



MID-OHIO REGIONAL
MORPC
PLANNING COMMISSION

111 Liberty St., Suite 111
Columbus, Ohio 43215
www.morpc.org

REQUEST FOR PROPOSALS (RFP): **CONSULTANT SERVICES PROGRAM**

COMPREHENSIVE PLAN UPDATE: CITY OF WORTHINGTON

The Mid-Ohio Regional Planning Commission (MORPC) Consultant Services Program (CSP) is soliciting proposals from Prequalified Consultants / Consultant Teams to provide services for a Comprehensive Plan update for the City of Worthington.

The Consultant Services Program (CSP) is a program intended to assist MORPC's member communities with the process of engaging in long-range planning activities.

MORPC is a voluntary association of local government communities in the 15-county Central Ohio area. MORPC is the regional voice, trusted convener and catalyst, bringing Central Ohio communities together to collaborate on best practices and plan for the future growth and sustainability of the region.

Consultants interested in being considered must submit a Proposal during the Proposal Submission window of **April 9th, 2024 to May 24th, 2024 at 5:00 PM**. All proposals received with a date within this window, and deemed to be complete, will be accepted. Early submissions are encouraged so that consultants may have adequate time to address any potential areas which may be incomplete ahead of the closing date. To allow time for MORPC to review all submitted proposals, only those received during this window will be considered.

Please submit all proposals – aggregated into a single PDF including the Sections outlined within this RFP – to consultantservices@morpc.org. Use “*CITY OF WORTHINGTON: COMPREHENSIVE PLAN UPDATE*” in the Subject line.

If there are any questions regarding the details or procedures associated with the RFP, submit the inquiry to consultantservices@morpc.org. All questions must be submitted via email. No answers will be given over the phone. MORPC will coordinate with the requesting Agency and will address any questions on the [Consultant Services Program](#) website.


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

William Murdock, AICP
Executive Director

Chris Amorose Groomes
Chair

Michelle Crandall
Vice Chair

Ben Kessler
Secretary

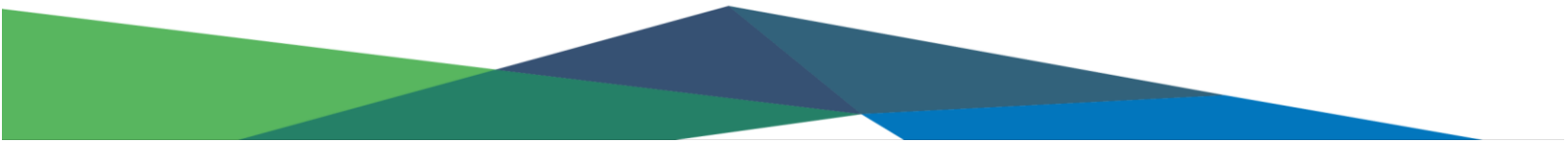


enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age, disability, low-income status, or limited English proficiency in consideration for an award.

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 the City of Worthington, and may be returned only at MORPC's and the City of Worthington's option.

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



CONTENTS

I.	BACKGROUND	4
II.	PROJECT DESCRIPTION	4
	<i>A. PROJECT PURPOSE.....</i>	<i>5</i>
	<i>B. SCOPE OF SERVICES</i>	<i>5</i>
	<i>C. BASIC COMPONENTS / DELIVERABLES</i>	<i>6</i>
	<i>D. PROJECT TIMEFRAME</i>	<i>6</i>
	<i>E. PROJECT BUDGET</i>	<i>7</i>
III.	PROPOSAL CONTENTS.....	7
	<i>F. SECTION A. COVER PAGE.....</i>	<i>7</i>
	<i>G. SECTION B. EXECUTIVE SUMMARY / COVER LETTER.....</i>	<i>8</i>
	<i>H. SECTION C. CONSULTANT / PERSONNEL RELEVANT EXPERIENCE OVERVIEW.....</i>	<i>8</i>
	<i>I. SECTION D. METHODOLOGY / WORK PLAN</i>	<i>9</i>
	<i>J. SECTION E. PROPOSED DELIVERABLES</i>	<i>9</i>
	<i>K. SECTION F. ANTICIPATED PROJECT TIMELINE / SCHEDULE.....</i>	<i>10</i>
	<i>L. SECTION G. PROPOSED BUDGET / COST DETAILS.....</i>	<i>10</i>
IV.	PROPOSAL SUBMISSION PROCESS.....	10
V.	PROPOSAL EVALUATION PROCESS	10
	<i>A. TIMELINE.....</i>	<i>11</i>
	<i>B. EVALUATION CRITERIA.....</i>	<i>12</i>
	<i>C. EVALUATION COMMITTEE.....</i>	<i>13</i>
	<i>D. FINAL PRESENTATIONS.....</i>	<i>14</i>
	<i>E. CONSULTANT SELECTION AND CONTRACT NEGOTIATIONS</i>	<i>14</i>
VI.	PROPOSAL TERMS & CONDITIONS.....	14
VII.	REQUIRED TERMS OF COMPREHENSIVE PLAN UPDATE CONTRACT	15

I. BACKGROUND

The City of Worthington is seeking proposals from qualified and professional planning consultants who have the capacity and expertise to assist the City on the completion of an action-oriented and implementable update to the City's Comprehensive Plan. The City is proposing a targeted update to the Comprehensive Plan which balances the previously established goals, objectives, and policies that maintain relevancy with any significant present-day – or newly developed – goals, objectives, and policies.

The City of Worthington's current Comprehensive Plan was adopted in 2005. The City has proactively planned for the future since that time through the completion of multiple supplemental plans and studies and now desires to pursue a full update to the Comprehensive Plan.

II. PROJECT DESCRIPTION

After thorough public engagement efforts, the City of Worthington adopted vision statements representing the City's desired future in 2021. These adopted statements reflect seven desired characteristics of the community and should be reflected in the update to the City's Comprehensive Plan. The complete vision statements and any additional information can be found at www.worthington.org/visioning. In short, these statements reflect the following characteristics:

- Worthington offers a High Quality of Life
- Worthington is a Diverse and Equitable Community
- Worthington is dedication to the Vibrancy of its Downtown
- Worthington 's Economy is Balanced and Resilient
- Worthington is a model for Environmental Stewardship
- Worthington's Leadership is Open, Forward-Thinking and Collaborative
- Worthington is Connected

To promote the understanding and communicability of the City's Comprehensive Plan, the update must be approachable and easily communicated to the general public. With community engagement and understanding at the heart of the Comprehensive Plan Update, the following elements are anticipated to be included, with policies of each summarized at the conclusion of each respective section:

- Community Context
- Community Vision
- Land Use and Development
- Economic Development
- Housing
- Multimodal Transportation
- Parks and Open Space
- Public Services / Infrastructure
- Resiliency
- Sustainability Strategies

PROJECT PURPOSE

Public engagement efforts by the City of Worthington resulted in the development of seven key vision areas to identify the type of future the community desires. The purpose of this Comprehensive Plan Update is to formalize and incorporate each Vision areas recommendations into the Comprehensive Plan elements as central components of the City's growth and development efforts.

The Comprehensive Plan Update is also intended to make the Plan more practical from both a contextual and an implementation standpoint. The Update should reflect the community's desires, as well as provide action items that City Staff may be able to implement. An Implementation Plan should also be tied to a timetable so that Staff may be able to plan a course of action for implementation.

Additionally, the Comprehensive Plan Update needs to consider a fiscal analysis that determines potential impacts related to development. A separate fiscal analysis is being conducted outside this scope of services; however, it will need to be incorporated into the Comprehensive Plan.

SCOPE OF SERVICES

The following are required components/considerations of the Comprehensive Plan Update:

- **Initial assessment of the City of Worthington's 2005 Comprehensive Plan** to determine any potential significant additions, deletions, and/or modifications that may be necessary.
 - Internal meetings with City Staff, and possibly, the City's Municipal Planning Commission will be required.
- Consultants should review and utilize existing information. Including those listed below as appropriate in developing the Comprehensive Plan Update. These resources will be provided by the City and may include the following:
 - 1966 Comprehensive Plan
 - 1971 Planning & Zoning Code
 - 1988 Comprehensive Plan Update
 - 2000 Economic Development Plan
 - 2005 Comprehensive Plan Update & Strategic Plan
 - 2005 Worthington Design Guidelines
 - 2011 Wilson Bridge Road Corridor Plan
 - 2014 UMCH Focus Area Update
 - 2016 Wilson Bridge Corridor Districts
 - 2017 Parks Master Plan
 - 2019 Bike & Pedestrian Master Plan
 - 2021 Vision Worthington Plan
 - 2022 UMCH Focus Area Update
 - 2024 Age-Friendly Action Plan
 - 2024 Draft Northeast Area Plan

- 2024 Draft Housing Assessment
- Miscellaneous Regional Studies, as Applicable
- Special consideration should be given to the following elements:
 - Particular focus on the Central Business District (CBD) of Old Worthington
 - Parks and Open Spaces / Natural Resources
 - An Economic Development Strategy & Vitality Plan, rooted in Market Analyses
 - Land Use & Development
 - Housing Analysis; building on the 2024 Draft Housing Assessment through;
 - The utilization of the background data
 - An exploration of the options discussed
 - Environmental Sustainability
 - Multimodal Transportation
 - An Analysis of utility services and capacity
- The consultant shall provide an Implementation Plan that details next steps to accomplish the plan, including but not limited to specific changes to the Planning & Zoning Code and any suggested rezonings of properties in the City. All submitted proposals should also **include a strategy and plan for community outreach and engagement** to gain input and feedback on any analyses, and potential alternatives or recommendations
 - Community engagement will be a central tenet of the Comprehensive Plan Update process.

BASIC COMPONENTS / DELIVERABLES

The following **deliverables** will be required of the Comprehensive Plan Update:

- Draft and Final Versions of the Comprehensive Plan Update
 - Implementation Plan and Timetable
 - Recommendations for changes to the Planning & Zoning Code and suggested rezonings of properties within the City.
- Any and all materials prepared for and related to public presentations or engagements
- Digital, web, and social media compatible updates and drafts for posting by the City
 - The City will create a dedicated Comprehensive Plan Update project page on the City's website and will utilize other digital platforms to provide information related to the project.
- Attendance will also be required during the adoption process.

PROJECT TIMEFRAME

The Comprehensive Plan Update process will begin in September 2024, after the City of Worthington Council returns from an August recess.

The entire process is anticipated to last approximately 18 months, with a tentative completion in the Spring of 2026.

**Additional timelines related to public engagement efforts as it pertains to the submission of drafts or other deliverables will be determined during final scoping of the project.*

PROJECT BUDGET

Budget information for the Comprehensive Plan Update is allocated within the City of Worthington 2024 budget. For more information, please contact Planning & Building Director Lee Brown at lee.brown@worthington.org.

III. PROPOSAL CONTENTS

Proposal Submissions in response to this RFP should contain the following elements – explicitly identified – **and limited to 30 pages**. Failure to respond to a specific requirement may be a basis for elimination from consideration during the comparative evaluation. MORPC will make every feasible effort – not guaranteed – to review *Proposal Submissions* for completeness and communicate any missing elements to allow adequate time for resubmittal. MORPC reserves the right to accept or reject any or all proposals.

The submitted proposal shall contain the following sections and respect all identified page limitations. Failure to comply with page limitations will result in elimination from consideration.

1. Cover Letter
2. Organization, Personnel, Experience & Project Management
 - a. Directly Related Experience
 - b. Consultant's Personnel Profile and Corporate Qualifications
 - c. Project Team Availability and Capacity
 - d. Project organization chart showing key personnel, their relationships and affiliations
3. Consultant's Methodology/Work Plan
 - a. Technical Understanding & Approach
 - b. Available Resources
4. List and Description of Deliverables
5. Project Schedule
6. Budget or Cost Proposal
7. MORPC Disadvantaged Business Enterprise (DBE) Goal Compliance/Subcontracting

SECTION A. COVER PAGE

The submitted proposal should have a single Cover Page which clearly identifies:

1. Project Name and Agency of the RFP
2. Name(s) of the submitting prequalified consultant(s)

Be sure to clearly identify the project that the proposal is being submitted for, as well as the names of all consultants who are a part of the proposal. **[For this City of Worthington Comprehensive Plan Update RFP, Consultants and/or Consultant Teams are not required to be prequalified. This RFP is open to all Consultants regardless of Prequalification Status.](#)**

SECTION B. EXECUTIVE SUMMARY / COVER LETTER

The Cover Letter should be the first item following the Cover Page, not exceed two pages in length, and contain the following information:

1. Statements which affirm:
 - a. The identification of the firm as a corporation, LLC, or other legal entity authorized to do business in the State of Ohio.
 - b. Compliance with all applicable EDGE / MBE / DBE requirements.
 - c. That the consultant (or primary consultant if submitting the proposal as a consultant team) is solely and completely responsible for the delivery of the required services and deliverables.
 - d. That all consultants participating in the proposal are 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.
2. Contact information for the main point-of-contact for questions / communications regarding:
 - a. The proposal / project, and
 - b. Contractual issues.

Contact information should include:

1. Name and Title
2. Company Name
3. Phone Number
4. Email Address

Additionally, the Cover Letter should be signed by a representative who is legally authorized to bind the consultant to any resulting awarded contracts.

SECTION C. CONSULTANT / PERSONNEL RELEVANT EXPERIENCE OVERVIEW

The following should be included and account for all team members who will perform work on the City of Worthington Comprehensive Plan Update.

KEY STAFF AND PERSONNEL QUALIFICATIONS

Key staff and personnel who are anticipated to work on the City of Worthington Comprehensive Plan Update should be included; with details on their qualifications through past projects (with the current consultant or performed previously). Specific background information on key individuals who are anticipated to be assigned to the project should be summarized and related to the scope of work and deliverables outlined in this RFP.

The background information on these individuals would emphasize their experience relative to the project requirements. Resumes and highly detailed profiles are not required.

SAMPLE PROJECT

Summarize any projects undertaken by your firm or consultant team which is most tangential to this RFP's Scope of Work. Detail each firm's actual responsibility on the project, and provide appropriate reference(s), name(s) and telephone number(s).

ORGANIZATIONAL CHART

Not to exceed one page, include an organizational chart delineating key staff and organizational channels of communication. The organization chart should identify any project leads and chain of communication that will be utilized by the consultant team.

SECTION D. METHODOLOGY / WORK PLAN

This section shall communicate the consultant's understanding of the project's scope of work through a description of the approach and tasks to be performed to accomplish the project's purpose and provide the required deliverables. Demonstrate a technical understanding of the project through a defined approach to the Comprehensive Plan Update goals and desired outcomes.

The following should be explicitly included in the proposal's methodology:

1. Step-by-step explanation of the methodology and its relation to the scope of work.
2. Describe any resources that may be available to use in the completion of the Comprehensive Plan Update.
3. Estimated time frames / completion dates associated with each delineated task.
4. Specific milestones for submitting any required deliverables.
5. Any details related to the administration / management of the project:
 - a. The cadence of project meetings.
 - b. The role of client committees.
 - c. Methods or procedures for reporting progress.
 - d. Details on how deliverables will be submitted.

Additionally, be sure to note any elements of the methodology / work plan which may be unique or innovative.

SECTION E. PROPOSED DELIVERABLES

In one page, provide an itemized list – and description of – the deliverables for each identified task that are part of the various steps of the methodology. Any material that may be created and submitted throughout the lifetime of the project is considered to be a deliverable; including draft versions of any studies or reports.

All deliverables related to the contract shall become the property of the Agency. All materials received shall be considered public information and shall be open to public inspection.

SECTION F. ANTICIPATED PROJECT TIMELINE / SCHEDULE

The proposer shall provide a proposed schedule for all tasks, sub-tasks, and deliverables outlined in Sections D and E above. The proposed schedule should be no more than two pages and should include a visual calendar of events.

Any proposed timelines should respect any dates and time frames specifically delineated in this RFP. For example, if the RFP identifies a specific date with which the project is to be completed, that date should be used for the project completion date. If the consultant believes that any delineated dates or time frames will adversely affect the quality of the project, provide an alternative date and explain why the delineated date or time frame would result in a lower quality product.

SECTION G. PROPOSED BUDGET / COST DETAILS

Using the project budget details outlined in Part 2, Section E of this RFP, provide a full description and breakdown – in two pages or less – of the expected cost for the project.

Costs should be presented in two forms: by task and by billing rates of team members. Each phase or task that has been delineated in this RFP should have a cost table associated with it which details the anticipated staff involved in the phase or task, the number of hours required by each, and a summation of both.

Non-labor expenses should also be estimated by itemizing the expenses, and may include: mileage, printing, equipment, per diem travel, fees, and any other applicable cost not related to the billable hour rates of key staff.

All costs shall be totaled. If the proposal exceeds the project budget details outlined in Part 2, Section E of this RFP, provide an explanation as to why the proposed project budget is insufficient to complete the required work.

IV. PROPOSAL SUBMISSION PROCESS

Please submit all proposals - aggregated into a single PDF including the Sections outlined within this RFP– to consultantservices@morpc.org. Use “**Comprehensive Plan Update: City of Worthington**” in the Subject line.

All submissions should not exceed 30 pages. Submissions should be letter-sized (8.5” by 11”) for printing purposes. As such, please utilize a white background to maximize the printability of proposal submissions.

V. PROPOSAL EVALUATION PROCESS

The following outlines the timelines and process associated with evaluating and selecting a final consultant for the project. Any questions regarding this process should be directed to consultantservices@morpc.org.

TIMELINE

The timeline for reviewing proposals, and selecting a final consultant is as follows. This timeline may be modified by MORPC or the Agency as necessary.

EVENT	EVENT DESCRIPTION	ESTIMATED DATE(S)
Proposal Submission Window Opens	The proposal submission window will be open for a period of roughly one month. No proposals will be received prior to the opening date.	April 9 th , 2024
Q&A Responses Posted	A document containing all project related questions and the Agency responses will be added to the Program webpage to inform all potential consultants of any additional details and points of clarification.	April 19 th , 2024 to April 10 th , 2024
Proposal Submission Window Closes	The last date that proposals will be accepted. Any proposal received after this date will not be considered.	May 24th, 2024
MORPC Review of Proposals	MORPC will convene a committee of internal staff to review and score the proposals according to both MORPC and the Agency's criteria. An explanation of these criteria is outlined in Part 4, Section B below. Two finalists will be selected to give presentations to the Agency for each RFP.	May 28 th , 2024 to May 31 st , 2024
Notification of Finalist Status	Notifications of finalist status will be sent to all consultants or consultant teams who submitted a proposal after the MORPC review of proposals.	May 31 st , 2024
Finalist Interviews / Presentations	60-minute interviews / presentations will be scheduled with the finalists, and MORPC and the Agency.	June 10 th , 2024 to June 14 th , 2024
Updated Review of Finalist Proposals	A final review meeting between MORPC and the Agency will occur to update scoring on the criteria based on the interviews / presentations.	June 17 th , 2024 to June 21 st , 2024
Final Selection Notifications	Notification of the final consultant selection immediately upon completing the updated review.	June 24 th , 2024
Project Scoping Meeting	A meeting / series of meetings will be scheduled between the final selected consultant, MORPC, and the Agency to discuss and finalize project scope details to be included in the Project Contract.	June 24 th , 2024 to July 14 th , 2024
Project Contract Finalized	Final project contracts are fully signed.	July 15 th , 2024

**Dates may be subject to change.*

EVALUATION CRITERIA

The evaluation criteria for this RFP are as follows:


CONSULTANT SERVICES PROPOSAL EVALUATION		
FACTOR	DESCRIPTION	WEIGHT (%)
GENERAL QUALITY & ADEQUACY OF RESPONSE		
Completeness and thoroughness	Does the proposal include all required sections and thoroughly address all proposal elements?	30%
Responsiveness to Terms and Conditions	Does the proposal address any items or statements from the Terms and Conditions section?	30%
Overall impression	All things considered, what is the overall impression of the proposal?	40%
GENERAL QUALITY & ADEQUACY OF RESPONSE TOTAL		100%
CONTRIBUTION TO AGGREGATE SCORE		30%
ORGANIZATION, PERSONNEL, EXPERIENCE & PROJECT MANAGEMENT		
Qualifications and experience of proposed personnel (including the Project Manager)	Did the delineated Team Members exhibit the requisite knowledge and experience to execute the Scope of Work?	20%
Relevant knowledge, skills, and experience with the project / project type	Did the consultant / consultant team show experience with a project similar to the RFP's Scope of Work?	20%
Experience working with similar clients	Did the consultant / consultant team have experience working with entities similar to the RFP Agency?	20%
Demonstrated capacity to do the work	Has the proposal shown that the consultant / consultant team has the capacity (time, staff, and resources) to complete the project?	20%
Study area understanding / local presence	Did the consultant / consultant team show a local presence and understanding of the RFP area?	20%
<i>Familiarity with the study area's economy, culture, and environment</i>	<i>Has the Applicant shown a familiarity with the local issues, concerns, and characteristics of the Agency?</i>	40%
<i>Capacity to locally coordinate and administer the project</i>	<i>Does the Applicant have a sufficient enough local presence to coordinate and administer projects that may be awarded?</i>	60%
ORGANIZATION, PERSONNEL, EXPERIENCE & PROJECT MANAGEMENT TOTAL		100%
CONTRIBUTION TO AGGREGATE SCORE		30%
TECHNICAL APPROACH & WORK PLAN		
Clarity and organization in concept development	Does the Applicant show a clearly organized workflow that would successfully achieve the project goals?	20%
Quality and quantity of services to be rendered	Are the deliverables and/or results sufficiently adequate in expected quality are oriented to the Project Goals?	20%

Approach to study (including the ability to derive creative solutions and clear descriptions of the elements of the work plan)	Does the Proposal illustrate the Applicant's ability to logically and appropriately approach the Project, including knowledge of emerging techniques and solutions?	20%
Addresses expected outcomes	Does the proposal clarify the expected outcomes of the work being completed?	20%
<i>Identifies who will do the work</i>	<i>Are the key staff responsible for various work elements identified?</i>	30%
<i>Identifies useful and reasonable reporting methods</i>	<i>Are the communication methods identified useful to the client and reasonable for the project?</i>	30%
<i>Includes useful, realistic, and sufficient timelines</i>	<i>Are the identified timelines within the proposal realistic and adequate based on the project details?</i>	40%
Specialized experience relevant to the Scope of Work	Does the consultant relate any specialized experience they may have to the Scope of Work?	20%
TECHNICAL APPROACH & WORK PLAN TOTAL		100%
CONTRIBUTION TO AGGREGATE SCORE		30%
COST / BUDGET		
Clarity of budget and congruence with the RFP and proposed Scope of Work	Is the proposed budget in-line with the expectations of the RFP, and would the proposed budget items be sufficient to complete the project?	75%
Cost	Is the proposed budget significantly over/under budgeting details outlined in the RFP?	25%
COST / BUDGET TOTAL		100%
CONTRIBUTION TO AGGREGATE SCORE		10%
AGGREGATE SCORE		100%

Each factor is scored on a scale of 1 to 10. The weighted percentages of each individual factor represent that factor's relative weight towards the total of that category, while the weighted percentages of the categories' total represent the relative weight towards the total scoring. For example, "Demonstrated capacity to do the work" represents 20% of the score for the "ORGANIZATION, PERSONNEL, EXPERIENCE & PROJECT MANAGEMENT" category, while the "ORGANIZATION, PERSONNEL, EXPERIENCE & PROJECT MANAGEMENT" category represents 30% of the total score.

EVALUATION COMMITTEE

The initial project evaluation will be conducted by a committee of five MORPC Staff members with experience working consultants, and in similar categories and project types. The Evaluation Committee will meet to review the initial proposal submissions within three weeks of the Proposal Submission Window closing date. Each Committee member will independently review each proposal and discuss their scoring with the other Committee members. Committee members may change their initial scoring based on the review discussions.



The consultant / consultant teams with the two or three highest scoring proposals will be selected to conduct a 60-minute presentation directly to both MORPC and the City of Worthington. MORPC will facilitate the scheduling of the presentations.

Applicants with proposals not selected as finalists will be notified immediately upon conclusion of the initial proposal reviews.

FINAL PRESENTATIONS

Final presentation details will be conducted between June 10th, 2024 and June 14th, 2024. MORPC will facilitate the scheduling of the presentations, pursuant to the preferences of the City of Worthington. Presentations may be held in-person or virtually, and may be held in an Agency location or MORPC offices.

Presentations will be 60 minutes. Approximately 30 minutes of the presentation will be dedicated to an overview of the proposal, with an emphasis on the methodology, work plan, deliverables, and timelines. The remaining 30 minutes will be dedicated to open discussion and clarifying questions from both the City of Worthington and MORPC. All identified Project Managers should be present to lead the presentations, and all consultants who may be part of a consultant team should have representation at the presentation. A Project Manager or consultant's failure to be present at the presentation may result in elimination from consideration.

CONSULTANT SELECTION AND CONTRACT NEGOTIATIONS

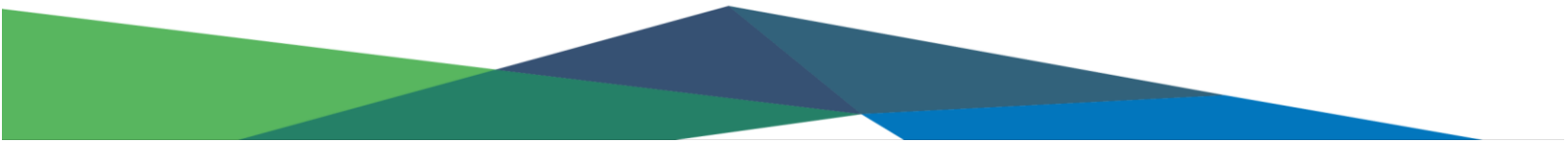
Final consultant selections will be made – and the preferred consultant will be notified – by June 24th, 2024. MORPC will follow-up with the City of Worthington and all Consultants to schedule initial scoping meetings to determine contractual details regarding the specific timelines, scopes of work, deliverables, and budgeting requirements.


By participating in the Consultant Services Program, MORPC, Agencies, and Consultants agree to make every reasonable effort to fairly negotiate contract terms in a timely manner. Contracts are intended to be finalized and signed before the City of Worthington enters August recess: on Monday, July 15th, 2023.

VI. PROPOSAL TERMS & CONDITIONS

The submitter agrees that it will not discriminate against any potential consultant, Agency, community, employee, applicant for employment, or sub-contractor and that it will take affirmative action to ensure that employees, potential consultants, applicants and sub-contractors are treated equally during employment without regard to race, color, sex, gender identification, creed, religion, ancestry, national origin, sexual orientation, disability, genetic information, age, marital/familial status, military status (past, present, or future), limited English proficiency, or status with regard to public assistance.

All proposals advertised through the Consultant Services Program may include MBE, DBE, or EDGE requirements. A ten (10) percent minority business enterprise (MBE) goal has been established for the program, consistent with MORPC's Diversity and Inclusion Plan. Agencies and prequalified applicants are strongly encouraged to meet or exceed this goal in any submitted proposals. It is preferred that MBE firms are





certified as a minority business enterprise by the State of Ohio, the City of Columbus, or other similar certifying entity. MORPC will expect the selected proposer to meet the MBE percentage included in their contract and will require ongoing reporting of this percentage during the contract life. MORPC will also include MBE prompt payment requirements in all contracts.

MORPC retains the right to modify and change the requirements of this Application for Prequalification from time to time. In such events, this Application for Prequalification will be replaced with an updated version.

MORPC reserves the right to accept or reject any or all *Requests for Assistance, Applications for Prequalification, and Proposal Submissions* for any reason.

MORPC shall not be liable for any costs incurred by the submitter of any *Request for Assistance, Application for Prequalification, or Proposal Submission* as a result of the CSP, or any costs incurred in connection with any discussions, correspondence or attendance at interviews or negotiation sessions.

All materials submitted in response to *Notices of Request for Assistance, Application for Prequalification, or RFP* shall become the property of MORPC and may be returned only at MORPC's option.

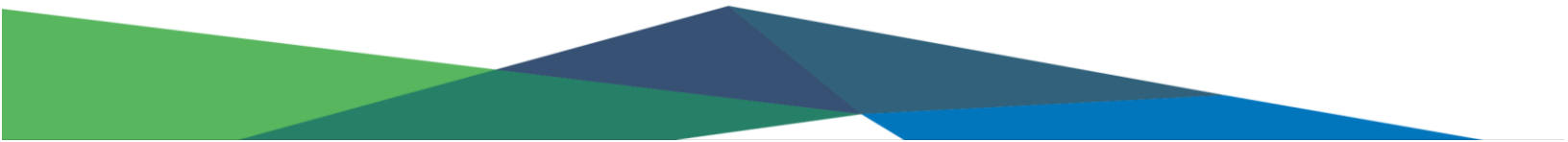
All materials received shall be considered public information and shall be open to public inspection.


By submitting a *Request for Assistance*, the Agency confirms that – to the best of their knowledge:

1. The Agency is prepared to move forward with contract negotiations.
2. The Agency has financing secured with which to complete the proposed project. And,
3. The submitted *Request for Assistance* completely and accurately represents the goals of the project and the interests of the Agency and community, and no information which would reasonably be deemed important to the project has been withheld.

VII. REQUIRED TERMS OF COMPREHENSIVE PLAN UPDATE CONTRACT

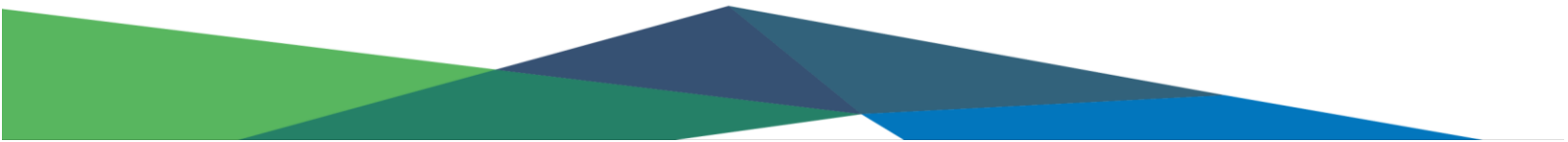
The following terms will be required as part of the contract between the awarded consultant / consultant team and the City of Worthington. If any consultant / consultant team is not willing to comply with any of the terms outlined below, then a written response explaining the reason for a modification must be included as an addendum to the submitted proposal. *The written response related to a modification of the terms outlined below will not count towards the proposals 30-page limitation.*


1. **APPLICABLE LAWS:** The proposer agrees to comply with all applicable federal, state, and local laws, including the Charter and Codified Ordinances of the City of Worthington. Legal action to enforce this agreement shall only be brought in a court of competent jurisdiction in Franklin County, Ohio.
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2. **EQUAL EMPLOYMENT OPPORTUNITY:** The proposer will not discriminate with respect to recruitment, hire, tenure, training, promotion, terms, conditions, or privileges of employment against any employee or applicant for employment because of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, genetic information, or military status.
 3. **INDEMNIFICATION BY PROPOSER:** The proposer shall indemnify and hold harmless the City, its employees and agents, from any liability for claims, damages, losses and expenses, including reasonable attorney fees, resulting from the negligent performance of the contract, or any negligent act or omission, by proposer, its employees, agents, subcontractors or assigns. Proposer's obligation to indemnify under this section shall not be construed to negate, abridge, or reduce other rights of indemnity or contribution to which the City, its agents or employees are legally entitled.
 4. **NO INDEMNIFICATION BY CITY:** The City does not agree to indemnify or hold harmless the proposer, its employees and agents, from any liability for claims, damages, losses and expenses, including reasonable attorney fees, resulting from or arising under the contract.
 5. **INSURANCE:** The proposer shall comply with the laws of the State of Ohio relating to insurance coverage and shall carry during the performance of this Agreement and keep in full force, Worker's Compensation, in amounts required by law, covering all the proposer's employees. The proposer shall furnish documents evidencing such Worker's Compensation to the City prior to the commencement of the services, and upon request by the City at any time during this Agreement. The proposer shall carry the following minimum amounts of General, Automobile Liability and Professional Liability Insurance, with the City named as the additional insured, each with the following limits:
 - i. General Liability Insurance in the amount of \$500,000 for bodily injuries including those resulting in death of any one person and on account of any one accident or occurrence, \$1 million aggregate.
 - ii. Automobile Liability Insurance in an amount of \$500,000 from damages on account of any one accident or occurrence.
 - iii. Professional Liability Insurance in the sum of not less than \$200,000 annual aggregate, on a claims-made basis.

The proposer shall require that any assignee, designee, contractor, or subcontractor maintain the same coverages.

The proposer shall provide the City with Certificates of Insurance indicating coverage and conditions stipulated herein prior to the commencement of the Services, with the City, its elected officials, officers, agents, employees, contractors, and volunteers named as an additional insured thereon, with the exception of the Professional Liability coverage. The





proposer agrees that the insurance policies required herein shall require the insurer to provide the City with thirty days prior written notice before changing the terms, amounts of coverage or the canceling of a policy.

6. **MUNICIPAL INCOME TAX:** The proposer shall withhold all municipal income taxes due or payable under the provisions of the income tax ordinance for wages, salaries, and commissions paid to its employees pursuant to Taxation Code found in Part 17 of the Codified Ordinances of the City of Worthington, Ohio. The proposer shall require any approved subcontractors to withhold any such municipal income taxes due for services performed under this contract. The proposer will be required to sign a tax affidavit as may be required under section 5719.042 of the Ohio Revised Code.
 7. **NO PERSONAL LIABILITY FOR CITY OFFICIALS:** No covenant, obligation or liabilities of the City contained in the agreement shall be deemed to be a covenant, obligation or liability of any present or future member of Council, officer, agent or employee of the City in other than their official capacity and neither the members of the City Council nor any City Official executing this Agreement, shall be liable personally by reason of the covenants, obligations or agreements of the City contained in the agreement.
 8. **TERMINATION FOR LACK OF FUNDS:** The agreement shall be subject to immediate termination by the City, if funds are not appropriated for any fiscal period during the term of the agreement, or when the City has exhausted all funds legally available for all payments due under the agreement.
 9. **TERMINATION:** The City reserves the right to terminate the agreement in whole or in part for default (termination due to the proposer's failure to perform satisfactorily) or convenience (termination due to the best interests of the City). The City may, without cause and without prejudice to any other right or remedy, elect to terminate the contract after giving the proposer ten (10) days written notice. The notice may be mailed, hand-delivered, or sent electronically. In such case, the proposer shall be paid for work executed, goods delivered and accepted, and any expense sustained plus a reasonable profit, unless such termination was due to the act or conduct of the contractor. Notwithstanding the above, the proposer shall not be relieved of liability to the City for damage sustained by the City by virtue of breach of the contract by the proposer and the City may withhold any payments to the proposer for the purpose of set off until such time as the exact amount of damages due the City from the proposer is determined.
 10. **PUBLIC RECORDS:** The proposer agrees to maintain records pertaining to the project in compliance with Section 149.43 of the Ohio Revised Code (the "Public Records Law"). The proposer understands and acknowledges that the City is a governmental entity and that any contract, proposals, responses to this RFP, reports, letters, emails, memorandums, or other documents supplied to the City by the proposer relating to the project, may be subject to disclosure as a public record in accordance with the Public Records Law. In the event of a public record request is made to the City, the proposer agrees to cooperate and assist the City in complying with the Public Records Law.
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