

City of Omaha
Bicycle and Pedestrian Master Plan
Request for Qualifications (RFQ)

**Proposals should be
submitted by 4:30 p.m.
CDT on October 05, 2021**

Table of Contents

1. Introduction & Project Outcome	1
Introduction	1
Project Outcome	2
2. Scope of Services	3
Task 1: Project Management & Administration	4
Task 2: Public Outreach & Presentations	4
2.1 Technical Advisory Committee	5
2.2 Community Stakeholder Committee	5
2.3 Public Meetings	5
Task 3: Existing Conditions Inventory & Analysis	6
Task 4: Develop the Plan	7
4.1 Identify High Priority Areas	7
4.2 Formulate the Network Improvements Plan	7
4.3 Develop Policy and Programmatic Recommendations	8
4.4 Implementation, Funding, and Phasing	9
4.5: Develop Draft and Final Plan	9
3. Project Schedule	9
4. Evaluation Criteria	10
5. Submission of Qualifications	11
6. Submittal Requirements	11
7. Interviews	13
8. Disadvantaged Business Enterprises (DBE) Policy	13
9. General Terms and Conditions	14
10. Award of Contract	15

1. Introduction & Project Outcome

Introduction

MAPA and the City of Omaha are soliciting qualifications to prepare a Bicycle and Pedestrian Master Plan. In accordance with Nebraska Consultants' Competitive Negotiation Act (Neb. Rev. Stat. §81-1712), the Brooks Act (40 USC 544), and 23 CFR 172.5, the Omaha-Council Bluffs Metropolitan Area Planning Agency is issuing a Request for Qualifications (RFQ) for the City of Omaha Bicycle and Pedestrian Plan. Firms are invited to submit qualifications with a statement of qualifications as outlined below. The MAPA website referred to in this document is located at <http://mapacog.org/projects/rfpsrfqs/>

The City of Omaha is interested in improving upon the City's network of existing facilities and to develop new facilities to provide for improved and safer walking, bicycling, and other forms of micro-mobility (such as scooters) for transportation and recreational opportunities. The Omaha Master Plan as well as recent regional planning efforts including the Chamber's ConnectGO initiative and MAPA's Heartland 2050 have shown the community's desire to continue improving the quality of the active transportation network. This includes sidewalks, trails, and an expanded network of on-street bicycle facilities to complement the trail system.

This request invites consultants to submit qualifications for accomplishments of the items of work described below under Scope of Services. Responses shall be prepared and submitted in accordance with the requirements described in this Request for Qualifications (RFQ). Once the firm is selected, a contract will be negotiated based on a mutually agreed upon scope of services. The purpose of this project is to create a City of Omaha Bicycle and Pedestrian Master Plan. (The final plan title will be determined early on through the public engagement process). This plan will consolidate and build upon past planning efforts, setting forth the vision for a comprehensive network that utilizes a variety of facilities such as trails, bike lanes, bicycle boulevards, and other facilities, as well as providing policy and program recommendations focused on expanding participation by making walking, bicycling, and other active modes of transportation for daily needs safer, more comfortable, and more convenient.

The City of Omaha is the largest city in Nebraska, with a 2020 population of 478,000 residents in a 145 square mile area. A burgeoning cycling, walking, and running culture has been instrumental in establishing, growing, and maintaining Omaha's extensive trails network (about 135 miles in City Limits, 160 miles in our planning jurisdiction, and over 300 miles in the Omaha-Council Bluffs Metro Area) as well as our on-street improvements, bicycle parking facilities, bike share system, clubs and social groups, organized events, and competitions. The City of Omaha has been awarded a Bronze level Bicycle Friendly Community Award (last application in 2019) and received an honorable mention from the Walk Friendly Communities initiative in 2011.

Recent additions to Omaha's active transportation network include road diets on South 24th Street, North 24th Street, and North 30th Street which together added about 5 centerline

miles of new bike lanes in the past year. Over the summer, the City of Omaha's first protected bikeway is being built as a pilot project on Harney Street and will run 22 blocks through Downtown and Midtown Omaha. Over the next year, trail projects will complete the last remaining 1-mile gap on the North Riverfront Trail as well as the first phase of planned expansion of the Keystone Trail to connect it with a new 6-mile loop trail around Cunningham Lake. In addition, our generous community partners are poised to begin construction on two trails in North Omaha: the Beltline Trail and the North Omaha Trail. Our Parking & Mobility Division (ParkOmaha) is currently administering the third year of shared e-scooters operating in Omaha, and they recently began adding bicycle and scooter parking at existing and planned parking structures. ParkOmaha has entered into a partnership with our local bikeshare system operated by Heartland Bike Share to assist in planning, funding, and operations. Heartland Bike Share and Metro Transit have partnered to add Bicycle stations at the ORBT (Omaha Rapid Bus Transit) stops on Dodge Street later this year. All of the above examples show the community's dedication to investing in active transportation infrastructure for the benefit of the public.

The City of Omaha and MAPA have a strong interest in working with a firm that has documented knowledge and expertise in Metropolitan Transportation Planning and Bicycle & Pedestrian Facility Planning.

Project Outcome

The overall project outcome will be a Bicycle and Pedestrian Master Plan which the City intends to adopt as a component of the City of Omaha Master Plan's Transportation Element. This plan shall:

1. Develop a framework for a comprehensive and integrated network of bicycle facilities, trail corridors, low-stress routes, and sidewalk and crossing improvements that serve all neighborhoods, providing connections to Downtown, employment centers, neighborhoods, schools, community centers, the regional trail network, and adjacent communities.
2. Identify and prioritize projects, programs, and policies focused on expanding participation by making walking, bicycling, and other active travel modes safer, more comfortable, and more convenient.
3. Identify strategies that will guide the planning, funding, implementation, and maintenance of future projects with performance measures that allow the City to assess its progress.
 - a. Phase 1: Identify high visibility projects and programs with lower costs that can be implemented or piloted within 1-2 years of adoption of the plan.
 - b. Phase 2: Identify the highest priority projects to be implemented over the following 10 years.
 - c. Phase 3: Identify the "ultimate network" buildout of the trail and bicycle networks showing all proposed improvements for the next 25 year period.
4. Scope the highest priority projects to include:
 - a. Written documentation of project constraints and overall feasibility;

- b. A complete preliminary cost estimate for further engineering, project administration, and construction;
 - c. Development of 10% level conceptual layouts and/or renderings for a select handful of the highest priority, highest impact projects, incorporating the latest best practices in intersection design, signing and striping, and streetscape/urban design elements
- 5. Develop a phased action plan to initiate policies, programs, and physical improvements to the active transportation networks to improve the community's Bicycle Friendly Community Status and achieve Walk Friendly Community status. (For example, the plan may set specific timelines such as achieving Silver-level status as a Bicycle Friendly Community by 2025 and Gold-level status by 2030, and achieving Bronze-level status as a Walk Friendly community by 2025 and Silver-level status by 2030).
 - a. Education, enforcement, encouragement, and evaluation/planning strategies should be addressed in addition to physical infrastructure improvements.
 - b. The plan should consider traditional funding sources to implement recommendations but should also identify non-traditional opportunities and collaborations that could expedite implementation and build community pride and ownership in future improvements.

2. Scope of Services

This project will include the following tasks:

1. Project Management & Administration
2. Public Outreach and Presentations
3. Existing Conditions Inventory & Analysis
4. Plan Development
5. Deliverables

We anticipate that the plan will be completed within an approximately 12 month time frame.

Task 1: Project Management & Administration

The Consultant shall provide project management and administration necessary to successfully deliver the project. These are anticipated to include, at a minimum:

- Preparation and management of the project schedule that aligns with the City and MAPA's milestones, including meetings, public workshops and milestones;
- Budget and cost control reporting, change management, preparation and submission of a monthly progress report and invoice;
- Administration of a Quality Management Plan and participation in periodic progress meetings to adequately update the City and MAPA on the project's progress as requested by the Project Manager;
- Prepare meeting agendas and materials.

In coordination with MAPA and the City of Omaha, the Consultant Team will develop a detailed scope of services to guide the overall process. This will include, but is not limited to, the following elements:

- Review project tasks and objectives with City staff.
- Review and refine scope of services and data collection methods.
- Identify available data, prior plans and studies related to bicycling or pedestrian connectivity, and other published materials.
- Establish a detailed schedule identifying key milestones and deliverables.
- Establish communication channels with city departments and appropriate agencies and organizations.
- Review and list all applicable design and planning standards.

If necessary, changes to the Scope of Services may be made at the conclusion of this task, and an amended Scope and Schedule will be provided.

Task 2: Public Outreach & Presentations

Public outreach for the Study will be conducted by the Consultant in partnership with the City of Omaha, MAPA and Bike Walk Nebraska. The Consulting team will develop a Public Involvement Action Plan that will clearly lay out the details of the major public involvement tasks that will take place throughout the course of the project. Bike Walk Nebraska's services will be negotiated under a separate agreement with MAPA to coordinate other on-going stakeholder and public engagement activities with this plan. A strategic focus of the plan should be to attract a broad and diverse audience, reaching beyond active bicyclists, to engage people of all ages, abilities, and genders, with emphasis on including minority, low-income, and youth participation. The Consultant for the study will be expected to facilitate the following:

2.1 Technical Advisory Committee

The City of Omaha and MAPA will convene a Technical Advisory Committee (TAC) consisting of representatives from City of Omaha departments, including the Mayor's Office, and representation from MAPA and Metro Transit. The Consultant shall attend meetings and provide information on research and best practices that have been successful in other communities. The Consultant will prepare and distribute meeting notes within one week of the meeting date. The number of TAC meetings will be determined during scope negotiations.

2.2 Community Stakeholder Committee

The City of Omaha and MAPA will convene a Community Stakeholder Committee consisting of bike and pedestrian related organizations, representation from relevant Mayor's advisory committees (such as the Active Living Advisory Committee and Millennial Advisory Committee), local businesses, and neighborhood associations to help guide an inclusive and engaging planning process and to formulate an impactful plan. The Consultant shall attend meetings and provide information on research and best practices that have been successful in other communities. The Consultant will prepare and distribute meeting notes within one week of the meeting date. The number of Stakeholder meetings will be determined during scope negotiations.

2.3 Public Meetings

The Consultant will develop materials for public informational meetings with area businesses, property owners, residents, and neighborhood groups to gather input. These meetings will be facilitated by the Consultant and will be focused on identifying the needs and goals of the public and discussion of possible impacts of modifying the City of Omaha's streets. The number of public meetings will be determined during scope negotiations, but a minimum of 2 are anticipated.

The consulting team will be responsible for all the aspects of the meetings: scheduling; logistics; room rental; sign-in; nametags; refreshments; facilitate these meetings; comment cards; and meeting notes/minutes.

The consulting team will coordinate with City staff to draft and submit press releases or articles about the Plan, including meeting notices, progress updates – such as mapping, and final presentations to Planning Board and City Council. These announcements will be placed in local media outlets at strategic points in the planning process.

The consultant, in coordination with the City, will create and administer a project website or webpage to disseminate project information and materials formatted for online distribution and engagement.

Task 3: Existing Conditions Inventory & Analysis

The Consulting Team will produce an assessment of the state of active transportation in Omaha. The report will describe the current conditions of the network, including facilities and support facilities as well as gaps or missing elements, and existing programs and policies. The system will be reviewed for general user convenience, accessibility, comfort level, topography, support facilities, and wayfinding, as well as coherence of the system for the average user. At minimum, the following information will be provided to the Consulting Team:

- Map (GIS layers) of existing on-street bicycle facilities and signed routes and their characteristics
- Map(s) of existing trails and their characteristics (GIS layer)
- Map of existing motor vehicle traffic volumes
- Pedestrian, bicycle, and scooter safety overview; pedestrian, bicycle, and scooter counts (where available); and collision and other traffic data.
- Adopted plans and guiding documents relevant to the active transportation system, including most elements of the City's Master Plan, the MAPA Bicycle and Pedestrian Plan, various area plans, and available materials from recent and

ongoing regional planning efforts such as ConnectGO and the Omaha Natural Surface Trails Feasibility Project

- Map of all previously proposed bicycle and trail facilities in adopted plans, relevant studies, and guiding documents (GIS layer)
- List of forthcoming/planned trail and street projects.
- A map of signalized intersections and grade-separated crossings across major streets and physical barriers such as highways, railroads, and streams (GIS layers)
- A map of gaps in the sidewalk network (GIS layer)
- A map of public bicycle parking installed through the City's Bicycle Parking Program (GIS layer)
- A map of existing and planned bike share station locations (GIS layer)
- City's Complete Streets Policy and draft Complete Streets Design Guide
- City's Traffic Calming Manual (1999), Parking & Mobility Strategic Plan (2020), Bicycle Wayfinding Manual (2017), Bicycle Parking Guidelines, and Municipal Code provisions relevant to pedestrian and bicycle mobility and accessibility.
- Previous application for Bike Friendly Community designation and feedback from the League of American Bicyclists
- Strava Metro data for 2020
- Shared electric scooter trip counts and travel patterns from the 2019, 2020, and 2021 Omaha Dockless Electric Scooter Pilot Programs
- Data available from Spin's "Mobility Data for Safer Streets" partnership (potentially includes Numina and Ford Safety Insights Connect data at select locations)
- Community overview and data, land use and density, census data, zoning information, locations of key destinations (e.g. schools, parks, employment centers), and future plans and projects
- Overview of funding/anticipated funding to support projects.

Task 4: Develop the Plan

4.1 Identify High Priority Areas

The Consulting Team will draft a report identifying areas of high demand for improvements. Areas should be identified through the background/existing conditions research, and community input. To the extent possible, this effort may incorporate the work already done through the Chamber's ConnectGO effort and the MAPA 2050 Long Range Transportation Plan. Special focus should be given to ensuring connectivity to schools and higher education campuses, parks, and employment areas. The report should identify routes or areas where people currently walk/ride or want to walk/ride as well as areas where, due to economic circumstances, people may rely on walking or biking. Critical gaps and deficiencies in the network that prevent people from walking/riding should also be identified. Priorities will be reviewed with MAPA and the City of Omaha for additional refinement and for general consensus.

4.2 Formulate the Network Improvements Plan

Based on public input and analysis of data collected through the steps above, the Consulting Team, together with City and MAPA staff, will propose and prioritize improvements to the active transportation network. We anticipate that proposed improvements will fall into at least three broad categories:

1. **Trails:** This component should consolidate, reconcile, and improve upon the numerous past plans and studies that have proposed trail corridors throughout Omaha's planning jurisdiction. In addition to linear paved multi-use trail corridors, consideration should be given to support facilities (trailheads, wayfinding, crossing improvements, and other amenities) as well as incorporation and refinement of recommendations from the Omaha Area Natural Surface Trails Feasibility Study.
2. **On-Street Bicycle & Micromobility Facilities:** This component of the plan would consolidate and build upon the work of past plans and studies to identify and prioritize improvements such as bike lanes, protected bike lanes, bicycle boulevards, and signed bike routes. This aspect of the plan should expand beyond a traditional focus on the "road cyclist" to provide options for people of a wide range of ages and abilities and to include other common micromobility options, such as e-scooters & e-bikes. The plan should incorporate and potentially refine the guidelines for selecting bicycle facilities based on street characteristics found in the City's draft Complete Streets Design Guide. Emphasis will be on improvements that close gaps and correct deficiencies that impede bicycling/micromobility as well as those that improve the safety or increase bicycling/micromobility in underserved areas of the community.
3. **Sidewalks and Streetscapes:** This broad category of proposed improvements would identify priority areas for closing sidewalk gaps, enhancing or adding pedestrian crossing improvements, traffic calming features, and improving streetscapes (such as adding curb extensions, adding pedestrian scale lighting, and improving curbside landscaping).

The Consulting Team will provide a GIS-based analysis and presentation of the proposed network improvements plan. All data will be produced as standard GIS layers, and all data layers will be provided to the City in a geodatabase so that maps can be updated and revised as needed.

Note: While the study area for the Plan will be the City of Omaha's Planning Jurisdiction (Corporate Limits plus 3-Mile Extraterritorial Jurisdiction), the Network Improvements Plan should also consider connections to existing and planned facilities in adjacent jurisdictions and may even propose new connections through adjacent jurisdictions that are critical to ensuring network continuity between Omaha and other communities in the MAPA region.

4.3 Develop Policy and Programmatic Recommendations

Drawing from innovative and best practices, the Consulting Team will work with City staff to identify policies and programs intended to increase the number of people biking and walking of all ages and abilities. Policy recommendations may include amendments to the City Master Plan and guiding documents (such as the Complete Streets Design Guide and the City's Traffic Calming Manual) as well as City Ordinance changes. Program areas should include (but are not limited to): education; engineering; and encouragement. Programmatic recommendations that involve partner agencies and organizations outside of the City may be included. Methods of evaluating programs and services should also be incorporated.

4.4 Implementation, Funding, and Phasing

The Consulting Team will work with City staff to develop recommendations for implementing the plan, including a data-driven prioritization framework. Recommendations should incorporate an overview of funding sources, cost estimates, and maintenance strategies as well as prioritization and phasing.

The report will include strategies and performance measures to guide the planning, funding, and implementation of future projects. As part of the strategy, The Consulting Team should identify high visibility projects with low financial cost that can be completed or piloted within 1-2 years of adoption of the plan. The Consulting Team will identify the highest priority projects that will undergo scoping in Phase 2 along with a 10-year Capital Plan, including conceptual cost estimates and concept designs for implementing major features of the plan.

4.5: Develop Draft and Final Plan

The Consulting Team will work with City staff to develop a final plan document. The consultant shall provide the plan document to the City in Adobe InDesign and PDF formats and shall provide all GIS layers for all maps in a geodatabase.

The plan document should integrate all goals, policies and recommendations, the updated network map(s), facility design recommendations, and implementation actions for review by the advisory committees, community stakeholders, and the general public. The plan will also include the strategies and performance measures that will guide the planning, funding, and implementation of future projects, including a list of short-term actions that will guide Omaha to improve its award level as a Bicycle Friendly Community and to achieve designation as a Walk Friendly Community. The ultimate outcome will be recommendation

of approval by the Technical Advisory Committee, Planning Board, and final adoption by the City Council.

3. Project Schedule

The anticipated project schedule is listed below. The anticipated project schedule is included below. It is recommended that key personnel hold the interview date on their calendars for a potential interview.

Activity	Date
RFQ released	Friday, August 13, 2021
Deadline for written questions to be submitted	Friday, August 27, 2021
Responses to written questions posted	Tuesday, August 31, 2021
Deadline for submittals	Tuesday, October 5, 2021
Shortlist Notifications	Tuesday, October 19, 2021
Consultant interviews	Tuesday, November 16, 2021
Consultant selection notification	Tuesday, November 30, 2021
Scope & fee negotiation deadline	Tuesday, December 28, 2021
Agreement Finalized	Friday, January 7, 2022
Finance Committee Approval	Wednesday, January 19, 2022
MAPA Board Approval	Thursday, January 27, 2022
Target Project Start Date	Thursday, February 3, 2022
Contract End Date	Friday, February 3, 2023

4. Evaluation Criteria

The evaluation of respondent firms will be based on their qualifications. A consultant evaluation team made up of representatives from the City of Omaha, MAPA and/or other project partners will screen the responses to ensure they meet the minimum requirements of the submittal format, review and score the responses. Factors that will be considered by the selection team include the following:

Criteria	Points
1. Qualifications and experience of professional personnel and staff.	25
2. Past performance on similar projects.	25
3. Adequate staff to perform the work based on present workload and willingness to meet time requirements.	10
4. Experience of Firm and Key Personnel on Projects in Omaha and/or Study Area	10
5. Project understanding and approach.	30
Total Points	100

5. Submission of Qualifications

Seven (7) printed copies and one electronic version (PDF preferred) of the response must be received in the MAPA offices by the deadline for submittals (see Section 3 Project Schedule). Responses may not exceed 20 pages in length based on the submittal requirements in Section 6. A table of contents will not be counted toward the page limit when included in responses. Responses must include proof of insurance and compliance with Title VI of the Civil Rights Act.

The Issuing Officer, identified below, is the sole point of contact regarding the RFQ from the date of issuance until selection of the successful vendor.

Court Barber
Metropolitan Area Planning Agency
2222 Cuming Street
Omaha, NE 68102
cbarber@mapacog.org

From the issue date of this RFQ until announcement of the successful vendor, vendors may contact only the Issuing Officer regarding this RFQ. Vendors may be disqualified if they contact any employee or representative of MAPA other than the Issuing Officer regarding this RFQ. Questions only about the procurement process will be accepted by MAPA; all questions must be submitted in writing to the Issuing Officer by the deadline for written questions. Answers to all questions will be posted on the MAPA website by the responses to written questions date (see Section 3 Project Schedule). Firms whose responses are not accepted will be notified as soon as the selected firm has been approved and a contract has been negotiated.

6. Submittal Requirements

Responses shall include the following items and be organized in the manner specified below.

A. Front Cover (Not Included in Page Limit)

The response shall include a front cover that identifies the Prime Consultant, Sub-consultants (if applicable) and the title of the project or service

B. Letter of Interest

The response shall include a letter of interest outlining briefly the firm's understanding of the work, as well as a general statement introducing the firm and individuals to be involved. The letter of interest shall not exceed two (2) pages.

C. Organizational Chart

The response shall include an organizational chart not to exceed one (1) page.

D. Firm Profile & Qualifications

The response shall include general information about the firm, the firm's area of expertise, and the firm's official name and address. Additionally, the response shall furnish the following qualifications to be considered for award of the contract:

1. Name of the anticipated project manager and his or her relevant qualifications and experience on similar projects, along with those of key personnel who will be involved with the project.
2. If the project includes multiple team members, an organizational chart including team members shall be included
3. Experience of the firm in performing similar work and examples of this work.
4. Explanation of ability to integrate the scope of work into the present and anticipated workload of each key team member for the proposed duration of the project.

E. Project Approach and Scope of Work

The response shall include the firm's approach to successfully accomplish the tasks listed in the RFQ successfully. This should include focus on technical approach and ability to present and communicate the findings in a compelling manner. (NOTE: The detailed Scope of Services will be negotiated with the selected consultant at the time of contract development.) The discussion of the scope of work shall not exceed ten (10) pages.

F. Proposed Project Schedule

The response shall include a project schedule outlining the time frame and estimated completion date of each major task identified in the proposed scope of work. The consultant team shall also explain its approach to the project schedule in narrative form. The project schedule shall not exceed three (3) pages. The consultant shall provide what

he or she believes is a realistic timeline to fully complete the tasks in an expeditious, effective manner.

G. Conflict of Interest Disclosure (Not Included in Page Limit)

The response shall include a completed Consultant Conflict of Interest Disclosure form for the prime consultant and any subconsultants. Example form is available from NDOT at the link below:

<https://dot.nebraska.gov/media/7322/coi-disclosure-doc-consultant.doc>

H. Systems of Award Management (SAM) Registration (Not Included in Page Limit)

Documentation that applicant firm has current SAM registration or that registration has been initiated. Registration information can be found at

<https://www.sam.gov/portal/SAM>.

I. Proof of insurance (Not Included in Page Limit)

The response shall include proof of insurance for the prime contractor and any subconsultants. Specific insurance requirements and an example ACORD are available here: <https://dot.nebraska.gov/business-center/consultant/insurance/>

7. Interviews

The short-listed firms will be notified by telephone of the interview time and duration. Interviews will be capped at 40 minutes maximum; please allot at least 10 minutes for questions and answers.

MAPA will make every effort to inform short-listed firms of the interview schedule via email or phone by 4:00 p.m. on the date listed for Shortlist Notifications in Section 3.

The project selection committee will conduct interviews with the short-listed firms on the date listed for Consultant Interviews in Section 3. Interviews will be conducted in-person. The location will be determined when shortlisted firms are notified.

8. Disadvantaged Business Enterprises (DBE) Policy

The Omaha–Council Bluffs Metropolitan Area Planning Agency (MAPA) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S Department of Transportation (DOT), 49 CFR Part 26. MAPA has received Federal Financial assistance from the Department of Transportation, and as a condition of receiving this assistance, MAPA has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of MAPA to ensure that DBEs, as defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT assisted contracts;
3. To ensure that the DBE Program is tailored narrowly in accordance with applicable law;
4. To ensure that only firms that meet 49 CFR Part 26 eligibility standards fully are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts;
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The following assurance is to be included on all DOT-assisted contracts:

“The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract, or such other remedy as the recipient deems appropriate.”

9. General Terms and Conditions

1. **Conflicts of Interest** — The proposer shall disclose any known or potential conflicts of interest with MAPA and the Federal Highway Administration (FHWA). The proposer must declare that the proposer is not currently, and will not during the performance of any services for MAPA, participate in any other work involving a third party with interests in conflict currently or likely to be in conflict with MAPA's interests without MAPA's approval. All sub-consultants must submit a conflict of interest form as well.
2. **SAM Registration**-All prospective consulting firms must be listed in the U.S. Federal Contractor Registration database known as SAM (System for Award Management) to be considered for this project.
3. **Amendments to the RFQ**— MAPA reserves the right to amend or cancel any or all parts of this RFQ. Revisions to the RFQ shall be posted on the MAPA website at least three (3) full business days prior to the deadline for submission of responses.
4. **Non-commitment of MAPA** — This RFQ does not commit MAPA to award a contract, to pay any costs incurred in the preparation of a response to this request, or to procure or contract for services.
5. **Confidentiality** — Before award of the contract, all responses to this RFQ will be designated confidential to the extent permitted by the Nebraska Public Records Law (84-712). After award of the contract (or if not awarded, after rejection of all responses), all responses will be regarded as public records and will be subject to review by the public. Any language purporting to render all or portions of the responses confidential will be regarded as non-effective and will be disregarded.
6. **Access to Records and Reports** — The proposer acknowledges the selected consultant firm will give MAPA, NDOR, FHWA, and the Comptroller General of the United States access to any books, documents, papers and records of the consultant firm which pertain directly to the contract for the purposes of making audits, examinations, excerpts, and transcriptions. Related contractual documents will be maintained for no less than three years after the date of termination or expiration of the contract.

7. **Termination** – MAPA will retain the right to terminate the contract for convenience or default. These clauses will be incorporated into the contract with the selected consultant firm.

8. **Civil Rights** – MAPA is in compliance with Title VI of the Civil Rights Act, as amended, section 303 of the Age Discrimination Act of 1975, as amended, section 202 of the Americans with Disabilities act of 1990, and Federal transit law. Thus, clauses relating to nondiscrimination and equal employment opportunity (race, color, creed, national origin, sex, and disabilities) will be included in the contract with the selected consultant firm.

9. **Drug Free Workplace** – MAPA has established and maintains drug-free workplace policies. The selected consultant firm and all sub-consultants must have established and maintain drug-free workplace policies as well, such as those set forth in the Federal Drug Free Workplace Act of 1988.

10. Award of Contract

MAPA reserves the right to negotiate with the selected firm on matters related to project cost, or technical or other considerations that arise following announcement of the award of the contract. A decision to contract with the selected firm will be made by the MAPA Board of Directors following a recommendation by MAPA staff. Subject to selection and successful negotiation, MAPA intends to sign a contract on the date of MAPA Board Approval as shown in Section 3 with the objective of the selected firm beginning work on the Target Project Start Date and concluding on the Contract End Date as shown in Section 3.