontractor, signed by an individual authorized to legally bind the subcontractor and stating:

- a. The general scope of work to be performed by the subcontractor;
- b. The subcontractor's willingness to perform for the indicated.

**Section II** Table of Contents

**Section III** Executive Summary

- Include a one-page overview of the entire proposal, highlighting the most important elements.

**Section IV** Identification of Offeror

**Sample Table 1: Offeror**

<b>Firm Name and Principal Place of Business</b>	<b>Age of Firm (years)</b>	<b>Average Number of Employees Over the Past Five Years</b>	<b>Location of Offices</b>
Prime Offeror [address]	10	5	Honolulu, HI Miami, FL
Subconsultant Firm [address]	15	10	Dallas, TX

**Section V** Project Approach, Work Plan, and Schedule

- This section shall provide a description of the entire project, demonstrating the Offeror's understanding of the tasks involved to produce each deliverable. It shall contain a description of how the Offeror proposes to carry out the tasks and why this approach was selected.
- This section shall include a detailed Work Plan for the tasks required to produce the deliverables included in this RFP and/or a variation of those deliverables based upon the Offeror's recommendations. A Work Plan is crucial to allow the OahuMPO to gauge the Offeror's understanding of the tasks at hand, the resources required, critical path tasks, project milestones, and reasonableness of the timeline. The task description should be presented in sufficient detail to show a clear understanding of the work and the proposed approach. Indicate if OahuMPO staff is expected to provide support for any of the tasks. The tasks should focus on deliverables demonstrating completion of the task. Include the estimated cost for each deliverable. The Offeror will be paid based on a fixed fee for each deliverable submitted and accepted.

- Provide a proposed project schedule, in the same format as Sample Table 2, to illustrate activity and duration for each task. The schedule should show the expected sequence of tasks, subtasks, etc. Discuss what lines of communication will be implemented to maintain the project schedule.

**Sample Table 2: Schedule**

	Months			
	1	2	.....	12
Task 1: Website Update				
1.1 – Work Plan and Schedule				
1.2 – Assessment/Discovery/ Report of Findings				

**Section VI** Organization and Staffing

- Describe the proposed project organization and identify the responsibilities of key personnel. Indicate the roles and responsibilities of the prime Offeror and all Subcontractors, including DBE Offerors. Identify the Project Manager.
- Include a table in the same format as Sample Table 3.

**Sample Table 3: Project Management Plan**

Task	Prime Offeror Firm		Subconsultant	Total
DBE	No	No	Yes	N/A
Office Location	Honolulu	Dallas	Honolulu	N/A
Task 1	4%	0%	10%	14%
Task 2	10%	25%	0%	35%
Etc.				
Total				100%

- Describe the proposed project staffing and identify the number of hours on each task for each firm at each location. Identify the Project Manager.
- Include a table in the same format as Sample Table 4.

**Sample Table 4: Proposed Project Staffing Plan Estimated Hours by Firm, Key Personnel, Location, and Task**

Task	Prime Consultant Firm			Subconsultant		Total
				Firm 1	Firm 2	
Staff	Alex A.*	Bill B.	Carrie C.	Erin E.	Frank F.	
Office Location	Honolulu, HI	Honolulu, HI	Honolulu, HI	Tucson, AZ	Honolulu, HI	
Task 1 (hrs.)	8	40	68		3	119
Task 2 (hrs.)	80	20	12	15		127
etc.						
Total	88	60	80	15	3	246

\*Alex A. is the project manager for this project.

**Section VII** Offeror Background and Experience

- Include references for projects similar to this one on which the Offeror Firm has worked. List no less than three (3) and no more than five (5) successfully completed projects of a similar nature. For each completed project, provide the following information:
  - Name of the project
  - Start and end dates
  - Name and address of the client
  - Name and current telephone numbers for the client's project manager *[Note: A director of a government agency should not be listed as the project manager (and point of contact) if he/she was not the project manager for the project.]*
  - The type of work performed
  - The dollar value of the contract
  - Key consulting staff that worked on the project
- Include references for projects similar to this one on which the Offeror's Project Manager has worked. List no less than three (3) and no more than five (5) successfully completed projects of a similar nature. At least two (2) of these projects should be projects where the proposed Project Manager's role was that of the Offeror's Project Manager. A project currently being performed may be submitted for consideration as one of the references. For each completed project, provide the same type of information as in the Offeror Background and Experience above. It is OahuMPO's policy to contact the Project Manager's references.

**Section VIII** Price Plan

- Identify all staff members, including subcontractors, who will be working on the project and the number of hours they will commit to each task of the project.
- Identify the price of each task and the total number of professional hours devoted to each task.
- Include overhead costs, travel, and the general excise tax separately, along with other non-staff related costs.

**Sample Table 5: Price Plan**

Task	Professional Hours				Amount
	Alex A.	Bill B.	Carrie C.	Total	
<b>Hourly Billing Rates</b>	\$255	\$213	\$145		
Task 1 (hrs.)	8	40	68	116	\$20,420
Task 2 (hrs.)	80	20	12	112	\$26,400
Task 3 (hrs.)	80	80	12	172	\$39,180
Task 4 (hrs.)	74	20	40	134	\$28,930
<b>Labor Sub-Total (Hrs.)</b>	242	160	132	534	<b>\$114,930</b>
<b>Overhead</b>					<b>\$56,700</b>

<b>Travel</b>					<b>\$8,000</b>
<b>Printing and Mailing</b>					<b>\$2,000</b>
<b>General Excise Tax</b>					<b>\$6,606</b>
<b>TOTAL COST</b>	\$61,710	\$34,080	\$19,140		<b>\$188,236</b>

**Section IX** Staff Resumes (limited to one page per employee)

**Section X** Letters of Commitment

Attachment B: Offer Form OF-1

Attachment C: Offer Form OF-2

Attachment F: Requirement for Participation by DBEs – HDOT Exhibit B

Attachment G: Statement of Affirmation and Acknowledgment of DBE Requirements

Attachment H: Subconsultant Confirmations for Each DBE Subcontractor

Attachment M: Certificate of Insurance – SPO Form 150

Attachment N: Debarment & Suspension Certification

Attachment O: Drug Free Workplace Certification

Attachment P: Certification Regarding Lobbying

Attachment Q: Additional Insured – Owners, Lessees or Contractors – Scheduled Person or Organization

In accordance with current Federal regulations, DBEs must be certified for eligibility by HDOT. The Offeror must be reasonably sure that listed firms claiming DBE status are in fact certified as such by HDOT.

OahuMPO has adopted a *100% Race-Conscious* DBE Overall Goal for federal fiscal years FY 2014 through FY 2015. OahuMPO encourages prospective Offerors to take all necessary and reasonable steps to ensure that DBEs have an equal opportunity to compete for and perform on this contract, which is financed in whole or in part with Federal funds. In the evaluation process, one (1) point will be awarded, up to a maximum of five (5) points, for every one percent of the project budget that will be paid to a qualified DBE or small business.

OahuMPO has adopted the HDOT's DBE program in its entirety. Refer to Attachments D, E, F, and G for information on HDOT's DBE program.

## Pricing

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No more than \$500,000.00, inclusive of Hawaii General Excise Tax and Oahu Surcharge, has been budgeted for this project. The Offeror shall indicate its ability to complete the work described herein for \$500,000.00 or less. The total amount proposed shall be rounded to the nearest dollar. The funds for this project are a combination of funds provided by OahuMPO and USDOT. The selected Offeror will be paid based on a fixed fee for each deliverable received. The Offeror will submit invoices based upon deliverables completed and accepted by OahuMPO. An amount equivalent to five percent (5%) of each invoice will be deducted and retained by OahuMPO until all of the work required under the contract is completed in an acceptable manner.

## SECTION V – PRE-PROPOSAL ACTIVITIES

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### I. Questions Concerning RFP:

All questions relating to the RFP must be received in writing via mail, facsimile, e-mail, or hand-delivery no later than 4:00 p.m., Hawaii Standard Time (HST), on October 31, 2014, and should be addressed to:

Randolph Sykes, Project Manager  
Oahu Metropolitan Planning Organization  
707 Richards Street, Suite 200  
Honolulu, Hawaii 96813-4623  
Facsimile: (808) 587-2018  
Email: [randolph.sykes@oahumpo.org](mailto:randolph.sykes@oahumpo.org)

Inquiries must include the name of the person and consulting firm that is posing the question(s), as well as their telephone number and e-mail contact information. All responses will be posted on the OahuMPO Web page devoted to this RFP by *November 10, 2014*. It is the responsibility of the Offeror to check the Web site for any questions and answers, addenda, or amendments concerning this RFP.

### II. Revision to the RFP:

OahuMPO reserves the right to revise the RFP prior to the date that the proposals are due. Revisions shall be posted on the OahuMPO Web page devoted to this RFP no later than 2:00 p.m., HST, on November 10, 2014. It is the responsibility of the Offeror to check the OahuMPO Web site ([www.oahumpo.org](http://www.oahumpo.org)) for any revisions to this RFP.

## SECTION VI – PROPOSAL SUBMITTAL

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Submit four (4) bound copies of the proposal, along with a digital file(s) in PDF format on compact disc. **Proposals may not be submitted by facsimile or by e-mail.** Proposals will be contained in a sealed package with the following information on the outside of the package:

- Name of Offeror
- Project Title
- Package Number (1 of \_\_\_\_, 2 of \_\_\_\_, etc.)

Sealed competitive proposals submitted in response to this RFP will be received and time-stamped at OahuMPO at Suite 200 of the Ocean View Center, 707 Richards Street, Honolulu, Hawaii 96813 no later than 4:00 p.m. HST, *November 21, 2014*. All proposals shall include the State General Excise Tax and Oahu Surcharge; and the total amount proposed shall be rounded to the nearest dollar. Proposals should be mailed or delivered to:

Pamela Toyooka, Office Manager  
Oahu Metropolitan Planning Organization  
707 Richards Street, Suite 200  
Honolulu, HI 96813-4623

Proposals received subsequent to the hour and date specified above will not be considered.

Failure to comply with the requirements of the RFP may result in disqualification. OahuMPO is not responsible for finding, correcting, or seeking clarification regarding ambiguities or errors in the proposals. If a proposal is found to have ambiguities or errors, it may receive a lower score during the evaluation process.

## SECTION VII – CONSULTANT SELECTION / METHOD OF AWARD

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- o Hawaii Revised Statutes (HRS)
  - a. §103D-303 Competitive Sealed Proposals

OahuMPO is following the procedures outlined in the HRS §103D-303 "*Competitive Sealed Proposals*," as amended by the Hawaii State Legislature through Act 52 [Session Laws of Hawaii (SLH) 2003] and Act 216 (SLH 2004) and amendments to Chapter 3-122-112 (Interim), Hawaii Administrative Rules (HAR).

HRS §103D-310 subsection (c) states, in part:

*"(c) All offerors, upon award of contract, shall comply with all laws governing entities doing business in the State, including chapters 237, 383, 386, 392, and 393, and shall:*

*Be incorporated or organized under the laws of the State; or*

*Be registered to do business in the State as a separate branch or division that is capable of fully performing under the contract."*

HAR §3-122-112 "*Responsibility of Offerors*" states, in part:

*"The offeror, ...upon award of a contract made pursuant to sections 103D-302, 103D-303, 103D-304, 103D-305 or 103D-306, HRS, shall provide:*

- (1) A tax clearance certificate from the Department of Taxation and the Internal Revenue Service, subject to section 103D-328, HRS, current within six months of issuance date;*
  - (2) A certificate of compliance for chapters 383, 386, 392, and 393, HRS, from the Department of Labor and Industrial Relations, current within six months of issuance date; and*
  - (3) A certificate of good standing from the Business Registration Division of the Department of Commerce and Consumer Affairs, current within six months of issuance date.*
- (b) In lieu of the above certificates, offeror may make available proof of compliance through a State Procurement Office designated certification process ([Hawaii Compliance Express](#)).*
- (c) For the purpose of this section, a business registered to do business in the State as a separate branch or division means a business that is required to be registered with the Department of Commerce and Consumer Affairs."*

b. §11-205.5 Campaign Contributions by State and County Offerors

Offerors are hereby notified of the applicability of HRS §11-205.5, which states that it shall be unlawful for State or County government Offerors to do the following **during the term of their contracts** if the Offerors are paid with funds appropriated by a legislative body:

- "(1) Directly or indirectly make any contribution or to promise expressly or impliedly to make any contribution to any political party, committee, or candidate or to any person for any political purpose or use; or*
- (2) Knowingly solicit any contribution from any person for any purpose during any period."*

For more information, see the Campaign Spending Commission webpage at [www.hawaii.gov/campaign](http://www.hawaii.gov/campaign).

o Oral Discussions

Oral discussions, if deemed necessary, will be conducted by the Evaluation Committee with the qualifiers, either in person or by teleconference. Costs incurred by Offerors, in responding to this document, shall not be charged to OahuMPO or its member agencies. OahuMPO has no responsibility for expenditures until there is a contract fully executed between the parties.

## **SECTION VIII – CONSULTANT SELECTION CRITERIA**

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Offerors will be evaluated on the following criteria according to the weights assigned below:

1. Experience & Professional Qualifications Relevant to the Project Type (35 points maximum)
2. Past Performance on Projects with a Similar Scope (25 points maximum)
3. Capacity to Accomplish Work in the Required Time (10 points maximum)
4. Approach to the Project (25 points maximum)
5. DBE and Small Business Participation (up to 5 points)

A breakdown of criterion and corresponding number of points assigned is found in Attachment A.

## SECTION IX – SPECIAL CONDITIONS

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### A. Reservations

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This RFP does not commit OahuMPO to award a contract; to defray any costs incurred in the preparation of a cost proposal or technical proposal pursuant to this RFP; or to procure or contract for work. OahuMPO may reject proposals without providing the reason(s) underlying the declination.

### B. Public Records

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All proposals submitted in response to the RFP become the property of OahuMPO and public records; as such, they may be subject to public review, with the exception of those portions for which the Offeror has made a written request of confidentiality and OahuMPO has agreed are confidential or proprietary.

If a Offeror believes any portion of a proposal contains information that should be withheld as confidential, the Offeror shall request, in writing, nondisclosure of designated trade secrets or other proprietary data found to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal.

Note that price is **not** considered confidential and **will not be withheld**.

Offerors who wish to release information to the public regarding Offeror selection, contract award, or data provided by OahuMPO must receive prior written approval from OahuMPO before disclosing such information to the public.

### C. Right to Cancel

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OahuMPO reserves the right to cancel or revise, for any or no reason, in part or in its entirety, this RFP. If OahuMPO cancels the RFP prior to the deadline for RFPs or revises the RFP, notification will be placed on OahuMPO's Web site.

OahuMPO reserves the right to: (1) reject any or all offers if such action is in the public interest, and/or (2) waive informalities and minor irregularities in offers received.

### D. Additional Information

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OahuMPO reserves the right to request additional information and/or clarification from any or all Offerors on their proposals, but is under no obligation to do so. OahuMPO also reserves the right to award a contract on the basis of initial proposals received, without discussions. Therefore, each initial proposal should contain the Offeror's best offer from a technical standpoint.

### E. Discussions

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Proposals may be accepted on evaluation without discussion. However, if deemed necessary, prior to entering into discussions, a "priority list" of responsible Offerors submitting

acceptable and potentially acceptable proposals may be generated. The priority list may be limited to a minimum of three responsible Offerors who submitted the highest-ranked proposals. The objective of these discussions is to clarify issues regarding the Offeror's proposal before the Best and Final Offer is tendered.

## F. Protest Procedures

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Pursuant to HRS §103D-701 and HAR §3-126-3, an actual or prospective Offeror who is aggrieved in connection with the solicitation or award of a contract may submit a protest. Any protest shall be submitted in writing to the Procurement Officer at:

Ford N. Fuchigami, Interim Director  
State of Hawaii Department of Transportation  
869 Punchbowl Street, Fifth Floor  
Honolulu, Hawaii 96813-5003

A protest shall be submitted in writing within five (5) working days after the aggrieved person knows or should have known of the facts giving rise thereto; provided that a protest based upon the content of the solicitation shall be submitted in writing prior to the date set for receipt of offers. Further provided that a protest of an award or proposed award shall be submitted within five (5) working days after the posting of award or if requested, within five (5) working days after the Procurement Officer's debriefing was completed.

The notice of award, if any, resulting from this solicitation shall be posted on the Procurement Awards, Notices and Solicitations (PANS), which is available on the SPO Web site: <http://www.hawaii.gov/spo2/source/>.

## G. Title VI Assurance

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Offerors are hereby notified that OahuMPO will strictly enforce full compliance with all the requirements of OahuMPO's Title VI Plan with respect to this project. Refer to Attachments K and L.

## H. Tax Clearance

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Pursuant to HRS Section 103-53, as a prerequisite to entering into contracts of \$25,000 or more, providers shall be required to submit a tax clearance certificate issued by the Hawaii State Department of Taxation and the Internal Revenue Service (IRS). Offerors are directed to Hawaii Compliance Express (<https://vendors.ehawaii.gov/hce/splash/welcome.html>) which expedites the Offeror's ability to furnish proof of compliance with the requirements of 103D-310(c), HRS. The Compliance Express service saves the Offeror time and hassle by providing an online "Certificate of Vendor Compliance" for the Offeror's business entity. This single certificate eliminates the need to obtain individual copies of clearances with the IRS, Department of Labor, DCCA, and State tax offices. The service includes real time monitoring of the Offeror's status of compliance with each agency and the Offeror will be automatically notified by e-mail any time its compliance status is changed.

## I. Wages and Labor Law Compliance

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If applicable, by submitting a proposal, the Offeror certifies that the Offeror is in compliance with HRS Section 103-55, wages, hours, and working conditions of employees of contractors performing services. Refer to HRS Section 103-55, at the Hawaii State Legislature Web site (<http://capitol.hawaii.gov/>).

## J. Insurance

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Include in the Offeror's submittal Proof of Insurance (Attachment M) for:

- General Commercial Liability Insurance (coverage must be based on occurrence)
  - Not less than \$1,000,000 per occurrence for bodily injury and property damage;
  - Not less than \$2,000,000 aggregate coverage
  - The State of Hawaii shall be named as an additional insured
  
- Automobile Insurance
  - Not less than \$1,000,000 per accident
  - The State of Hawaii shall be named as an additional insured
  
- Workers Compensation and Employer's Liability
  - Not less than the Hawaii Revised Statutes (HRS) §386 statutory limit.
  - At a minimum, bodily injury (per accident) should not be less than \$1,000,000
  - At a minimum, bodily injury from disease (per employee) should not be less than \$1,000,000
  - At a minimum, bodily injury from disease (aggregate) should not be less than \$1,000,000
  - OahuMPO also requests (but cannot require) waiver of subrogation in favor of the State of Hawaii
  
- Professional Liability (Errors and Omissions)
  - Not less than \$1,000,000 per claim;
  - Not less than \$2,000,000 annual aggregate

If a firm is not able to provide the above insurance certificates at this time, a letter from an insurance company stating, if the firm is selected, they will insure the firm for the insurance policies and the amount of minimum coverage required above, will be accepted as proof of insurance.

The insurance shall be provided by an insurance company authorized by the laws of the State of Hawaii to issue such insurance in the State of Hawaii. Coverage by a "non-admitted" carrier is permissible provided the carrier has a Best's Rating of "A-VII" or better.

A separate endorsement form (CG 20 10 or equivalent – Attachment Q) shall be included with the Certificate of Insurance with the General Liability policy number printed at the top of the form. The form shall also include the project number, project title, and the State of Hawaii Department of Transportation as the owner.

See Attachment M, Attachment Q, or contact the State Risk Management Office (808-586-0550) for more information.

## K. Debarment and Suspension

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The inability of a person to provide the Debarment and Suspension Certification required (see Attachment N) will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out in Attachment N. The certification or explanation will be considered in connection with the department's or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

## L. Drug Free Workplace

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Per 49 CFR §29, Offerors (and, if applicable, all Subcontractors) must sign and submit the Drug Free Workplace Certification, as shown in Attachment O. Failure or inability to submit the certification will result in the Offeror's proposal not being considered in the selection process.

## M. False Statements

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Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the United States Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report, or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the United States Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

## N. Small Business Participation

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As part of OahuMPO's Disadvantaged Business Enterprise (DBE) Program, OahuMPO encourages the participation of small local businesses as prime contractors or subcontractors. Large prime contractors are encouraged to provide, where possible, subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved. Also, consortia or joint ventures of small businesses, including DBEs, are encouraged to compete for and perform prime contracts.

## O. Environmental Stewardship

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OahuMPO is conscious of the impact it has on the environment and natural resources. Respondents are encouraged to be concise in their proposals, and to submit documents that can be easily recycled. Dividers, front and back covers, spiral bindings and other non-essential non-recyclable frivolities are discouraged. Printed proposals may be bound with a single staple in the top left-hand corner of the document. Respondents are strongly encouraged to print on both sides of each page, use paper containing recycled material, use 10 point Century Gothic font, use margins of no more than 1", and, overall, take steps to minimize the resources used in the production of their proposal while still fully responding to this RFP. Type size and margins for text pages should result in no fewer than three hundred fifty (350) words per page, but no more than five hundred (500) words per page.

## P. Lobbying Activities

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According to 31 USC 1352, as implemented at 49 CFR Part 20, all Offerors and recipients of federally-appropriated funds must abide by the following rules with respect to lobbying:

1. All Offerors for and recipients of a Federal contract, grant, or cooperative agreement in excess of \$100,000 may not use Federal funds to lobby an officer or employee of any Federal agency or Member of Congress.
2. Every time a potential recipient applies for or receives such a contract, grant, or cooperative agreement, it must file a written declaration at the time of application that states that no Federal funds have been paid for lobbying and that, if non-Federal funds are used for lobbying, it will file a lobbying disclosure form.
3. If a recipient uses non-Federal funds for lobbying, it must submit a disclosure form to report these activities. If the activities change materially, the recipient must file an additional form for that quarter.

Attachment P, Certification Regarding Lobbying, of this document shall be completed and submitted to OahuMPO with the proposal.

## SECTION X - ATTACHMENTS

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- Attachment A: Selection Criteria Breakdown (*Informational*)
- Attachment B: Offer Form OF-1 (*Submit completed form with Proposal*)
- Attachment C: Offer Form OF-2 (*Submit completed form with Proposal*)
- Attachment D: DBE Program Supplemental Notice (*Informational*)
- Attachment E: General Information Regarding DBEs – HDOT Exhibit III (*Informational*)
- Attachment F: Requirements for Participation by DBEs – HDOT Exhibit B (*Submit completed form with Proposal*)
- Attachment G: Statement of Affirmation and Acknowledgment of DBE Requirements (*Submit completed form with Proposal*)
- Attachment H: Subconsultant Confirmations for Each DBE Subconsultant (*Submit completed form with Proposal*)
- Attachment I: Prompt Payment Certificate (*Submit completed form with all invoices*)
- Attachment J: Final Report of DBE (*Submit completed form with final invoice*)
- Attachment K: Title VI Assurance Supplemental Notice (*Informational*)
- Attachment L: OahuMPO's Title VI Assurance (*Informational*)
- Attachment M: Certificate of Insurance – SPO Form 150 (*Submit completed form with Proposal*)
- Attachment N: Debarment and Suspension Certification (*Submit completed form with Proposal*)
- Attachment O: Drug Free Workplace Certification (*Submit completed form with Proposal*)
- Attachment P: Certification Regarding Lobbying (*Submit completed form with Proposal*)
- Attachment Q: Additional Insured – Owners, Lessees or Contractors – Scheduled Person or Organization (*Submit completed form with Proposal*)

Attachment A  
Selection Criteria Breakdown

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*(Informational)*

## CONSULTANT SELECTION CRITERIA

The selection criteria for evaluating the Proposals are as follows. The number of points assigned to each criterion is indicated.

EXPERIENCE & PROFESSIONAL QUALIFICATIONS RELEVANT TO THE PROJECT TYPE	# points
<ul style="list-style-type: none"> <li>• <b>Relevant qualifications and experience of the Project Manager and/or team members</b> <ul style="list-style-type: none"> <li>○ <i>Proposal evaluation incorporates, but need not be limited to:</i> <ul style="list-style-type: none"> <li>• Previous experience in multi-modal transportation planning</li> <li>• Previous experience with development of multi-modal corridor studies and associated technical engineering evaluations for transportation facilities and programs</li> <li>• Previous experience with feasibility and financial analyses for large-scale, multi-modal transportation projects and programs</li> </ul> </li> </ul> </li> <li>• <b>Relevant familiarity and experience of the Project Manager and/or team members with Oahu and the role of MPOs</b> <ul style="list-style-type: none"> <li>○ <i>Proposal evaluation incorporates, but need not be limited to:</i> <ul style="list-style-type: none"> <li>• Familiarity with Oahu's arterial transportation infrastructure and transit systems</li> <li>• Familiarity with OahuMPO's products and procedures</li> <li>• Familiarity with OahuMPO's partner agency relationships</li> </ul> </li> </ul> </li> </ul>	<p>25</p> <p>10</p>
PAST PERFORMANCE ON PROJECTS WITH A SIMILAR SCOPE	# points
<ul style="list-style-type: none"> <li>• <b>Past performance</b> <ul style="list-style-type: none"> <li>○ <i>Proposal evaluation incorporates, but need not be limited to:</i> <ul style="list-style-type: none"> <li>• Past performance on similar projects (if any)</li> <li>• References for the firm(s) and/or individual(s)</li> <li>• References for the Project Manager</li> </ul> </li> </ul> </li> <li>• <b>Corrective actions and responses to Notices of Deficiencies</b> <ul style="list-style-type: none"> <li>○ <i>Proposal evaluation incorporates, but need not be limited to:</i> <ul style="list-style-type: none"> <li>• Corrective actions or Notices of Deficiencies received, if any</li> </ul> </li> </ul> </li> </ul>	<p>15</p> <p>10</p>

<p><b>CAPACITY TO ACCOMPLISH WORK IN THE REQUIRED TIME</b></p>	<p># points</p>
<ul style="list-style-type: none"> <li>• <b>Resources and schedule</b> <ul style="list-style-type: none"> <li>○ <i>Proposal evaluation incorporates, but need not be limited to:</i> <ul style="list-style-type: none"> <li>• Resources and manpower of the firm to complete the project in a timely manner</li> <li>• Schedule</li> <li>• Organization of the project team</li> <li>• Lines of communication to maintain the project schedule</li> </ul> </li> </ul> </li> </ul>	<p>10</p>
<p><b>APPROACH TO THE PROJECT</b></p>	<p># points</p>
<ul style="list-style-type: none"> <li>• <b>Proposed work plan</b> <ul style="list-style-type: none"> <li>○ <i>Proposal evaluation incorporates, but need not be limited to:</i> <ul style="list-style-type: none"> <li>• Understanding of the project needs</li> <li>• Incorporation of the project needs into the work plan</li> <li>• Exceptions taken to the RFP, if applicable</li> </ul> </li> </ul> </li> <li>• <b>Project Cost</b> <ul style="list-style-type: none"> <li>○ <i>Proposal evaluation incorporates, but need not be limited to:</i> <ul style="list-style-type: none"> <li>• Commitment of team members to complete the project on or under budget</li> <li>• Reasonableness of cost assigned to each deliverable</li> <li>• Average cost per hour of staff time committed to the project</li> </ul> </li> </ul> </li> </ul>	<p>20</p> <p>5</p>
<p><b>DBE PARTICIPATION</b></p>	<p><b>Up to 5 points</b></p>
<ul style="list-style-type: none"> <li>• <b>One point will be awarded, up to a maximum of five points, for every one percent of the project budget that will be paid to a qualified DBE or small business</b></li> </ul>	

Attachment B  
Offer Form OF-1

---

*(Submit completed form with Proposal)*

**OFFER FORM OF-1**

*Central Oahu Transportation Study*  
Oahu Metropolitan Planning Organization  
RFP-202.02-14

Mr. Brian Gibson, Executive Director  
Oahu Metropolitan Planning Organization  
Honolulu, Hawaii 96813

Dear Mr. Gibson:

The undersigned has carefully read and understands the terms and conditions specified in the Specifications and Special Provisions attached hereto, and in the General Conditions, by reference made a part hereof and available upon request; and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof. The undersigned further understands and agrees that by submitting this offer: 1) he/she is declaring his/her offer is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts, and 2) he/she is certifying that the price(s) submitted was (were) independently arrived at without collusion.

Offeror is:

Sole Proprietor  Partnership  \*Corporation  Joint Venture  Other \_\_\_\_\_

\*State of incorporation: \_\_\_\_\_

Hawaii General Excise Tax License I.D. No. \_\_\_\_\_

Payment address (other than street address below): \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Business address (street address): \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Respectfully submitted:

**(x)** \_\_\_\_\_  
*Authorized (Original) Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Name and Title (Please Type or Print)*

\_\_\_\_\_  
*Telephone No.*

\_\_\_\_\_  
**Exact Legal Name of Company (Offeror)**

\_\_\_\_\_  
E-mail Address

\*\*If Offeror is a "dba" or a "division" of a corporation, furnish the exact legal name of the corporation under which the awarded contract will be executed:

Attachment C  
Offer Form OF-2

---

*(Submit completed form with Proposal)*

**OFFER FORM OF-2**

---

*Central Oahu Transportation Study*  
Oahu Metropolitan Planning Organization  
RFP-202.02-14

Total contract cost for accomplishing the development and delivery of the services.

\$ \_\_\_\_\_

**Note: Pricing shall include labor, materials, supplies, all applicable taxes, and any other costs incurred to provide the specified services.**

Offeror \_\_\_\_\_  
Name of Company

Attachment D  
Disadvantaged Business Enterprise Program  
Supplemental Notice

---

*(Informational)*

**SUPPLEMENTAL NOTICE**  
**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM**

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Offerors are hereby notified that the Oahu Metropolitan Planning Organization will strictly enforce full compliance with all of the requirements of the Department of Transportation's Disadvantaged Business Enterprise (DBE) program with respect to this project.

Offerors are directed to read and be familiar with the *General Information Regarding Disadvantaged Business Enterprises (DBEs)* (Attachment E) and *Requirements for Participation by DBEs* (Attachment F), included herewith, which establishes the program requirements pursuant to Title 49 Code of Federal Regulations part 26, and, particularly, the requirements of certification, method of award, and evidence of good faith.

Offeror's attention is further directed to the additional form now required to be executed and submitted by the Offeror as part of its bid, entitled *Statement of Affirmation and Acknowledgement of DBE Requirements* (Attachment G), which is included herewith. By this statement, the Offeror certifies that the Offeror has read and is fully knowledgeable and aware of the requirements and responsibilities with respect to the project's DBE requirements.

All of the above DBE program requirements, including the good faith effort requirements, will be strictly enforced in evaluating the Offeror's efforts in obtaining DBE participation in its contract.

A proposal that fails to meet these requirements will be considered non-responsive and will be rejected.

Attachment E  
General Information Regarding DBEs  
HDOT Exhibit III

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*(Informational)*

## EXHIBIT III

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### General Information Regarding Disadvantaged Business Enterprises (DBEs)

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- I. GENERAL – The following shall be incorporated as part of the contract documents for compliance. If any requirements herein are in conflict with the general provisions, instruction to Offerors, or special provisions applicable to this project, the requirements herein shall prevail unless specifically superseded or amended in the special provisions or by addendum.
  
- II. EFFECTS OF DECERTIFICATION OF A DBE
  - a. Should a DBE become decertified during the term of its subcontract with the prime bidder, for reasons beyond the control of, and through no fault or negligence of the contractor, any incomplete work remaining under the subcontract may be subject to review by the Department. The prime Offeror shall continue to be credited for the work or supplies of the decertified DBE towards the DBE goal, but the Department shall not count the decertified DBE work or supplies towards the accomplishment of its overall goal.
  
  - b. Should a DBE be decertified after the contract award, but before the notice to proceed has been issued by the Department, the Offeror shall be required to meet the DBE goal by continuing with the subcontract with the decertified DBE and expending Good Faith Efforts to find other work not already subcontracted out to DBEs in an amount sufficient to meet the DBE goal. The work performed or supplies provided shall not be counted toward the DBE contract goal or the Department's overall goal.
  
- III. BIDDERS LIST
  - a. All Offerors are requested to register with the Office of Civil Rights, DBE section. All Offerors that previously proposed on Department federal-aid projects after January 1, 2001 and certified DBEs are considered registered with the Department. Registered Offerors are posted on the Internet at the Department's home page: <http://www.state.hi.us/dot/>. From the Department's home page, link to the Business Related Information, then to the Office of Civil Rights home page and then link to the Disadvantaged Business Enterprise home page.
  
  - b. New Offerors are requested to complete a Bidder Registration form that may be obtained from the Office of Civil Right, DBE section. The completed form may be faxed to (808) 587-2025, e-mailed to: [melanie.martin@hawaii.gov](mailto:melanie.martin@hawaii.gov) or mailed to the address on the Bidder's Registration form.
  
- IV. EVIDENCE OF GOOD FAITH EFFORTS – The kind of efforts that will be considered demonstrative of "Good Faith Efforts" include, but are not limited to, the following:
  - a. Whether the Offeror solicited through all reasonable and available means (e.g., attendance at meetings, advertising, and/or written notices) the interest of all certified DBEs who have the capability to perform part or all of the work to be included under the contract. The Hawaii Department of Transportation ("HDOT") will also consider whether the Offeror solicited the participation of potential DBEs

in sufficient time to allow the DBEs to properly inquire about the project and respond to the solicitation, and will also review whether the bidder took appropriate steps to follow up with interested DBEs in a timely manner to facilitate participation by DBEs in this project;

- b. Whether the Offeror identified and broke up portions of work that can be performed by DBEs in order to increase the likelihood that DBEs will be able to participate, and that the DBE goal could be achieved (e.g., breaking out contract items into economically feasible units to facilitate DBE participation, even when the Offeror might otherwise prefer to perform these work items with its own forces);
- c. Whether the Offeror made available or provided interested DBEs with adequate information about the plans, specifications, and requirements of the project in a timely manner, and assisted them in responding to the bidder's solicitation;
- d. Whether the Offeror negotiated in good faith with interested DBEs. Evidence of such negotiations includes documenting: 1) the names, addresses, and telephone numbers of DBEs that were contacted by the bidder; b) a description of the information that was provided to DBEs regarding the plans and specification; and c) detailed explanations for not utilizing individual DBEs in the project;

The fact that there may be additional or higher costs associated with finding and utilizing DBEs are not, by themselves, sufficient reasons for an Offeror's refusal to utilize a DBE, or the failure to meet the DBE goal, provided that such additional costs are not unreasonable. Also, the ability or desire of an Offeror to perform a portion of the work with its own forces, that could have been undertaken by an available DBE, does not relieve the Offeror of the responsibility to make good faith efforts to meet the DBE goal, and to make available and solicit DBE participation in other areas of the project to meet the DBE Goal;

- e. Whether the Offeror rejected DBEs as being unqualified without sound reasons, based on a thorough investigation of their capabilities. The DBE's standing within the industry, membership in specific affiliation, are not legitimate bases for the rejection or non-solicitation of bids from particular DBEs;
- f. Whether the Offeror made efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance;
- g. Whether the Offeror made efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services; and
- h. Whether the Offeror effectively used the services of available minority/women community organizations; minority/women business groups; contractors' groups; local, state, and Federal minority/women business assistance offices; or other organizations to provide assistance in recruitment and placement of DBEs.
- i. It is the sole responsibility of the Offeror to submit any and all documents, logs, correspondence, and any other records or information to the HDOT that will demonstrate that the Offeror made good faith efforts to meet the DBE goal. Additionally, for each DBE that was contacted by, but not utilized by, the Offeror

for this contract, the Offeror shall submit a detailed written explanation for each DBE of the reasons for the Offeror's failure or inability to utilize or to allow the DBE to participate in this contract. In its good faith evaluation, the HDOT may, but shall not be required to perform the following as part of its evaluation: a) Request additional information and documents from the Offeror; b) Compare the Offeror's proposal against the proposals of other Offerors, and comparing the DBEs and DBE work areas utilized by the Offeror with the DBEs listed in other proposals submitted for this contract; c) Verify contacts by Offerors with DBEs; and d) Compare the DBE and the categories of DBE work targeted by the Offeror for participation in this contract with the total available pool of DBEs available for each particular subcontract targeted by the Offeror.

- V. RECORDS AND REPORTS – The Offeror shall maintain and keep all records necessary for the HDOT to determine compliance with the Offeror's DBE obligations. The records shall be available at reasonable times and places for inspection by the HDOT and appropriate Federal agencies. The records to be kept by the Offeror shall include:
- a. The names of all DBE subcontractors and vendors identified as DBEs (for vendor, indicate also if a supplier or manufacturer);
  - b. The nature of work for each DBE subcontractor and vendor; and
  - c. The dollar amount contracted with each DBE subcontractor and vendor.

Attachment F  
Requirements for Participation by DBEs  
HDOT Exhibit B

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*(Submit completed form with Proposal)*

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## EXHIBIT B

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### Requirements for Participation by Disadvantaged Business Enterprises

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1. General – This federally-assisted project is subject to Title 49, Code of Federal Regulations, Part 26, entitled, "*Participation by Disadvantaged Business Enterprise in Department of Transportation Financial Assistance Programs*" (49 CFR 26). The following shall be incorporated as part of the contract documents for compliance. If any requirements herein are in conflict with the general provisions or special provisions applicable to this project, the requirements herein shall prevail unless specifically superseded or amended in the special provisions or by addendum.
2. Policy – It is the policy of the Hawaii Department of Transportation (HDOT) that Disadvantaged Business Enterprises (DBEs), as defined by 49 CFR 26, have an equal opportunity to receive and participate in federally-assisted projects. Consequently, the requirements of 49 CFR 26, apply to this project.
3. DBE Obligation-- The Offeror shall take all necessary and reasonable steps in accordance with 49 CFR 26 to ensure that DBEs have an equal opportunity to compete for and perform on contracts. The Offeror shall not discriminate on the basis of race, color, national origin, or sex, in the award and performance of contracts financed in whole or in part with Federal funds.
4. Contract Assurance – The Offeror or Subcontractor shall not discriminate on the basis of race, color, national origin, or sex in connection with the award or performance of this contract. The Offeror agrees to include the above statements in any subsequent contracts that it enters with other Offerors, and cause those Offerors to include similar statements in further agreements.
5. Failure to Comply with DBE Requirements – All Offerors and Subcontractors are hereby advised that failure to carry out all DBE requirements specified herein constitutes a material breach of contract that may result in termination of the contract or such other remedy as deemed appropriate by the HDOT.
6. Prompt Payment Certification – The successful Offeror shall sign and submit the "*Prompt Payment Certification*" form (Attachment I) concurrently with all its invoices to the Project Manager. The HDOT will not process any invoices without this completed form. Payment shall be dispersed to all Subcontractors within 10 (ten) calendar days after receipt of payment from the HDOT, in accordance with the terms of the subcontract.
7. Final Payment – A completed "*Final Report of DBE Participation*" (Attachment J) which includes all payments made to DBEs and "*Prompt Payment Certification*" (Attachment I) must be submitted with the final payment request. Final payment will not be processed without the completed forms.
8. DBE Participation
  - a. The DBE contract goal percentage shall be calculated as follows: DBE contract Goal Percentage = Contract Dollar Value of the work to be performed by certified DBEs divided by the Total Dollar Amount of the contract.
  - b. The Offeror shall be responsible for meeting the DBE contract goal of 53.43% DBE participation, and shall maintain the goal throughout this project. The contract goal shall be met by utilizing the work performed by the Contractor and/or the joint Offerors, Subcontractors, suppliers, and manufacturers listed below:

Name	Nature of Work	DBE Y/N	Dollar Amount

- c. All DBEs listed above must be certified by the HDOT.
- d. No substitution of a DBE Subcontractor shall be made at any time without the written consent of the HDOT.

9. Records and Reports

- a. The Offeror shall keep records as are necessary for the HDOT to determine compliance with the Offeror's DBE obligation.
- b. These records shall be available at reasonable times and places for inspection by authorized representatives of the HDOT and appropriate Federal agencies.

Project Title \_\_\_\_\_

OahuMPO RFP Number: \_\_\_\_\_

Amount of Contract: \_\_\_\_\_

Attachment G  
Statement of Affirmation and Acknowledgement of DBE  
Requirements

---

*(Submit completed form with Proposal)*

**STATEMENT OF AFFIRMATION AND ACKNOWLEDGEMENT OF  
DISADVANTAGED BUSINESS ENTERPRISE REQUIREMENTS**

---

The undersigned hereby affirms and acknowledges that he or she has read and fully understands the Disadvantaged Business Enterprise (DBE) requirements of this contract, and that full compliance with the DBE program requirements (49 CFR Part 26), is a requirement and condition for award of this project.

The undersigned also affirms and acknowledges that he or she is bound by the requirements of the DBE program in connection with the proposal submitted for the following project:

---

*(Project Title and Number)*

The undersigned is also fully aware of the project's DBE goal, certification requirements, awarding procedures, and the requirements and documentation necessary to substantiate a "good faith effort."

---

*(Name of Person or Firm)*

---

*(Signature)*

---

*(Name and Title)*

---

*(Street Address or P.O. Box No.)*

---

*(City, State, Zip Code)*

---

*(Date)*

Attachment H

Subconsultant Confirmations for Each DBE Subconsultant

---

*(Submit completed form with Proposal)*

## CONFIRMATION BY DBE

---

The undersigned confirms that it is currently certified by the Hawaii Department of Transportation (HDOT) as a DBE and, therefore, considered as a registered bidder with the HDOT. The undersigned is certified to perform work as:

- |  |                                       |   |
|--|---------------------------------------|---|
| <input type="checkbox"/> Licensed Subcontractor      | <input type="checkbox"/> Trucker      | <input type="checkbox"/> Trucker/Manufacturer |
| <input type="checkbox"/> Supplier                    | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> Offeror              |
| <input type="checkbox"/> Broker                      | <input type="checkbox"/> Vendor       |   |
| <input type="checkbox"/> Other, please specify _____ |                                       |   |

The undersigned submitted a bid proposal for:

\_\_\_\_\_

*(Project Name or Number)*

\_\_\_\_\_

*(Name of Prime Contractor)*

\_\_\_\_\_  
*Signature of DBE Representative*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Name of DBE Firm*

\_\_\_\_\_  
*Date*

*Copies or faxes of all "Confirmation by DBE" forms signed by the DBE for each DBE listed in the proposal must be submitted to the Project Manager listed in the proposal within five (5) working days after bid opening or due date.*

Attachment I

Prompt Payment Certification

---

*(Submit completed form with all invoices)*

## Prompt Payment Certification

The undersigned hereby certifies that payment shall be dispersed to all subcontractors within 10 (ten) calendar days after receipt of payment from the Department, in accordance with the terms of the subcontract. This clause applied to both DBE and non-DBE subcontractors.

Pursuant to Title 49, Code of Federal Regulations, §26.37, the undersigned also agrees to maintain a running tally of all payment made to DBE subcontractors, and shall furnish these records to the Department, upon request. The records shall be available at reasonable times and places for inspection by the Department or its designee, and appropriate federal agencies.

This declaration is made under penalty of perjury under the laws of the United States, and the Hawaii Penal Code, Section 710-1063, Hawaii Revised Statutes, regarding unsworn falsification to authorities and knowingly rendering a false declaration.

\_\_\_\_\_  
Contractor

By: \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## Attachment J

### Final Report of DBE Participation

---

*(Include completed form with final invoice)*

### FINAL REPORT OF DBE PARTICIPATION

This report must be submitted by the Contractor with the final invoice or request for payment under this contract:

Project Title: \_\_\_\_\_ Contractor Name: \_\_\_\_\_

Project Number: \_\_\_\_\_ Contract No.: \_\_\_\_\_

Period Covered by this Report: \_\_\_\_\_ Contract Amount (including amendments): \$ \_\_\_\_\_

Final Payment Amount: \$ \_\_\_\_\_ Invoice Number: \_\_\_\_\_

DBE Goal for the Contract: \_\_\_\_\_% Total DBE Participation: \_\_\_\_\_% Total Payment to DBE: \$ \_\_\_\_\_

All Subcontractors (DBE and non-DBE & DBE suppliers or Manufacturers)	Type of Service or Materials Provided	Subcontract Amount	Total Payment
Name Address Telephone No.			

Note: Payments to DBE supplier or dealer that is not a manufacturer must be adjusted

\_\_\_\_\_  
Signature

---

Print Name & Title

---

Telephone Number

## Instructions for Completing the Final Report of DBE Participation

All subcontractors, suppliers and manufacturers should be listed on the FINAL REPORT OF DBE PARTICIPATION in the same order as listed in the proposal.

Project Title:	Self Explanatory
Project No.:	Self Explanatory
Period Covered by this Report:	Same period as invoice period
Contractor Name:	Self Explanatory
Contractor No.:	Self Explanatory
Contract Amount (including amendments)	Less Mobilization, Force Account Items and Allowance Items Amendments should be listed separately with an explanation of how it will be allocated to DBEs and non-DBEs
Invoice No.:	Self Explanatory
Final Payment Amount:	Self Explanatory
DBE Goal for this Contract:	% Goal stated on Contractor's Goal from Proposal or Bid
Total DBE Participation:	Total % of DBE Participation
Total Payment to DBE:	Total \$ amount paid to DBEs

Attachment K  
Title VI Assurance Supplemental Notice

---

*(Informational)*

TITLE VI ASSURANCE  
**SUPPLEMENTAL NOTICE**

---

Offerors are hereby notified that the Oahu Metropolitan Planning Organization (OahuMPO) will strictly enforce full compliance with all of the requirements of its Title VI Plan with respect to this project.

OahuMPO will ensure that, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252 United States Code 2000d to 2004d-4, and Title 49 Code of Federal Regulations Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation, and other pertinent directives issued pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation, and will not be discriminated against on the grounds of race, color, national origin, sex, age, or handicap/disability in consideration for an award.

Attachment L  
OahuMPO's Title VI Assurance

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*(Informational)*

## OAHUMPO'S TITLE VI ASSURANCE

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During the performance of this contract, the Offeror, for itself, its assignees, and successors in interest (hereinafter referred to as the "Offeror") agrees as follows:

1. Compliance with Regulations: The Offeror shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination: The Offeror, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, or sex in the selection and retention of Subcontractors, including procurement of materials and leases of equipment. The Offeror shall not participate either directly or indirectly in the discrimination prohibited by §21.5 of the Regulations, including employment practices when the contract covers a program set forth in Attachment II of the Regulations.
3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Offeror for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential Subcontractor or supplier shall be notified by the Offeror of the Offeror's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, or sex.
4. Information and Reports: The Offeror shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of an Offeror is in the exclusive possession of another who fails or refuses to furnish this information, the Offeror shall so certify to the State as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of the Offeror's noncompliance with the nondiscrimination provisions of this contract, the State shall impose such contract sanctions as it may determine to be appropriate, including, but not limited to:
  - a. Withholding of payments to the Offeror under the contract until the Offeror complies; and/or
  - b. Cancellation, termination, or suspension of the contract, in whole or in part.
6. Incorporation of Provisions: The Offeror shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The Offeror shall take such action with respect to any subcontract or procurement as the State may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a Offeror becomes involved in, or is threatened with, litigation with a Subcontractor or supplier as a result of such direction: (1) the Offeror may request the State to enter into such litigation to protect the interests of the State, and, in addition, (2) the Offeror may request the United States to enter into such litigation to protect the interests of the United States.

Attachment M  
Certificate of Insurance  
SPO Form 150

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*(Submit completed form with Proposal)*



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b>	<b>CONTACT NAME:</b> <b>PHONE (A/C, No, Ext):</b> _____ <b>FAX (A/C, No):</b> _____ <b>E-MAIL ADDRESS:</b> _____ <b>PRODUCER CUSTOMER ID #:</b> _____														
<b>INSURED</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width: 20%;">NAIC #</th> </tr> <tr> <td>INSURER A:</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A:		INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A:															
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INSURER E:															
INSURER F:															

**COVERAGES**

**CERTIFICATE NUMBER:**

**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS																
	<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR _____ GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$																
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$																
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$ \$																
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%;">WC STATU-TORY LIMITS</td> <td style="width: 10%;">OTH-ER</td> <td style="width: 10%;"></td> </tr> <tr> <td>E.L. EACH ACCIDENT</td> <td></td> <td></td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - EA EMPLOYEE</td> <td></td> <td></td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - POLICY LIMIT</td> <td></td> <td></td> <td>\$</td> </tr> </table>		WC STATU-TORY LIMITS	OTH-ER		E.L. EACH ACCIDENT			\$	E.L. DISEASE - EA EMPLOYEE			\$	E.L. DISEASE - POLICY LIMIT			\$
	WC STATU-TORY LIMITS	OTH-ER																					
E.L. EACH ACCIDENT			\$																				
E.L. DISEASE - EA EMPLOYEE			\$																				
E.L. DISEASE - POLICY LIMIT			\$																				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

**CERTIFICATE HOLDER**

**CANCELLATION**

_____	<p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</p> <p>AUTHORIZED REPRESENTATIVE</p>
-------	--

Attachment N  
Debarment & Suspension Certification  
49 CFR §29

---

*(Submit completed form with Proposal)*

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS –  
PRIMARY COVERED TRANSACTIONS**

---

The prospective primary participant certifies to the best of its knowledge and belief that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - a. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - b. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(a) of this certification; and
  - c. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
  
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**As the duly authorized representative of the Offeror, I hereby certify that the Offeror will comply with the above applicable certification(s).**

---

NAME OF OFFEROR

---

AWARD NUMBER AND/OR PROJECT NAME

---

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

---

SIGNATURE

DATE

FOR OAHUMPO USE ONLY:

Verification Date	Verified By (Printed)	Verified By (Signature)

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS –  
PRIMARY COVERED TRANSACTIONS**

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[Instructions for Certification](#)

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1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary Offeror knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary Offeror shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. Offerors may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary Offeror agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary Offeror further agrees by submitting this proposal that it will include the clause titled "*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction*," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. An Offeror in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. An Offeror may decide the method and frequency by which it determines the eligibility of its principals. Each Offeror may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of an Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if an Offeror in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Attachment O  
Drug Free Workplace Certification  
49 CFR §29

---

*(Submit completed form with Proposal)*

## **DRUG FREE WORKPLACE CERTIFICATION**

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1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 USC 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

## CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

---

### Alternate I. (Grantees Other Than Individuals)

1. The grantee certifies that it will or will continue to provide a drug-free workplace by:
  - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - b. Establishing an ongoing drug-free awareness program to inform employees about:
    - i. The dangers of drug abuse in the workplace;
    - ii. The grantee's policy of maintaining a drug-free workplace;
    - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
    - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
    - i. Abide by the terms of the statement; and
    - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - e. Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
  - f. Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted –
    - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
  - g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
  
2. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

\_\_\_\_\_

Check [ ] if there are workplaces on file that are not identified here.

---

Printed Name of Authorized Agent

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Company's Name

---

Signature of Authorized Agent

---

Date

## CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

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### Alternate II. (Grantees Who Are Individuals)

1. The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
2. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21705, May 25, 1990]

\_\_\_\_\_  
Printed Name of Authorized Agent

\_\_\_\_\_  
Company's Name

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Date

Attachment P  
Certification Regarding Lobbying  
49 CFR §20

---

*(Submit completed form with Proposal)*

## CERTIFICATION REGARDING LOBBYING

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The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for 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 in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Statement for Loan Guarantees and Loan Insurance:** The undersigned states, to the best of his or her knowledge and belief, that: If any funds have been paid or will be paid to any person for 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 in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Organization: \_\_\_\_\_

Street address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

CERTIFIED BY: (type or print) \_\_\_\_\_

TITLE: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

## DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 USC 1352.

<b>1. Type of Federal Action</b> a. Contract b. Grant c. Cooperative agreement d. Loan e. Loan guarantee f. Loan insurance	<b>2. Status of Federal Action:</b> a. Bid/offer/application b. Initial award c. Post award	<b>3. Report Type</b> a. Initial filing b. Material change  <i>For material change only</i> Year _____ Quarter _____ Date of last report _____
<b>4. Name and Address of Reporting Entity</b> a. Prime b. Subawardee Tier _____  Congressional District _____	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>  Congressional District _____	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable _____	
<b>8. Federal Action Number:</b>	<b>9. Award Amount:</b> \$ _____	
<b>10. Name and Address of Lobbying Registrant:</b>	<b>11. Individuals Performing Services</b> <i>(last name, first name, MI):</i>	
Information requested through this form is authorized by Title 31 USC section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 USC 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subjected to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	<b>Signature</b> _____  <b>Print Name:</b> _____  <b>Title:</b> _____  <b>Telephone:</b> _____ <b>Date:</b> _____	

## INSTRUCTIONS FOR COMPLETION OF DISCLOSURE OF LOBBYING ACTIVITIES

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This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to Title 31 USC section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for 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 in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state, and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subawardee recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1<sup>st</sup> tier. Subawards include but are not limited to subcontract, subgrants, and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee," then enter the full name, address, city, state, and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in Item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number, the contract, grant or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. Enter the full name, address, city, state, and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.
11. Enter the full names of the individual(s) performing services, and include full address if different from 10. Enter Last Name, First Name, and Middle Initial (MI).

The certifying official shall sign and date the form, print his/her name, title, and telephone number.

## Attachment Q

### Additional Insured – Owners, Lessees or Contractors – Scheduled Person or Organization

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*(Submit completed form with Proposal)*

**ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION**

---

POLICY NUMBER:

**COMMERCIAL GENERAL LIABILITY  
CG 20 10 10 01**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**ADDITIONAL INSURED – OWNERS, LESSEES  
OR CONTRACTORS – SCHEDULED PERSON OR  
ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**SCHEDULE**

**Name of Person or Organization:**

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

**A. Section II – Who Is An Insured** is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of your ongoing operations performed for that insured.

**B.** With respect to the insurance afforded to these additional insureds, the following exclusion is added:

**2. Exclusions**

This insurance does not apply to "bodily injury" or "property damage" occurring after:

- (1)** All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the site of the covered operations has been completed; or
- (2)** That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

