

MAPA SS4A Data Support Plan

Request for Qualifications (RFQ)

**Responses should be submitted
by 4:30 p.m. CDT on October 18,
2023**

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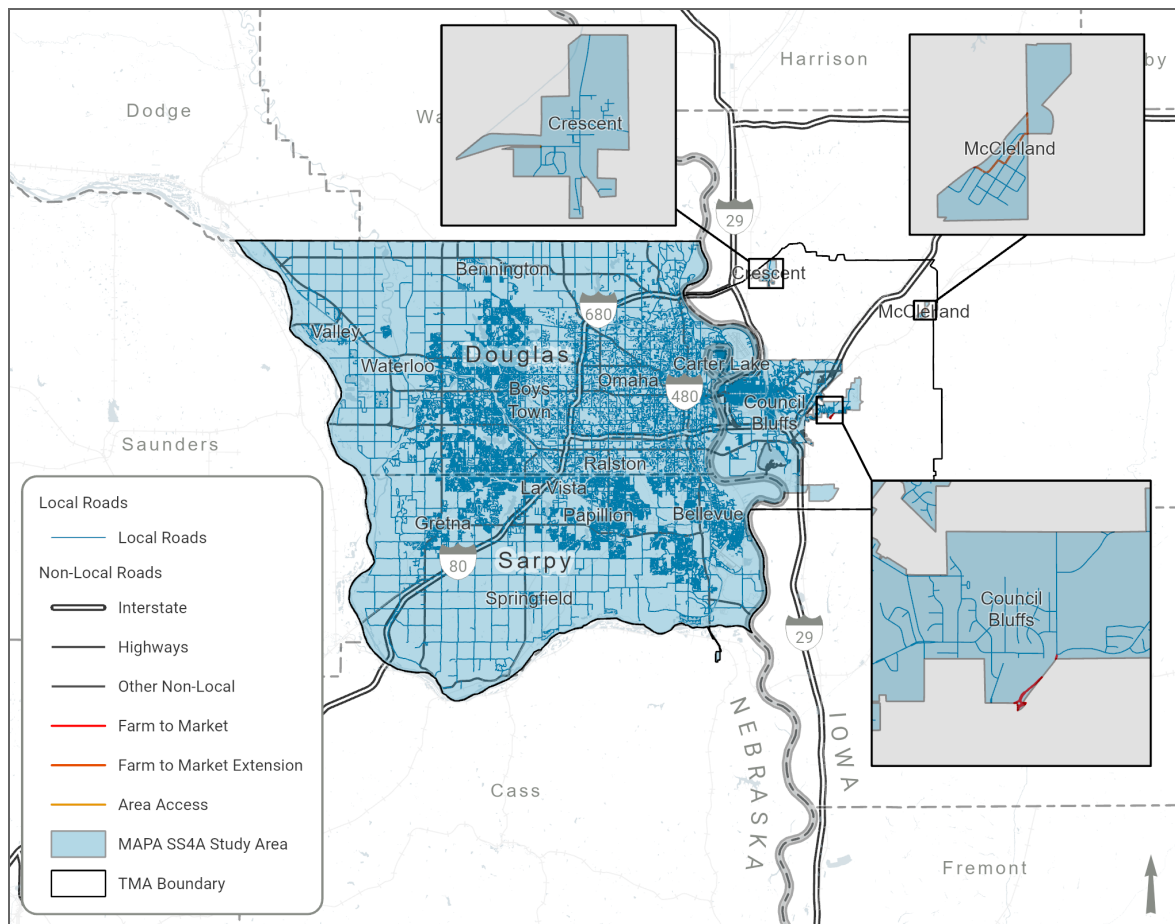
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1. Introduction & Project Outcome

Introduction

The Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) is soliciting qualifications to provide Data Support for a Comprehensive Safety Action Plan (CSAP) for the MAPA Safe Streets and Roads for All (SS4A) Study Area (Figure 1). In accordance with USC 2 CFR 200, Nebraska Consultants' Competitive Negotiation Act (Neb. Rev. Stat. §81-1712), the Brooks Act (40 USC 544), and 23 CFR 172.5, MAPA is issuing a Request for Qualifications (RFQ) for the **SS4A Data Support Plan**. This Data Support plan will support efforts in the development of MAPA's Regional CSAP, which will build on MAPA's current safety planning efforts to achieve zero deaths by 2040. The CSAP will prioritize strategies that maximize opportunities for discretionary funding to implement local roadway projects in rural and disadvantaged communities. The MAPA website referred to in this document is located at <http://mapacog.org/projects/ss4a/>

Figure 1. MAPA SS4A Study Area and Associated Local Road Network (<https://arcg.is/1SavCf>)



MAPA is the Metropolitan Planning Organization (MPO) for the Omaha-Council Bluffs Region, encompassing multiple municipal jurisdictions across both Nebraska and Iowa. MAPA brings together local governments and a variety of public and private stakeholders to engage in regional transportation planning. MAPA applied jointly with the City of Omaha, who is currently developing a Vision Zero action plan that will be included and referenced in the proposed regional action plan. The regional action plan will cover MAPA's Transportation Management Area (TMA), with the exception of unincorporated Pottawattamie County, which will be included in a separate Local Road Safety Plan developed through an SS4A action plan grant by the Iowa County Engineers Association.

In coordination with MAPA and the City of Omaha, the resulting CSAP will be consistent with, and supporting, the City of Omaha Vision Zero Action Plan, and the Pottawattamie County Local Road Safety Plan (LRSP). The resulting CSAP will also incorporate both Nebraska and Iowa DOT safety activities, particularly their respective Vulnerable Road User (VRU) Safety Assessments, Strategic Highway Safety Plans (SHSP), and Highway Safety Improvement Program (HSIP) Implementation Plans.

This **MAPA SS4A Data Support Plan** project will be closely coordinated with the **MAPA SS4A Public Outreach and CSAP** project. This project will develop robust, repeatable, data preparation, analysis and reporting processes of traffic safety and impacted community data. Crashes on all public roadways, regardless of ownership, will be included for the entire MAPA Transportation Management Area (TMA), with the ability to subset data to local roads for the communities defined within the MAPA SS4A Study Area for safety project development and implementation.

Applicants are permitted to submit separate proposals for one or more of the posted MAPA SS4A projects.

Project Outcome

MAPA's Regional CSAP will build on MAPA's current safety planning efforts to achieve significant reduction in roadway fatalities and serious injuries on local roads with the goal of achieving zero by 2040. It will prioritize strategies that maximize opportunities for discretionary funding to implement local roadway projects in rural and disadvantaged communities. This Data Support project will directly support the development of the CSAP and enable MAPA to facilitate member jurisdictions to prioritize and implement identified safety projects, and to provide transparent reporting on progress towards the goal of zero. The project will result in a comprehensive crash and roadway dataset which integrates data from both Nebraska and Iowa, as well as MPO member jurisdictions, with the requisite process documentation and tools to maintain this dataset in house going forward.

Outlined below is the scope of work that will guide the development of the Data Support Plan. MAPA has included the following scope of work to provide interested consultants insight into project intent, context, coordination, responsibilities, and other elements to help facilitate proposal development. This outline is not necessarily all-inclusive and the consultant may include in the proposal any additional performance tasks that will integrate innovative approaches to successfully complete the CSAP. At a minimum, the consultant

shall be expected to establish detailed outlines, analyses, assessments, and recommendations for the following tasks:

2. Scope of Services

This project will include the following tasks:

1. Project Management and Administration
2. Crash Data Analysis
3. Plan Development and Deliverables

We anticipate that the plan will be completed in approximately 15 months.

As this RFQ is one of two RFQs that will be working in coordination to develop the regional CSAP. A successful applicant will consider the tasks within the **MAPA SS4A Public Outreach and CSAP RFQ** during proposal development. The MAPA SS4A Public Outreach and CSAP RFQ has been posted concurrently with this Data Support RFQ, and can be found online at <https://mapacog.org/about/rfp-rfq/>.

Task 1: Project Management and 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 MAPA's milestones, including meetings, public workshops and project 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 update MAPA adequately on the project's progress as requested by the Project Manager;
- Prepare meeting agendas and materials.

In coordination with MAPA, 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 MAPA staff.
- Review and refine scope of services and data collection methods.
- Coordinate with the CSAP team to establish a detailed schedule identifying key milestones and deliverables.
- Establish communication channels with MAPA teams and appropriate agencies and organizations.

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.

1.2 SS4A Grant Quarterly Reporting

The Consultant shall provide updates on project status, significant activities and outstanding issues, action items, and project schedule and cost to meet the SS4A Quarterly Project Progress Report requirements.

1.3 SS4A Grant Performance Measure Reporting

The Consultant shall routinely track performance measures on equity, and lessons learned and recommendations in accordance with MAPA's SS4A grant agreement with FHWA, and provide these measures upon completion of CSAP plan development. Measures include the following;

Equity

A minimum of 22% (current regional disadvantaged population from the USDOT Equitable Transportation Community (ETC) Explorer) of total consultant effort must benefit underserved communities as defined by USDOT.

Lessons Learned and Recommendations

Best practices for maintaining consistent and accurate bi-state crash data to support decision-making and faster implementation.

Task 2: Crash Data Analysis

2.1 Coordination with the Public Outreach and CSAP Team

The Consultant shall work directly with the successful applicant of the Public Outreach and CSAP Team to incorporate the deliverables of the crash analysis into the Comprehensive Safety Action plan.

2.2 Data Identification and Preparation

The consultant shall identify, inventory, evaluate, and develop recommended processes and storage for all data considered within the plan and required for evaluation and selection of subsequent safety projects. At a minimum, the data considered shall include:

- Crash data provided by Nebraska and Iowa DOT
- City of Omaha [High Injury Networks](#) from the Vision Zero Action Plan
 - High Risk Network (All Modes HIN and Crashes layer)
 - High Injury Intersections (High Injury Intersections (Revised) layer)
 - Pedestrian High Risk Network (Pedestrian HIN and Crashes)
- Minimum Inventory of Roadway Elements (MIRE 2.0)
- Potential MIRE “supplemental databases”
 - Sidewalk gap feature layers from City of Omaha and MAPA
 - Traffic signal locations, corridor timing status, and safety feature implementation (e.g. Leading Pedestrian Intervals)

- Elementary School walking routes
- Existing pedestrian and bicycle at-grade crossings and related signs, markings, and signals
- Disadvantaged communities (using the USDOT [Equitable Transportation Communities \(ETC\) Explorer](#))
- Datasets and findings from the Nebraska and Iowa Vulnerability Road User Safety Assessments
- As applicable, datasets and findings from NDOT research topic “Modeling Pedestrian and Bicyclist Crash Exposure with Location-Based Service Data” (TRB Accession Number 01849002)
- The Iowa DOT Probability of Crash Reduction (PCR) tool (<https://iowadot.maps.arcgis.com/apps/MapSeries/index.html?appid=6920b9b36fa54caa90c25bd6dcdd0c7e>)
- The Iowa DOT Systemic bicycle and Pedestrian Safety Analysis (if not superseded by the Vulnerable Road User Safety Assessment) <https://iowadot.maps.arcgis.com/apps/Cascade/index.html?appid=a47f7eacb1f04f21b4116ba1aac80b45>
- Intersection and corridor data from the INRIX Signal Analytics toolset or similar
- Area-wide nonmotorist exposure tool <https://highways.dot.gov/safety/pedestrian-bicyclist/safety-tools/areawide-exposure-tool>

The Consultant shall ensure that the collected data meets the privacy requirements of both Nebraska and Iowa, and will document these requirements and the processes followed to maintain data integrity while maximizing the availability of crash-related characteristics for analysis and reporting purposes.

The Consultant shall store, share, and present the data and any derived information from that data in a manner and format which can be accessed easily and presented in ArcGIS Online platform and tools. At the identified product review phases agreed upon within the project scope of services, the Consultant shall present this data in ArcGIS Online such that it is accessible to all required stakeholders.

The Consultant shall document and provide credit for the data providers following their organizational requirements. For any subscription or otherwise controlled data, the Consultant shall make sure processes and procedures are developed to meet any data protection requirements.

2.3 Regional Crash Analysis

The Consultant shall perform an analysis of traffic safety on all roads within the MAPA SS4A Study Area using a consolidated crash, roadway characteristic, and demographic dataset produced in Task 2.2. At a minimum, this crash dataset will include crash severities from Property Damage Only to Fatal Crashes, and will include crashes occurring from 2015-2021. Following completion of Task 2.2, the Consultant shall provide a recommendation for the evaluated time period. The process used to conduct this analysis will be documented and

repeatable by MAPA staff to meet Task 3.2 identified reporting requirements following project completion. The following are required outputs of this analysis:

- Existing conditions and historical trends
 - Roadway characteristics
 - Regional demographics
 - High-risk road features
 - Disadvantaged communities including:
 - Equitable Transportation Community Explorer
 - MAPA Safety Equity Focus Areas
 - CDC Social Vulnerability Index (SVI)
 - Others as recommended by the Consultant or stakeholders
 - Related or linked public health or structural issues
 - Investigating crashes through the lens of “epidemiology”
 - Safety of vulnerable road users near elementary schools, transit facilities, and other locations with routine access outside of automobiles
 - Incorporate the NDOT analysis from the VRU safety assessment
 - Incorporate results (as available) of the Metro Transit Bus Stop Location survey analysis
- Baseline level of crashes involving fatal and serious injuries
- Contributing circumstances related to the crash
 - Driver
 - Nonmotorist
 - Environmental
 - Roadway
 - Speeding Related (NDOT crashes post-2021)
- Crash sequence of events, including first and most harmful
- Vehicle and injured person characteristics
 - Vehicle Body Type
 - Vehicle size and weight
 - Seat position and restraint use
 - Nonmotorist location and action
 - Race, ethnicity, and other demographic characteristics as supports the equity analysis and reporting requirements
 - Provide method to identify % of VRU’s killed or seriously injured who are un-housed (City of Omaha and other localities as available)
 - Where this data is not available utilize the CDC SVI and other datasets to relate crash location with a measure of disadvantage
- Crash involvements to better understand behavioral and demographic factors, including, but not limited to:
 - Impairment
 - Distraction
 - Speeding or aggressive behavior
 - Truck or bus
 - Intersection

- Unrestrained occupant
- Younger or older drivers
- Mode of transportation and proximity to facilities
- Systemic safety analysis for vulnerable road users
 - Incorporate and/or expand upon the Iowa DOT Systemic bicycle and Pedestrian Safety Analysis
 - Incorporate and/or expand upon the Nebraska and Iowa Vulnerability Road User safety assessments
 - Evaluation of and recommended application of nonmotorist exposure tools
- Geospatial identification of higher risk locations and/or High-Risk Network
 - Evaluate crashes as a rate by traffic volume and population (census tract)
 - Evaluate crashes and outcomes against disadvantaged community status

The output of this analysis shall be a geospatial identification of higher-risk locations. The consultant will provide the results in a manner such that the City of Omaha’s Vision Zero Action Plan High-Injury Network can be integrated seamlessly in the results of this analysis, and presented publicly as the regional High-Injury Network.

2.4 Safety Tool Evaluation

The consultant shall review and provide recommended application of the following, to include possibility for interoperability between the states:

- The Iowa Crash Analysis Tool Dashboard
- The NDOT AASHTOWare Safety tools

2.5 Existing Safety Plan and Process Inventory

The Consultant shall compile state and regional safety plans and develop a matrix which provides an easy reference for use by stakeholders during and after the CSAP planning process. These safety plans and processes will be documented within the Comprehensive Safety Action Plan, and the Consultant shall provide a list of recommendations for updates or possible integration of the separate plan requirements into the MAPA CSAP.

This review will include at a minimum the following:

- City of Omaha Vision Zero Action Plan (this plan will not be consolidated but instead coordinated with the MAPA CSAP)
- Nebraska and Iowa Strategic Highway Safety Plans (SHSP)
- Nebraska and Iowa Vulnerable Road User Safety Assessments
- MAPA PM1 Safety Performance Measures
- MAPA Safety Dashboard (mapacog.org/safety)
- MAPA Regional Safety Report (2015-2019) (<https://arcg.is/1XL8800>)

The Consultant shall work closely with the CSAP team to ensure no duplication of effort or inconsistencies with the documentation identified in Task 2.5 of this RFQ and Task 6.1 in the **MAPA Public Outreach & CSAP RFQ**, which is provided below for reference only;

CSAP Task 6.1 Existing Policy and Process Inventory

The Consultant will examine existing policies, laws, and engineering practices, including, but not limited to, aspects such as speed, lane width, signals, crosswalks, sidewalks, traffic calming, and enforcement. This inventory will include information from all jurisdictions included within the regional plan boundaries.

CSAP Task 6.2 Develop Policy and Process Recommendations

Drawing from innovative and best practices, the Consulting Team will work with MAPA staff to identify policies and programs intended to reduce the number of fatalities and serious injuries on local roadways. Policy recommendations may include amendments to various jurisdiction Master Plans and guiding documents (such as the Complete Streets Design Guide and the City's Traffic Calming Manual) as well as jurisdiction 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 processes and policies should also be incorporated."

2.6 Safety Funding Source Data Requirements Review

The Consultant shall develop a comprehensive list of state and federal safety fund opportunities with an overview of eligible projects and associated selection criteria. This deliverable shall be made available in a format which can be utilized effectively in the Task 7 "Develop Strategy and Project Selections" of the **MAPA Public Outreach & CSAP** project as well as future rounds of the MAPA Project Selection process. This deliverable will include application timelines as well as a link to the authoritative source. At a minimum this review will include the following:

- Nebraska
 - HSIP Funding for Local Rural Road Surface Shoulders
 - HSIP Funding Upgrading Existing STOP Sign Locations on Rural Roads
 - HSIP Funding for Local Projects Supporting SHSP Critical Emphasis Area(s)
- Iowa (All grants available at <https://iowadot.gov/grants-programs>)
 - County-State Traffic Engineering Program ([C-STEP](#))
 - Highway Safety Improvement Program – Local ([HSIP-Local](#))
 - Highway-Railroad Crossing Safety Program ([Link](#))
 - Pedestrian Curb Ramp Construction ([Link](#))
 - Traffic Engineering Assistance Program ([TEAP](#))
 - Traffic Safety Improvement Program ([TSIP](#))
 - Urban-State Traffic Engineering Program ([U-STEP](#))

Task 3: Plan Development and Deliverables

3.1 Develop Draft and Final Plan

The Consulting Team will work with MAPA staff and the CSAP team to develop a final plan document. The consultant shall provide the process documentation from Tasks 2.2 - 2.4 to MAPA in Adobe InDesign and PDF formats to MAPA for review and approval, and shall

provide all GIS layers for all maps in a geodatabase. The consultant will be expected to review and advise plan development based on the results of the crash data analysis and provide all documentation to the **MAPA SS4A Public Outreach and CSAP** for inclusion or reference within the CSAP.

The plan document, with development led by the CSAP team, should integrate all goals, crash data and analyses, documentation of public outreach efforts, policies and recommendations, a comprehensive list of projects identified in the project selection task, and identified next steps 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 the region towards the goal of zero deaths and serious injuries by 2040. The ultimate outcome will be recommendation of approval by the Technical Advisory Committee and the project management team, and final adoption by member jurisdictions.

3.2 Develop Tools for Transparently Reporting Progress

The Consultant shall ensure that following the project completion, MAPA can access, analyze, and present independently the data associated with the performance measures within the plan. These will, at a minimum, consist of the following annual federal safety performance measures:

- Number of fatalities
- Fatality rate
- Number of serious Injuries
- Serious injury rate
- Number of nonmotorist fatal and serious injuries

3. Project Schedule

The anticipated project schedule is included below. It is recommended that key personnel hold the interview and project scoping workshop dates on their calendars for a potential interview and scope of services development. The project scoping workshop will include personnel from both the **MAPA SS4A Data Support Plan** and the **MAPA SS4A Public Outreach and CSAP** as well as MAPA and other key local stakeholders as needed. The expectation is that this workshop will result in an agreed list of tasks for both projects to allow for detailed scoping and subsequent scope and fee negotiations.

Activity	Date
RFQ released	Wednesday, September 6, 2023
Deadline for written questions to be submitted	Wednesday, September 20, 2023
Responses to written questions posted	Friday, September 22, 2023
Deadline for submittals	Wednesday, October 18, 2023
Shortlist Notifications	Wednesday, November 1, 2023
Consultant interviews	Wednesday, November 29, 2023
Consultant selection notification	Wednesday, December 6, 2023
Project scoping workshop	Thursday, December 14, 2023
Scope & fee negotiation deadline	Wednesday, January 3, 2024
Agreement Finalized	Wednesday, January 24, 2024
Finance Committee Approval	Wednesday, February 14, 2024
MAPA Board Approval	Thursday, February 22, 2024
Target Project Start Date	Thursday, March 14, 2024
Contract End Date	Monday, June 30, 2025

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
Demonstrated proficiency in the development, management, documentation, presentation, and analysis of large safety datasets.	30
Qualifications and experience of professional personnel and staff.	25
Past performance on similar projects.	25
Adequate staff to perform the work based on present workload and willingness to meet time requirements.	10
Experience of Firm and Key Personnel on Projects in the region and/or study area.	10
Total Points	100

5. Submission of Qualifications

One (1) electronic version (PDF preferred) of the response must be received in the MAPA offices or the Issuing Officer's email inbox (see below) by the deadline for submittals (see Section 3 Project Schedule). Responses received after the deadline will not be considered. 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.

James Boerner
Metropolitan Area Planning Agency
2222 Cuming Street
Omaha, NE 68102
jboerner@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 and email address 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/x4entimn/coi-disclosure-doc-consultant.pdf>

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

Documentation that the applicant firm has current SAM registration or that registration has been initiated. Registration information can be found at <https://www.sam.gov/>.

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/>

J. NDOT Proof of Consultant Certification (Not Included in Page Limit)

The response shall include a screen capture of the certified consultant and approved work categories as described here:

<https://dot.nebraska.gov/business-center/consultant/consultant-certification/>.

Consultants are also expected to work with NDOT to have an approved Indirect Cost Rates for use in the project scope and fee negotiation process.

7. Interviews

After reviewing all submitted responses, MAPA and its selection committee will invite respondent firms of their choosing to interview for the project. MAPA anticipates interviewing three (3) firms selected from among qualified respondents. Interviews will be held on the date indicated in Section 3. Firms chosen to interview will be known as short-listed firms.

The short-listed firms will be notified by telephone and/or email 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 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, but requests for a virtual option can be accommodated. 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, NDOT, 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. The payment method for the agreement will be Cost Plus Fixed Fee for Profit. MAPA expects key personnel will have a consistent availability for the entirety of the project, and the selected consultant will strive for a minimum number of changes to planned staff. Hourly pay rates for identified staff may change due to pay raises but will not exceed an overall annual labor cost escalation factor agreed during negotiation. Selected consultants are expected to annually submit for approval updated indirect costs to NDOT and to provide proof of the approved rates with the first affected invoice. 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.