



MID-OHIO REGIONAL
MORPC
PLANNING COMMISSION

REQUEST FOR PROPOSALS

INTEL AREA LONG RANGE PLANNING SUPPORT

The Mid-Ohio Regional Planning Commission (MORPC) is requesting proposals from firms to provide professional services for transportation planning, land use development, travel demand model support, and general planning coordination focused on the area and communities within 40 minutes of the Intel semiconductor manufacturing facility in New Albany Ohio.

MORPC is a voluntary association of local government communities in the 15-county Central Ohio area. Our organization strives to enhance the quality of life and competitive advantages of Central Ohio by working through local governments and other constituents. A catalyst for change, evidence of MORPC's work is seen every day through planning, programming and services in the areas of housing, transportation, water, land use, economic development, environment, public policy and technology. We assist our local government members by providing innovative solutions for the many challenges facing our growing region.

Consultants interested in being considered must submit proposals **in a PDF format to the email address below**. Proposals will be received by MORPC until **5:00 pm (ET), Monday, September 25, 2023**.

Submit proposals to:

Mid-Ohio Regional Planning Commission
Attn: Nick Gill
111 Liberty Street, Suite 100
Columbus, OH 43215
ngill@morpc.org

Proposals must arrive in the MORPC offices prior to the proposal due date and time. Facsimile submissions will not be accepted.

All questions must be submitted in writing and should be submitted via email to Nick Gill at ngill@morpc.org. No answers will be given over the phone. Written answers, including any amendments to the RFP if necessary will be posted on MORPC's website. Responses to questions will be posted at <http://www.morpc.org/rfps-rfqs/>.

The Mid-Ohio Regional Planning Commission in accordance with Title VI of the Civil Rights Act of 1964 and the related nondiscrimination statutes, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all bidders including disadvantaged business enterprises will be afforded full and fair 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, disability, low-income status, or limited English proficiency in consideration for an award.

Request for Proposal
Intel Area Long Range Planning Support

Neither MORPC nor any member agency of the Committee shall be liable for any costs incurred by the consultant in response to this RFP, or any costs incurred in connection with any discussions, correspondence or attendance at interviews or negotiation sessions.

All materials submitted in response to this RFP shall become the property of MORPC and may be returned only at MORPC's option.

All materials received shall be considered public information and shall be open to public inspection.

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I. Overview and Background

On January 21, 2022, Ohio Governor Mike DeWine and Lt. Governor Jon Husted joined JobsOhio, One Columbus, and several local, state, and federal leaders to announce that leading global semiconductor manufacturer Intel Corporation has chosen a site in New Albany, Licking County as the future home for its most advanced semiconductor manufacturing facilities in the world. Intel plans to invest more than \$20 billion to build two state-of-the-art factories by 2025. The facilities will support Intel's most advanced process technologies, resulting in an increased American share of the global semiconductor supply chain.

On February 24, 2022, the Mid-Ohio Regional Planning Commission, Licking County Planning & Development and One Columbus held a listening session for the Central Ohio Region focused on planning for the impending growth related to Intel's Silicon Heartland announcement. Over 150 local officials and community leaders came together to initiate the planning dialogue to address the related growth. Additional sessions have been held since to continue the dialogue in the region. Regional readiness planning from this dialogue now continues under this activity.

II. Scope of Services

Specific activities envisioned for the consultant work are divided into the following nine tasks.

1. Establish Agency Coordination Plan

The Agency Coordination Plan would identify the process(es) to communicate with and receive feedback with jurisdictions within the 40-minute travel time contour of the Intel site. This would primarily be built around one-on-one interaction with jurisdictions. ODOT previously convened a 20-minute group to facilitate discussion of transportation issues around the Intel area. ODOT had planned to begin 40-minute group meetings and this activity will be in support of those meetings.

The Agency Coordination Plan should recognize the other demands of local jurisdiction staff and match the level of engagement with each jurisdiction to the time they have to participate. Furthermore the process would include survey/inventory methods and developing data collection platform to ensure consistency and enable real time tracking of progress in meeting with the jurisdictions and in gathering the information in task 2.

2. Gather existing local planning documents and identify current planning activities

Jurisdictions within the 40-minute travel time contour are at various stages in creating or updating their land use and transportation planning documents and processes. Since the Intel announcement some have updated their documents and procedures while others have not, partially because of limited resources. This task is to obtain and inventory the status of each jurisdiction's key land use and transportation planning documents. It is also recognized that several larger area and regional planning activities have recently been completed or are still in process. These include:

- Licking County Thoroughfare Plan
- Licking County TID and Franklin County TID Joint Study

- TJ Evans Foundation Planning Framework
- Knox County Intel Growth Strategy
- ODOT Central Ohio Workforce Transit Plan
- LCATS 2024-2050 Transportation Plan
- CORPO 2023-2050 Transportation Plan
- MORPC 2024-2050 Metropolitan Transportation Plan
- ODOT 20 minute group needs analysis

The inventory of planning activities should include these and any other larger transportation related studies underway discovered during the interaction with the jurisdictions.

Finally, this task is to identifying jurisdictions in need of updates to their zoning and transportation planning documents but without resources to conduct the updates. This would focus on townships, villages and small cities within the 40 minute travel time contour.

3. Land Use Data

As a basis for the update for the MORPC Metropolitan Transportation Plan and LCATS Long Range Plan, MORPC compiled existing land use type information based primarily on zoning information. However, there are areas where there may be gaps or the data may not be current for a variety of reasons in particular in Knox, Morrow and Marion Counties that are not included in the regional travel demand model. This focus of this task is to use the information gathered in task 2, in particular, existing zoning information, to fill in and update land the MORPC GIS layer of land use types consistent with MORPC has for Franklin, Delaware and Licking Counties.

Furthermore, based on information gathered from the communities on their existing plans, develop GIS layer of future land use type consistent with MORPC info for Franklin, Delaware and Licking Counties. In accordance with the task 1 Agency Coordination Plan, the future land use type info should be reviewed with local planners to ensure consistency with local planning and visioning. Through this process, identify key issues around utility infrastructure, development policies or other factors that influence future land use from the locals perspectives.

Finally, task 3 should identify and document gaps in existing and future land use data availability and coverage.

4. Transportation Data

This task consists of pulling together several transportation system data sets. This will include creating GIS data layers for the following:

- Existing average daily traffic volumes
- Physical bridge conditions
- Pavement conditions
- Crash/safety data
- Transit system service areas
- Fixed route transit lines
- Zones for on demand transit service
- Existing sidewalks
- Existing bikeways
- Roadway congestion based on analysis of ODOT Inrix data

For all of the above only existing data sources should be used. No new data collection. Specifically, with regard to average daily traffic counts, a recommendation on where new traffic counts should be collected to be more current or fill in gaps is to be provided. MORPC currently has a consultant under contract to collect traffic counts. The consultant team should have the ability to collect counts, but it would be an if authorized activity based on discussion with MORPC on who would collect the needed counts.

Also with regard to transit, describe where service is only available to certain population groups and not the general public.

5. Expand Regional Travel Demand Model

The Central Ohio regional travel demand model covers all of Franklin, Delaware, and Licking counties and parts of Union, Madison, Pickaway and Fairfield Counties. This presents a challenge in long range planning the Knox, Morrow and Marion county jurisdictions within the 40 minute travel time contour as well as for much of the CORPO area. MORPC is already in the beginning stages to expand the regional travel demand model to cover a 10 county region to include all of the CORPO counties. Task 3 is to support that effort with a focus on Knox, Morrow and Marion counties. Specifically activities in this task would be to:

- Expand/review the roadway network in the regional travel demand model to include all of Knox, Marion and Morrow Counties (Simultaneously, CORPO/MORPC will be working to expand the model info to cover the balance of CORPO counties not currently covered)
- Develop data sets for the expanded area needed to run the regional travel demand model. These include but are not limited to:
 - Base year land use and socioeconomic data
 - Revised base year external-to-external and external-to-internal travel data and modeling processes
- Compile external data sources, including big data, to be able validate model travel forecasts in the expanded area
- Complete validation of expanded regional travel demand model for the existing condition, following the guidance of ODOT model validation criteria
- Identify specific data needs that should be developed in a future separate effort to improve the modeling for the expanded area

This work will build upon and be in coordination with data set development and model updates MORPC is already undertaking in conjunction with the MORPC and LCATS transportation plan updates.

6. Local Planning Technical Assistance

It is expected that through task 2 there will be a need to update certain land use and transportation planning documents for several of the smaller jurisdictions in the study area. For those jurisdictions this task is to identify those in most need of and desiring assistance and develop scope of work to provide assistance to update/develop zoning, comprehensive plan land use elements and/or thoroughfare plan. Doing the work will be an if authorized activity of this task that MORPC will determine after considering total needs and available budget.

For the jurisdictions in which planning technical assistance was provided the consultant shall prepare jurisdiction mini reports on the support provided and final product.

7. Future Land Use and Travel Demand Modeling

MORPC, LCATS and CORPO have developed 2050 population and employment forecast for the region that are the basis for their respective transportation plan updates. These were developed based on regional trends and available future land use information and control totals as of the first part of 2023. Task 7 is to build upon information gathered in task 3 and any updates through task 6 and develop future forecast(s) that would be an update to the base 2050 forecast and/or more full build out of the study area communities.

The consultant would develop a future data set needed for the travel demand model. MORPC would run the travel demand model and provide results to the consultant. The consultant would have the ability to run traffic assignments with the resulting trip tables from the regional travel demand model.

The consultant should identify any areas or jurisdictions in which there is uncertainty in future land use type in which scenario planning would be beneficial. Any scenario planning would be limited to scenarios that would have significant impact to the transportation system in terms of demand. Also, any scenario planning would be focused on a jurisdiction by jurisdiction basis although an aggregate scenario or two may be developed which would have the most significant impact on the regional transportation system. If any scenario is completed, mini reports by jurisdiction would be prepared and the impact of each on the transportation system.

8. Identify transportation system deficiencies and conceptual level projects

Based on the work done in the previous tasks, primarily tasks 4, 6 & 7, and work completed from review of previous and currently ongoing studies, highlight the transportation system deficiencies inclusive of the road, transit, bikeway and pedestrian systems.

Following identification of deficiencies, the consultant will develop improvement concepts to address the deficiencies. Recognizing that several planning activities may have already identified improvement concepts, most notably the MORPC, LCATS and CORPO transportation plans, those improvement concepts would be included in task 8 with additional improvement concepts not included in those plans also compiled. The concept should include the planning level scope of the improvement concept and planning level cost estimate.

9. Identify implementation Strategy

Task 9 is to develop an implementation strategy including possible funding sources most applicable to each improvement concept as well as likely lead agency. Possible funding to consider are:

- Local sources/mechanisms
- Private/development funding
- Regional sources
- State programs
- Federal discretionary programs

The implementation strategy should also include priority groupings for the improvements and as appropriate triggers to identify when an improvement should be implemented. Steps towards implementation for each project consistent with the possible funding sources should also be identified.

Finally, with regard to transit service needs, the consultant should also identify transit service area coordination and collaboration needed for transit system activities.

III. Proposal Format

The proposal must address the following items in the following order. Failure of the proposal to respond to a specific requirement may be a basis for elimination from consideration during the comparative evaluation. MORPC reserves the right to accept or reject any or all proposals.

Each consultant shall submit a formal proposal not to exceed TWENTY (20) 8.5" x 11" pages (excluding tabs, dividers, etc.) and shall contain the following sections:

- A) Cover Letter
- B) Organization, Personnel, Experience & Project Management
 - a. Consultant's Personnel Profile and Corporate Qualifications
 - b. Project Team Availability and Capacity
 - c. Project organization chart showing key personnel, their relationships and affiliations
- C) Consultant's Methodology/Work Plan
- D) List and Description of Deliverables
- E) Project Schedule
- F) Budget
- G) MORPC Disadvantaged Business Enterprise (DBE) Goal Compliance/Subcontracting

Cover Letter

The **cover letter** shall be signed by a representative authorized to legally bind the firm, and include:

- Name, telephone number, and e-mail address of a contact person with authority to answer questions regarding the proposal (ideally the day-to-day project manager for this work).
- Name, address, and phone number of a contact person to be notified regarding contractual issues.
- Identification of the firm as a corporation or other legal entity.
- Will meet the MORPC DBE goal and be signed by a representative authorized to legally bind the firm.

The letter shall state that the proposer:

- Has sole and complete responsibility for delivery of the required services.
- Is presently not debarred, suspended, proposed for debarment, declared ineligible or involuntarily excluded from covered transactions by any federal department or agency or the Ohio Department of Transportation.

Organization, Personnel, Experience and Project Management

Consultant's Personnel & Corporate Profile

Specific background information on key individuals who are anticipated to be assigned to the project should be included, most notably the project manager. The background information on these individuals would emphasize their experience relative to project requirements. A statement concerning the recent related experience of persons from your team who will be actively engaged in the proposed effort should also be included. Attach resumes of the project manager and other key personnel to the proposal. A general resume is not a satisfactory substitute for this information.

Identify similar projects undertaken by your firm or proposed team firms a) within Ohio and b) in other states. Document each firm's actual responsibility on the project. Provide appropriate reference(s), name(s) and telephone number(s).

Project Team Availability & Capacity

Identify the location of the office where the majority of the work is to be performed. Discuss your staff's availability and capacity in the skill classes necessary to accomplish the work contemplated in the work elements as outlined in your technical approach. Specifically, break the staffing down by the number of professionals, technicians, and other specialists and indicate the number of each available for assignment to this project. Provide a list of the firm's present workload relative to capacity and availability to provide the requested services.

The consultant should note that as a condition of the contract the key persons, as defined by MORPC, assigned to the project for its duration must be substantially as represented in the proposal. MORPC reserves the right to cancel the contract and seek damages from the consultant in the event the consultant fails to provide the key personnel substantially as represented in the proposal.

Project organization chart showing key personnel, their relationships and affiliations

This section shall provide an overview of each key personnel working on the project and show their relationship to the firm and their affiliations. It shall identify the firm's/team's principal-in-charge and the day-to-day project manager together with their qualifications as well as a brief outline of the potential roles and qualifications of other key personnel. If subcontracts are utilized, the position in the project team and identity of the sub-contractor shall be stated.

Consultant's Methodology/Work Plan

This section shall indicate the consultant's understanding of the project scope of work, a definition of the scope of the project (including a discussion of the tasks to be performed to accomplish the scope of work), a definition of the final product, and the consultant's approach to the project (including the estimated time of completion for key tasks, phase deliverables, the management organizational chart, and identification of the Committee's roles in the project).

The consultant's proposal shall contain a step-by-step explanation and description of the methodology to be employed and how the methodology addresses MORPC's scope of work. The consultant's proposal shall further contain a detailed level of effort. In addition, please explain any aspect of your method that is unique or innovative.

Also, administrative information, such as the consultant's status reporting procedures and the consultant's approach to effective communication with MORPC personnel and sub-consultants, shall be included.

List and Description of Deliverables

The consultant's proposal shall list and describe the deliverables for each identified task that are part of the various steps of the methodology. All materials created and submitted throughout the lifetime of the projects related to the contract shall become the property of MORPC. All materials received shall be considered public information and shall be open to public inspection.

Project Schedule

Included as part of the proposal, the proposer shall provide a schedule identifying all tasks and sub-tasks, all deliverables, and time in the scope of work. The project should be completed by June 30, 2025. If the consultant believes this will adversely affect the quality of the project, the consultant should explain why.

Proposed Timeline (provided interviews are not necessary to select the consultant)

Proposals due on September 25, 2023

Selection and initial scope meeting the week of October 16, 2023

Target to begin work on November 13, 2023

Budget

The expected budget across all tasks is \$875,000. Additionally, MORPC will provide in-kind services for the project, including:

- project and contract management,
- data, GIS and modeling support,

As noted in the Section II, Scope of Services, some items will be if authorized items depending on ultimate need and budget available. These will be further refined during overall budget and contract discussions with the selected consultant.

The proposer should be aware that it is the goal of MORPC to process and pay properly prepared and submitted invoices within 60 days, although that is not guaranteed. Improperly prepared and submitted invoices will be returned and will consequently not be processed and paid within the 60-day goal. Proof of payment will be required for all charges included on invoices.

MORPC Disadvantaged Business Enterprise (DBE) Compliance/Subcontracting

DBE Firm Participation

Working in cooperation with the Ohio Department of Transportation (ODOT), an 8 percent disadvantaged business enterprise (DBE) goal has been established for this contract per

requirements of the U.S. Department of Transportation (USDOT). Respondents are expected to meet or exceed this goal. DBE firms must be certified through the Ohio Unified Certification Program. This section shall include a description of how the contractor will meet or exceed the 8 percent DBE goal. MORPC will expect contractors to meet the DBE percentage included in their contract, and will require ongoing reporting of this percentage during the contract life. MORPC will also include DBE prompt payment requirements in all contracts.

List items of work that are proposed to be subcontracted for this project, the proposed utilization of the sub-contractor(s), the name(s) of the sub-contractor(s), and the percent of work expected to be performed by each. Discuss their qualifications and the basis for their selection

IV. Procurement Process

RFP Timeline

The schedule for the RFP is given below. Dates are tentative and may be modified by MORPC as necessary.

Key Date	Event
August 28	Proposal is posted on MORPC website for interested parties to retrieve.
September 25	Completed proposals due to MORPC by 5:00 p.m.
September 26	Proposals will be opened at 9:00 a.m.
September 26 – October 6	Evaluations of proposals.
October 10	Oral presentations at MORPC, if required.
October 12	Evaluation Committee makes recommendation.
October 13	Contact winning team all bidders regarding awards to be made
October 16 – October 27	Contract preparation.
November 3	Contract finalized.
November 13	Project begins.

The selection of the project consultant will follow a multi-step process. The first step will be an evaluation of the written proposals using the criteria listed below.

Evaluation Criteria

The evaluation criteria are as follows:

- 1. General Quality & Adequacy of Response (20 %)**
 - a. Completeness and thoroughness
 - b. Responsiveness to terms and conditions
 - c. Overall impression

- 2. Organization, Personnel, Experience & Project Management (40 %)**
 - a. Qualifications and experience of proposed personnel, including project manager
 - b. Relevant knowledge, skills & experience with the activity
 - c. Experience working with similar clients
 - d. Demonstrated capacity to do the work
 - e. Study Area Understanding/Local Presence:

- i. Familiarity with the study area's characteristics
- ii. Familiarity with the study area's economy, culture, and environment
- iii. Capacity to locally coordinate and administer the project

3. Technical Approach & Work Plan (40 %)

- a. Clarity and organization in concept development
- b. Quality and quantity of services to be rendered
- c. Approach to study, including the ability to derive creative solutions. Clear description of elements of the work plan:
- d. Addresses expected outcomes:
 - i. Identifies who will do the work
 - ii. Includes realistic & sufficient timelines
 - iii. Includes reasonable & useful reporting timelines
- e. Specialized experience relevant to the work scope

Evaluation Committee

An evaluation committee will be formed consisting of MORPC, ODOT and LCATS staff. The committee will conduct the evaluation of proposals and reserves the right to reject any and all proposals in whole or in part received in response to this request. The Committee may waive minor defects which are not material when no prejudice will result to the rights of any other consultants or to the public.

Clarification Interviews

At MORPC's option, the consultant may be required to answer questions about the proposal. The purpose of the interview is to provide clarification of information presented in the written proposal. If interviews are necessary, MORPC will contact the consultant's authorized representative to schedule the time, date, and method of interview (e.g. in-person presentation or Teams meeting). The interview will be within two weeks of notification. The interview will be given by the Committee. If in-person interviews are requested, the consultant must comply at no cost or obligation to MORPC. A consultant's refusal to make a presentation as described shall result in the consultant's proposal being rejected from consideration for the project.

Selection And Negotiations

Based on the evaluation of the proposals, the most qualified consultant will be selected. If negotiation with the highest ranked consultant fails to result in a mutually acceptable agreement, MORPC will notify that firm in writing of the termination of negotiations. The next highest ranked consultant, as determined by the earlier technical proposal evaluation, will then be invited to enter into negotiations with MORPC. If negotiations again fail, the same procedure shall be followed, with each next most qualified firm until a contract has been negotiated. If the remaining proposals are considered not to be qualified, the notification and selection processes will be repeated.

V. Administrative and Organizational Elements

Study Organization

The technical components of the study will be prepared by a consultant to be selected through the RFP process. The consultant will work with the Project Manager of MORPC to coordinate routine exchange of data and overall project supervision. Technical components of the study will be regularly presented to the Committee members whose roles are to review and confirm the results.

Role of MORPC

MORPC will manage the entire study. MORPC conducts the RFP process and will, together with the evaluation committee, select the consultant to perform the study as described in this scope. MORPC will also provide assistance to the consultant in the various tasks of the project scope as described in section II.

Role of the Consultant

The consultant is to conduct a technical and institutional assessment as outlined in their proposal and refined in contract discussions to complete the tasks in Section II.

Reporting

Interim Reports

The consultant proposal shall clearly define deliverables associated with each task throughout the contract. The consultant shall prepare technical memos at milestone points of the activity as defined in Section II and which are to be suggested by the consultant. Each of these technical memos shall describe the major issues addressed and results obtained in that portion of the study. All these technical memos will serve as a basis for the final deliverable(s). In addition to these technical memos, the consultant shall provide and/or present the interim findings to MORPC and LCATS at milestone points. The consultant shall prepare presentation materials (display graphics, Power Point presentations, and written summaries) at specified milestones throughout the study as suggested by MORPC.

It is recognized that some deliverables will be specific GIS or modeling files. However, appropriate interim and final reports describing these final deliverables shall be provided in electronic format. All components of a single technical memo would be combined into a single file in Microsoft Word or Adobe Acrobat (PDF) format. Page sizes shall be limited to 8.5" x 11" or 11" x 17".

Final Report

Along with deliverables throughout the overall activity, a final report shall be provided focusing on the items in task 8 and 9. A draft and final report shall be provided in electronic format. All components of these would be combined into a single file in Microsoft Word or Adobe Acrobat (PDF) format. Page sizes shall be limited to 8.5" x 11" or 11" x 17". An easily reproducible less technical summary document in electronic format should be included for presentation to council persons and other educated and informed non-technical persons. The document will be supported by the technical memorandums.

The consultant may be requested to present to MORPC's Community Advisory, Transportation Advisory, and/or Transportation Policy committees and to LCATS Policy Committee.

VI. Proposal Terms and Conditions

Evaluation of Proposal Compliance with Specifications

Understanding that no consultant may completely meet all requirements of the specifications, MORPC reserves the sole right to determine whether a proposal substantially complies with the specifications; accept, negotiate modifications to, or reject the terms of any proposal; and waive the right to accept a part, or parts, of a proposal, unless otherwise restricted in the proposal.

Modification and/or Withdrawal of Proposals

Modifications of a submitted proposal must be received by the designated due date specified. Withdrawal of proposals will be allowed only in those cases in which a written request to withdraw

a Proposal is received by MORPC prior to the date and hour for receiving and opening Proposals. In such case, same will be returned to consultant unopened.

Proposer Qualifications

MORPC may require all proposers to submit evidence of qualifications, and may consider any evidence of the financial, technical, and other qualifications and abilities. MORPC will not award a contract to a proposer who, in its opinion, is not fully qualified on the basis of financial resources and responsibility, possession of adequate equipment, personnel, experience, and past record of performance to perform the obligation to be undertaken competently and without delay.

Award of Contract

Each consultant acknowledges that MORPC will use its discretion and judgment in making the final decision and further acknowledges that no claim by the consultant will arise in any way relating to the exercise of that judgment by MORPC. MORPC reserves the right to accept the Proposal deemed to be in the best interest of MORPC or to reject any and all Proposals.

MORPC's Executive Director is the only individual who may legally commit MORPC to the expenditure of public funds. No cost chargeable to the proposed contract may be incurred before receipt of either a fully executed contract or a specific, written authorization to proceed.

General Information and Requirements

Ownership of Products

MORPC will retain the copyright for all data, materials, information, processes, studies, reports, surveys, proposals, plans, codes, scientific information, technological information, regulations, maps, equipment, charts, schedules, photographs, exhibits, software, software source code, documentation, and other materials and property that are prepared, developed or created under or in connection with this project. Therefore the submitter should anticipate that all products of this work effort will become the property of MORPC who will make them available to other government agencies and their contractors.

Deviation Clause

The consultant's attention is called to the condition that, if awarded a contract, the consultants will be required to furnish the particular item referred to in strict accordance with the specifications or descriptions as proposed, unless a departure or substitution is clearly noted and described in the proposal, along with the reasons therefore.

Tax Exemption

MORPC is exempt from the payment of federal excise and transportation taxes levied under the provisions of the Internal Revenue Code. MORPC is also exempt from Ohio State Gross Retail (sales tax). The successful consultants will be furnished with any certificates of exemption required.

MORPC Statements On Diversity and Inclusion

Equal Opportunity

The consultant agrees that it will not discriminate against any employee, applicant for employment, or sub-contractor and that it will take affirmative action to insure that employees, applicants and sub-contractors are treated equally during employment without regard to race, color, creed, religion, ancestry, national origin, gender or sex (including pregnancy, gender identification or expression, and sexual orientation), gender identity or expression, age (including federally protected 40 years or older), disability or other handicap, genetic information, marital/familial

status, military status (past, present or future), limited English proficiency, medical conditions, or income or status with regard to public assistance.

Disadvantaged Vendors

Disadvantaged Vendors shall have the maximum opportunity to participate in the performance of contracts financed under this solicitation. In this regard, all proposers shall take all necessary and reasonable steps to ensure that minority vendors have the maximum opportunity to compete for and perform any subcontracts. Also, proposing firms are encouraged to notify MORPC if they meet one of the disadvantaged vendor designations, such as Minority Business Enterprise (MBE), Small Business Enterprise (SBE), or Women-owned Business Enterprise (WBE).

Contracting Requirements

The following are not part of the proposal requirements but will be requirements in the contract in addition to other contractual requirements. *Please also note that prior to negotiation, the firm selected for negotiation must provide average hourly rates for personnel assigned and a copy of the last audited financial statement.*

Compensation

A not-to-exceed contract amount based on satisfactory work performed and products and services produced will be entered into after negotiations between MORPC and the selected firm.

Alternative compensation models may be considered.

During contract negotiations, the selected firm must provide individually-priced and prioritized tasks to be completed "if authorized." The sequencing of work tasks must be done in such a way that successful completion of earlier tasks is not dependent upon the completion of later tasks.

Cancellation

MORPC reserves the right to cancel any contract for failure or refusal of performance, fraud, deceit, misrepresentation, collusion, or any other misconduct on the part of the consultant.

Unresolved Finding for Recovery

The selected consultant affirmatively represents and warrants to MORPC that it is not subject to a finding for recovery under ORC 9.24 or that it has taken appropriate remedial steps required under ORC 9.24 or otherwise qualifies under that section. The consultant agrees that if this representation or warranty is deemed to be false, the agreement shall be void *ab initio* as between the parties to this agreement, and any funds paid by MORPC to the consultant hereunder shall be repaid to MORPC immediately, or an action for recovery may be commenced immediately by MORPC for recovery of said funds.

Covenants of Consultant

The consultant will be required to covenant and warrant the following:

- a) Consultant is not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any contract, supported in whole or in part by the funding sources for this project;
- b) Consultant has not within a three (3) year period had one or more public transactions terminated for cause or default;
- c) Consultant will comply with the provisions of Section 1352, Title 31 of the U.S. Code, which prohibits the use of federal funds to lobby any official or employee of any federal agency, or member or employee of Congress; and to disclose any lobbying activities in connection with federal funds.

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