FARGO-MOORHEAD
METROPOLITAN COUNCIL OF GOVERNMENTS

REQUEST FOR PROPOSALS (RFP)

PROJECT NO 1004

Long-Range Data Development Plan and Demographic Forecast Study

December 2015

APPROVED:

William A. Christian
Metro COG, Executive Director
Agency Overview. The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) serves as the Council of Governments (COG) and Metropolitan Planning Organization (MPO) for the greater Fargo, North Dakota – Moorhead, Minnesota metropolitan area. As the designated MPO for the Fargo-Moorhead Metropolitan Area, Metro COG is responsible under federal law for maintaining a continuous, comprehensive, and coordinated transportation planning process. A map depicting the Metro COG planning area, urban area boundary, and member/associate member cities is included on page 21 of this RFP.

Metro COG is responsible, in cooperation with the North Dakota and Minnesota Departments of Transportation (NDDOT and MnDOT, respectively) and our local planning partners, for carrying out the metropolitan transportation planning process and other planning issues of a regional nature. Metro COG represents eleven jurisdictions and parts of two counties that comprise the Metro COG region in these efforts.

The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) requests proposals from qualified consultants for the following project:

Long-Range Data Development Plan and Demographic Forecast Study

All applicants meeting the deadline for submittal will receive consideration. Selection criteria will follow a qualifications-based review process to analyze proposals from responding consultants. Upon completion of technical ranking, oral interviews and possible discussion with candidate consultants, Metro COG will enter into negotiations with the top ranked firm. The consultant will submit sealed cost proposals along with the RFP. The cost proposal of the top ranked firm will be opened during contract negotiations. Those firms not selected for direct negotiations will have their unopened cost proposals returned. Metro COG reserves the right to reject any or all submittals.

This project will be funded in part with federal transportation funds and has a not-to-exceed budget of $125,000. The project will be initiated in the first quarter of 2016 and is required to be completed by January 15, 2017. All invoices are to be received by Metro COG by January 31, 2017.

Interested firms can request a full copy of the RFP by telephoning 701.232.3242, or by e-mail: metrocog@fmmetrocog.org. Copies will be available for download in .pdf format at www.fmmetrocog.org.

Fax versions will be not accepted as substitutes for the hard copies. Once submitted, the proposals will become the property of Metro COG.

This document can be made available in alternative formats for persons with disabilities by calling Nakhaly Swearingen, Executive Secretary, at 701.232.3242.
I. PURPOSE OF REQUEST

The purpose of this Request for Proposals (RFP) is to provide interested consulting firms with information about the professional services desired by the Fargo-Moorhead Metropolitan Council of Governments (Metro COG). This information is meant to convey the general intent of Metro COG in regards to the requested services and to further guide interested firms in the preparation and submittal of a proposal.

II. PROJECT BACKGROUND AND OBJECTIVE

This RFP provides for the tasks necessary to assist Metro COG and local stakeholders in the development of a comprehensive update of the base data necessary for the development and refinement of Metro COG’s long-range scenario and transportation planning program. Metro COG intends that this data will integrate directly with Metro COG’s Travel Demand Model (TDM), to allocate population, household, and employment to transportation analysis zones (TAZs) under various policy and planning scenarios. The TDM is a critical component in the development of the Long Range Transportation Plan (LRTP), and relies on demographic data including detailed population, household, and job assessments and projections in order to properly calibrate trip generations, distributions, and assignments. Metro COG seeks detailed projections of the area’s population, households, and jobs at various geographic scales from a base year of 2015 through 2050. As these projections will be a primary tool for communities within the area to plan for future growth, the process in which they are derived must be transparent and clear to both policymakers and stakeholders.

In addition to, and based upon, the demographic projections developed as part of the TDM calibration, the Consultant shall work with Metro COG to produce the Demographic Forecast Study from the base year of 2015 to the year 2050 for the Fargo-Moorhead Metropolitan Area. The Study will re-evaluate the projections and assumptions put forth in creating the 2012 Demographic Forecast Study, propose new forecast methodologies, and complete a demographic forecast to the horizon year 2050.

Planning for future transportation and infrastructure needs in the metropolitan area requires a realistic vision of the region’s future population, households, and employment. The data developed in this project must integrate with existing Metro COG datasets and the TDM in a way that provides planners with the ability to forecast both transit and highway network improvement scenarios. The updated base data and Demographic Forecast Study will primarily serve to address the following needs:

1. Assessing the methodology and resulting data in Metro COG’s 2040 Demographic Study and TDM demographic data in order to identify potential shortcomings, missing information, and other problems in Metro COG’s long range projections and TDM data development processes. The Consultant will offer suggestions for best practices, identify the data needs of Metro COG, and propose alternative vendors/sources of data used in development of the LRTP and TDM.
2. Calibrating and inputting baseline demographic data at a variety of geographic scales. Data will be used as direct inputs into the TAZs for the TDM for calibration and for alternate scenario analysis. Data shall include 2015 through 2050 estimates at 5-year intervals of total population, jobs, households, and other demographic information for each TAZ within Metro COG’s planning area, as depicted in the map on page 22.

3. Use data developed as part of the previous tasks to produce the Demographic Forecast Study for the Fargo-Moorhead metropolitan area. This study and the accompanying technical memorandum will be used not only as an aid in the LRTP and TDM development process, but will be a resource for member jurisdictions and the public to inform on the area’s projected population and economic development over the next 35 years.

III. SCOPE OF WORK AND PERFORMANCE TASKS

Outlined below is the scope of work that will guide development of the Long-Range Data Development Plan and Demographic Forecast Study for the Fargo-Moorhead metropolitan area. Metro COG has included the following scope of work to provide interested consulting firms insight into project intent, context, coordination, responsibilities, and other elements to help facilitate proposal development.

At minimum, the consultant shall be expected to establish detailed analysis, recommendations and/or deliverables for the following tasks:

Task 0 – Project management
Task 1 – Evaluation of Metro COG data needs and previous forecast methodology
Task 2 – Creation of baseline data and development of long-term demographic growth projections and scenarios
Task 3 – Completion and delivery of the Demographic Forecast Study and Technical Memorandum

Task 0 – Project Management
This task involves activities required to manage the project including staff, equipment and documentation. It also includes the preparation of progress reports, documenting travel and expense receipts, preparing and submitting invoices and, if required per contract, maintaining a project website. Participation in monthly progress meeting with Metro COG and preparation of agenda and keeping minutes for these meetings is included.

Task 1 – Evaluation of Metro COG LRTP data needs and previous forecast methodology
This project will be managed by Metro COG with oversight and input from a project Study Review Committee (SRC). The SRC will be composed of Metro COG staff and members of jurisdictions/organizations within the Metro COG planning area.
The Consultant will work with Metro COG staff and the SRC to collectively analyze the data needs of Metro COG with specific focus on development of the LRTP and TDM. The Consultant will identify potential data deficiencies in respect to the transportation planning process and provide suggestions as to potential vendors for data acquisition. Upon identifying the data needs of Metro COG, the consultant will work in consultation with staff to ensure the Agency has satisfactorily addressed both short and long term data needs. After data needs are identified and addressed, the Consultant will work with staff and the SRC to develop, analyze, and select the preferred methodology that will be used to establish the demographic forecasts.

The Consultant shall develop and provide, in consultation with and based upon guidance from Metro COG staff and the SRC, a technical memorandum incorporating the following elements:

a. A thorough review and evaluation of Metro COG’s data sources used in the LRTP/TDM development process and an analysis of the methodology employed in previous demographic projections, including:

   i. Forecast methodology and data sources used in development of previous LRTP’s and transportation/development studies.
   ii. Accuracy of previous forecasts/analyses.
   iii. Appropriateness of duplicating past methodologies or supplanting with additional data sources and/or a change in methodology.
   iv. An evaluation of the current Metro COG data development process and recommendation on how to proceed.

The Consultant shall include at least three potential growth scenarios and methodological options within the technical memorandum. These scenarios will include, at minimum, both "most likely" and "high growth" scenarios for demographic growth within the region to the horizon year. These growth scenarios will be vetted by the SRC and Metro COG staff prior to creating the baseline demographic data.

**Task 2 – Creation of baseline data and development of long-term demographic growth projections and scenarios**
Following guidance from the SRC, and working closely with Metro COG staff, the Consultant will provide demographic projections for the Fargo-Moorhead MSA to the year 2050. The following activities are minimum scope of work requirements.

a. **Population.** Estimate population, households and jobs from July 1, 2015 and every five (5) years thereafter until 2050 for the following geographies:

   i. The Traffic Analysis Zones (TAZs) within the Metro COG planning area. TAZ geographies will be provided to the Consultant prior to development of the demographic projections. The Consultant, in coordination with Metro COG and applicable staff from member organizations, may suggest changes to the TAZ geography if necessary;
   ii. Metropolitan Statistical Area (MSA) (defined as all of Cass County, ND and Clay County, MN);
iii. Metro COG’s Metropolitan Planning Area (MPA) (including the 30 townships and 14 cities shown on the map on page 21);
iv. Rural Cass County (those areas within Cass County outside of the 14 communities within the MPA);
v. Rural Clay County (those areas within Clay County outside of the 14 communities within the MPA).

b. **Households.** The Consultant shall provide the following household projections at the TAZ geography level in 5 year increments from 2015 through the horizon year of 2050:

i. **Household Type.** Percentage splits between single family and multi family dwelling units. The forecasts shall consider single family households as those with three or less units and multi-family households as those with four or more units.

ii. **Household Size.** Percentage splits by total number of households by household type. Size classification shall be based on one person, two person, three person, and four or more person households.

iii. **Percentage Owner and Renter Occupied.** Percentage splits by total number of households.

iv. **Income.** Percentage splits by total number of households. Income category definitions will be based on those used in the American Community Survey (ACS).

v. **Vehicle Ownership per Household.** Percentage splits by total number of households by vehicle type, by household type, income and size.

vi. **School-aged children.** Number of children between the ages of 5 and 18, allocated by TAZ.

vii. **College Students.** Number of enrolled college students, allocated by TAZ.

c. **Employment.** Estimates of employment projections by industry type are vital to development of the TDM and an accurate forecast of growth within the region. The Consultant shall provide the following employment forecasts by North American Industry Classification System (NAICS) code at the geographies described in Task 2, Sub-task a.

i. Agriculture (NAICS 11)

ii. Education (NAICS 61)

iii. Manufacturing (NAICS 31-33)

iv. Other Industrial (NAICS 21, 23)

v. Retail (NAICS 44-45)

vi. Service (NAICS 51, 52, 53, 55, 56, 62, 71, 81, 99)

vii. Wholesale Trade, Trans Utilities (NAICS 22, 42, 48, 49)

d. The Fargo-Moorhead metropolitan area is strongly influenced by national, state, and local variables, all of which need to be considered when estimating demographic trends affecting the region. At minimum, the following will need to be considered and addressed when examining demographic trends and establishing future projections:
i. Where new population growth is being generated from;

ii. The proportion of population growth that is migrating to the area from other metropolitan areas in the region/nation;

iii. The amount of growth attributed to New Americans and international immigration;

iv. The influence of adjacent, regional small towns/cities on the demographic shifts of the Fargo-Moorhead MSA;

v. The influence/impact of higher education institutions in regards to enrollment and the retention of graduates as part of the local workforce;

vi. The impact of existing large employers, both public and private, on regional growth;

vii. The potential influence of national macro-economic trends;

viii. Localized economic impacts such as taxation and other factors that may attract residents to the larger bi-state region;

ix. The impacts of other local issues such as land use and zoning policies, flood protection, cost of living, etc.

e. Based upon the methodology selected as described in Task 1, the Consultant shall produce, at minimum, two growth scenarios (“most likely” and “high growth”) for the aforementioned geographies.

f. The Consultant shall provide the projections outlined in Subtasks A-D in both tabular format and as a GIS shapefile, or in a format agreed upon with Metro COG staff.

Task 3 – Completion and Delivery of the Long-Range Data Development Plan and Demographic Forecast Study

It is anticipated that the Demographic Forecast Study will be developed and refined in conjunction with Task 1 and Task 2, and projections/data created as part of those tasks will be directly input into the final Demographic Forecast Study. At minimum, the study must include all analysis and data outlined in Task 1 and Task 2, but also expand upon the data with additional background material, comparisons, forecasts, and analysis. Metro COG anticipates the Demographic Forecast Study as a stand-alone document that is easily comprehensible to member jurisdictions and the public at large.

The following are the minimum requirements for the Demographic Forecast Study:

a. An assessment of previous demographic projections, and analysis of potential methodological shortcomings or refinement.

b. A detailed explanation of the methodological approach used in producing the demographic estimates, and the observed trends and expected impacts that were assumed to have an impact on demographic change within the MSA.

c. A thorough outline of the population, household, and job forecasts for all geographies specified in Task 2, including additional analysis and visual aids necessary to clearly explain and depict demographic trends expected to occur within the region.

d. Full appendices with charts and/or tables showing:
   i. Past demographic projections;
ii. Economic/political/social trends influencing demographic tendencies within the region;

iii. Detailed population forecasts from 2015 to 2050, in five-year increments at the geographies specified in Task 2.

iv. Detailed household forecasts from 2015 to 2050, in five-year increments at the geographies specified in Task 2.

v. Detailed employment forecasts from 2015 to 2050, in five-year increments at the geographies specified in Task 2.

e. In addition to the Demographic Forecast Study, the Consultant will also produce an Executive Summary, which shall clearly highlight the trends affecting the region and summarize the significant findings of the Demographic Forecast Study.

Required Public Input and Study Review Committee Meetings

a. Metro COG anticipates the Consultant will need to participate in and attend a number of meetings in order to assess data needs, gather requisite input from the SRC, and develop/calibrate the demographic projections. A tentative outline of the meetings and the topic(s) covered is as follows:

i. SRC Meeting 1: Project kick-off, initial review of Metro COG data sources and critique of past methodology.

ii. SRC Meeting 2: Present technical memorandum as outlined in Task 1, Sub-Task A. and discuss with SRC.

iii. SRC Meeting 3: Present forecast scenarios as described in Task 1, Sub-Task B and discuss with SRC. It is anticipated that the SRC will decide upon a preferred scenario at this meeting.

iv. SRC Meeting 4 (if necessary): Should the SRC not decide upon a preferred methodology during SRC Meeting 3, the SRC will further review the presented methodologies and re-convene.

v. Additional SRC Meetings: The Consultant may need to participate in up to three additional meetings with the SRC in order to implement the approved methodology and develop the Demographic Forecast Study.

vi. Public Input Meetings: Attend up to two public input meetings to gather input on the development of the demographic forecasts for the Fargo-Moorhead MSA. If it is deemed that non-traditional meeting formats would be advantageous, these meetings may also take the form of “small group” or “focus group” settings in lieu of a typical public meeting. The intent of these meetings will be to satisfy Metro COG’s Public Participation Plan (PPP) and to ensure that all relevant stakeholders and the general public are adequately informed and provided opportunity to provide comments on the development of the demographic forecasts for the Fargo-Moorhead MSA. All logistics and meeting arrangements will be handled by Metro COG staff.

vii. Final SRC Meeting: Present the final Demographic Forecast Study and Executive Summary to the SRC for approval.

viii. Metro COG Policy Board Meeting(s): If requested, the Consultant shall provide periodic updates to the Metro COG Policy Board on forecast methodology, demographic trends, and
other information developed as part of the project. Metro COG staff will inform the Consultant in advance should their presence be requested at a Policy Board meeting.
IV. IMPLEMENTATION SCHEDULE

1) Consultant Selection

Advertise for Consultant Proposals December 21, 2015
Due Date for Proposal Submittals (by 4:30 pm) January 21, 2016
Interview Finalists/Contract Negotiations (week of) February 1, 2016
Metro COG Board Approval and Contract Execution February 18, 2016
Notice to Proceed One day following a signed contract

2) Project Development (major milestones)

- February/March 2016 – begin project development and meeting schedule
- April/May 2016 – complete assessment of Metro COG data needs and complete Technical Memorandum
- June 2016 – finalize forecast methodology and growth scenarios
- August/September 2016 – complete baseline data and all work described in Task 2
- December 2016 – complete draft Demographic Forecast Study and Executive Summary
- January 2017 – final approval of Demographic Forecast Study and Executive Summary

V. EVALUATION AND SELECTION PROCESS

1. Selection Committee. Metro COG has established a selection committee to select a consultant. The committee consists of city and county officials from within Metro COG’s MPA and Metro COG staff.

The consultant selection process will be administered under the following criteria:

- 10% - The firm’s past experience with similar types of activities
- 25% - Key staff’s experience related to the development of such plans
- 20% - Specific qualifications of the Consultant’s Project Manager
- 20% - Specific knowledge of MPO data development processes, and demonstrated understanding of project scope and factors affecting the Fargo-Moorhead MSA
- 20% - Project approach
- 5% - Current workload

The selection committee, at the discretion of Metro COG and under the guidance of NDDOT policy, will entertain formal oral presentations for the top candidates to provide additional input into the evaluation process. The oral presentations will be followed by a question and answer period during which the committee may question the prospective consultants about
their proposed approaches.

A consultant will be selected on or before February 18, 2016 based on an evaluation of the proposals submitted, the recommendation of the Selection Committee and approval by Metro COG.

Metro COG reserves the right to reject any or all proposals or to waive minor irregularities in said proposal, and reserves the right to negotiate minor deviations to the proposal with the successful consultant. Metro COG reserves the right to award a contract to the firm or individual that presents the proposal, which, in the sole judgement of Metro COG, best accomplishes the desired results.

The RFP does not commit Metro COG to award a contract, to pay any costs incurred in the preparation of the contract in response to this request or to procure or contract for services or supplies. Metro COG reserves the right to withdraw this RFP at any time without prior notice.

All proposals, whether selected or rejected, shall become the property of Metro COG.

VI. PROPOSAL CONTENT
The purpose of the proposal is to demonstrate the qualifications, competence, and capacity of firms seeking to provide comprehensive services specified herein for Metro COG, in conformity with the requirements of the RFP. The proposal should demonstrate qualifications of the firm and its staff to undertake this project. It should also specify the proposed approach that best meets the RFP requirements. The proposal must address each of the service specifications under the Scope of Services.

Metro COG is asking qualified consultants to supply the following information. Please include all requested information in the proposal to the fullest extent practical.

1. **Contact Information.** Name, telephone number, email address, mailing address and other contact information for the consultant’s Project Manager.

2. **Introduction and Executive Summary.** This section shall document the firm name, business address (including telephone, FAX, email address(es), year established, type of ownership and parent company (if any), project manager name and qualifications, and any major facts, features, recommendations or conclusions that may differentiate this proposal from others, if any.

3. **Work Plan and Project Methodology.** Proposals shall include the following, at minimum:
   a. A detailed list of tasks and subtasks to be completed, including a description of how they will be completed. A detailed work plan identifying the major tasks to be accomplished relative to the requested study tasks and expected product as outlined in this RFP; a detailed approach for completing the plan and a summary of the proposed methodology to establish consensus on recommendations within the final product;
   b. Milestones for the development of the project and completion of individual tasks should be submitted with the proposal.
   c. A timeline for completion of the requested services, including all public
participation opportunities and stakeholder meetings.

d. List of projects with similar size, scope, type, and complexity that the proposed project team has successfully completed in the past.

e. List of the proposed principal(s) who will be responsible for the work, proposed Project Manager and project team members (with resumes).

f. A breakout of time and budget for each member identified as a participant in the development of the project.

g. A list of any subcontracted agencies, the tasks they will be assigned, the percent of work to be performed, and the staff that will be assigned.

h. List of client references for similar projects described within the RFP.

i. Required Disadvantaged Business Enterprise (DBE) Firms participation documentation, if applicable.

j. Ability of firm to meet required time schedules.

4. **Signature.** Proposals shall be signed in ink by an authorized member of the firm/project team.

5. **Attachments.** Review, complete, and submit the completed versions of the following RFP Attachments with the proposal:

   - Exhibit A - Cost Proposal Form (as identified on page 19)
   - Exhibit B – Debarment of Suspension Certification
   - Exhibit C – Certification of Restriction on Lobbying

**VII. SUBMITTAL INFORMATION**

Hard copies of technical and cost proposals should be shipped to ensure timely delivery to the Project Manager as defined below:

David Burns  
Fargo-Moorhead Metropolitan Council of Governments  
Case Plaza, Suite 232  
One 2nd Street North  
Fargo, ND 58102-4807  
burns@fmmetrocog.org

All proposals received by **4:30 p.m. on Thursday, January 21, 2016** at the Metro COG office will be given equal consideration. Minority, women-owned, and disadvantaged business enterprises are encouraged to participate. Respondents must submit seven (7) hard copies and one Adobe Acrobat (.pdf) copy of the proposal. The full length of each proposal should not exceed twenty (20) double sided pages for a total of forty (40) pages; including any supporting material, charts or tables.

The consultant may ask for clarifications of the RFP by submitting written questions to the Metro COG Project Manager identified above. Questions regarding this RFP must be submitted no later than Friday, January 8, 2016. No response will be given to verbal questions. Metro COG reserves the right to decline a response to any question if, in Metro COG’s assessment, the
information cannot be obtained and shared with all potential organizations in a timely manner. A summary of the questions submitted, including responses deemed relevant and appropriate by Metro COG, will be provided on or about Friday, January 15, 2016 to all firms that receive the RFP.

VIII. GENERAL RFP REQUIREMENTS

1. **Sealed Cost Proposal.** All proposals must be clearly identified and marked with the appropriate project name; inclusive of a separately sealed cost proposal per the requirements of this RFP. Cost proposals shall be based on an hourly “not to exceed” amount and shall follow the general format as provided within Exhibit A of this RFP. Metro COG may decide, in its sole discretion, to negotiate a price for the project after the selection committee completes its final ranking. Negotiation will begin with the consultant identified as the most qualified per requirements of this RFP, as determined in the evaluation/selection process. If Metro COG is unable to negotiate a contract for services negotiations will be terminated and negotiations will begin with the next most qualified consultant. This process will continue until a satisfactory contract has been negotiated.

2. **Consultant Annual Audit Information for Indirect Cost.** Consulting firms proposing to do work for Metro COG must have a current audit rate no older than 15 months from the close of the firms Fiscal Year. Documentation of this audit rate must be provided with the sealed cost proposal. Firms that do not meet this requirement will not qualify to propose or contract for Metro COG projects until the requirement is met. Firms that have submitted all the necessary information to Metro COG and are waiting for the completion of the audit will be qualified to submit proposals for work. Information submitted by a firm that is incomplete will not qualify. Firms that do not have a current cognizant Federal Acquisition Regulations (FARs) audit of indirect cost rates must provide this audit prior to the interview. **This documentation should be attached with the sealed cost proposal.**

3. **Debarment of Suspension Certification and Certification of Restriction on Lobbying.** Respondents must attach signed copies of Exhibit B – Debarment of Suspension Certification and Exhibit C – Certification of Restriction on Lobbying within the sealed cost proposal.

4. **Respondent Qualifications.** Respondents must submit evidence that they have relevant past experience and have previously delivered services similar to the requested services within this RFP. Each respondent may also be required to show that similar work has been performed in a satisfactory manner and that no claims of any kind are pending against such work. No proposal will be accepted from a respondent whom is engaged in any work that would impair his/her ability to perform or finance this work.

5. **Disadvantaged Business Enterprise.** Pursuant to Department of Transportation policy and 49 CFR Part 23, Metro COG supports the participation of DBE/MBE businesses in the performance of contracts financed with federal funds under this RFP. Consultants shall make an effort to involve DBE/MBE businesses in this project. If the consultant is a
DBE/MBE, a statement indicating that the business is certified DBE/MBE in North Dakota or Minnesota shall be included within the proposal. If the consultant intends to utilize a DBE/MBE to complete a portion of this work, a statement of the subcontractor’s certification shall be included. The percent of the total proposed cost to be completed by the DBE/MBE shall be shown within the proposal. Respondents should substantiate (within proposal) efforts made to include DBE/MBE businesses.

6. **US DOT Policy Statement on Bicycle and Pedestrian Accommodations.** Consultants are advised to review and consider the US DOT Policy Statement on Bicycle and Pedestrian Accommodation issued in March of 2010 when developing written proposals.

7. **North Dakota Department of Transportation Consultant Administration Services Procedure Manual.** Applicants to this Request for Proposal are required to follow procedures contained in the NDDOT Consultant Administration Services Procedure Manual, which includes prequalification of consultants. Copies of the Manual may be found on the Metro COG website www.fmmetrocoh.org or the NDDOT website at www.dot.nd.gov.

**IX. CONTRACTUAL INFORMATION**

1. Metro COG reserves the right to reject any or all proposals or to award the contract to the next most qualified firm if the successful firm does not execute a contract within forty-five (45) days after the award of the proposal. Metro COG will not pay for any information contained in proposals obtained from participating firms.

2. Metro COG reserves the right to request clarification on any information submitted and additionally reserves the right to request additional information of one (1) or more applicants.

3. Any proposal may be withdrawn up until the proposal submission deadline. Any proposals not withdrawn shall constitute an irrevocable offer for services set forth within the RFP for a period of ninety (90) days or until one or more of the proposals have been approved by the Metro COG Policy Board.

4. If, through any cause, the firm shall fail to fulfill in a timely and proper manner the obligations agreed to, Metro COG shall have the right to terminate its contract by specifying the date of termination in a written notice to the firm at least ninety (90) working days before the termination date. In this event, the firm shall be entitled to just and equitable compensation for any satisfactory work completed.

5. Any agreement or contract resulting from the acceptance of a proposal shall be on forms either supplied by or approved by Metro COG and shall contain, as a minimum, applicable provisions of the Request for Proposals. Metro COG reserves the right to reject any agreement that does not conform to the Request for Proposal and any Metro COG requirements for agreements and contracts.
6. The firm shall not assign any interest in the contract and shall not transfer any interest in the same without prior written consent of Metro COG.

X. PAYMENTS
The selected consultant will submit invoices for work completed to Metro COG. Payments will be made to the consultant by Metro COG in accordance with the contract after all required services, and items identified in Task 0, have been completed to the satisfaction of Metro COG.

XI. FEDERAL AND STATE FUNDS
The services requested within this RFP will be partially funded with funds from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). As such, the services requested by this RFP will be subject to federal and state requirements and regulations.

The services performed under any resulting agreement shall comply with all applicable federal, state, and local laws and regulations. In addition, this contract will be subject to the requirements of 49 CFR 18. Cost eligibility/requirement will be subject to 48 CFR 31.2.

XII. TITLE VI ASSURANCES
Prospective consultants should be aware of the following contractual (“contractor”) requirements regarding compliance with Title VI should they be selected pursuant to this RFP:

a. Compliance with Regulations. The Contractor shall comply with the regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations).

b. Nondiscrimination. The Contractor, with regard to the work performed by it, shall not discriminate on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate, either directly or indirectly, in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

c. Solicitations for Subcontracts, Including Procurements of Materials and Equipment. In all solicitations, either by competitive bidding or negotiation, made by the Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations to Metro COG and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**.

d. Information and Reports. The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by Metro COG or the North Dakota Department of
Transportation to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to Metro COG, or the North Dakota Department of Transportation, as appropriate, and shall set forth what efforts it has made to obtain the information.

e. **Sanctions for Noncompliance.** In the event of the Contractor’s noncompliance with the nondiscrimination provisions as outlined herein, Metro COG and the North Dakota Department of Transportation shall impose such sanctions as it or the Federal Highway Administration may determine to be appropriate, including but not limited to:

   a. Withholding of payments to the Contractor under the contract until the Contractor complies; or
   b. Cancellation, termination, or suspension of the contract, in whole or in part.

**Incorporation of Title VI Provisions.** The Contractor shall include the provisions of Section XII, paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto.

The Contractor shall take such action with respect to any subcontract or procurement as Metro COG or the U.S. Department of Transportation, Federal Highway Administration, may direct as a means of enforcing such provisions, including sanctions for noncompliance provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation by a subcontractor or supplier as a result of such direction, the Contractor may request Metro COG enter into such litigation to protect the interests of Metro COG; and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.


**XIII. TERMINATION PROVISIONS**

Metro COG reserves the right to cancel any contract for cause upon written notice to the Contractor. Cause for cancellation will be documented failure(s) of the Contractor to provide services in the quantity or quality required. Notice of such cancellation will be given with sufficient time to allow for the orderly withdrawal of the Contractor without additional harm to the participants or Metro COG.

Metro COG may cancel or reduce the amount of service to be rendered if there is, in the opinion of Metro COG, a significant increase in local costs; or if there is insufficient state or federal funding available for the service, thereby terminating the contract or reducing the compensation.
to be paid under the contract. In such event, Metro COG will notify the Contractor in writing ninety (90) days in advance of the date such actions are to be implemented.

In the event of any termination, Metro COG shall pay the agreed rate only for services delivered up to the date of termination. Metro COG has no obligation to the Contractor, of any kind, after the date of termination. Contractor shall deliver all records, equipment and materials to the Metro COG within 24 hours of the date of termination.

**XIV. LIMITATION ON CONSULTANT**

All reports and pertinent data or materials are the sole property of Metro COG and may not be used, reproduced or released in any form without the explicit, written permission of Metro COG.

The Consultant should expect to have access only to the public reports and public files of local governmental agencies and Metro COG in preparing the proposal or reports. No compilation, tabulation or analysis of data, definition of opinion, etc., should be anticipated by the Consultant from the agencies, unless volunteered by a responsible official in those agencies.

**XV. CONFLICT OF INTEREST**

No consultant, subcontractor or member of any firm proposed to be employed in the preparation of this proposal shall not have a past, ongoing or potential involvement which could be deemed a conflict of interest under North Dakota Century Code or other law. During the term of this Agreement, the consultant shall not accept any employment or engage in any consulting work that would create a conflict of interest with Metro COG or in any way compromise the services to be performed under this agreement. The consultant shall immediately notify Metro COG of any and all potential violations of this paragraph upon becoming aware of the potential violation.

**XVI. INSURANCE**

The successful firm or individual shall provide evidence of insurance as stated in the contract prior to execution of the contract.
**Cost Proposal Form** – Include completed cost form (see below) in a separate sealed envelope – labeled “Sealed Cost Form – Vendor Name” and submit with concurrently with the technical proposal as part of the overall RFP response. The cost estimate should be based on a not to exceed basis and may be further negotiated by Metro COG upon identification of the most qualified contractor. Changes in the final contract amount and contract extensions are not anticipated.

**REQUIRED BUDGET FORMAT**

**Summary of Estimated Project Cost**

<p>| | | | | |</p>
<table>
<thead>
<tr>
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<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.</strong> Direct Labor</td>
<td>Hours</td>
<td>x</td>
<td>Rate</td>
<td>= Project Cost</td>
</tr>
<tr>
<td>Name, Title, Function</td>
<td>0.00</td>
<td>x</td>
<td>0.00</td>
<td>= 0.00</td>
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<tr>
<td></td>
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<td>x</td>
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<td>x</td>
<td></td>
<td>= 0.00</td>
</tr>
<tr>
<td>Subtotal</td>
<td>=</td>
<td>0.00</td>
<td>0.00</td>
<td></td>
</tr>
</tbody>
</table>

| **2.** Overhead/Indirect Cost (expressed as indirect rate x direct labor) | 0.00 | 0.00 |

| **3.** Subcontractor Costs | 0.00 | 0.00 |

| **4.** Materials and Supplies Costs | 0.00 | 0.00 |

| **5.** Travel Costs | 0.00 | 0.00 |

| **6.** Fixed Fee | 0.00 | 0.00 |

| **7.** Miscellaneous Costs | 0.00 | 0.00 |

| **Total Cost** | = | 0.00 | 0.00 |
Exhibit B - Debarment of Suspension Certification

Background and Applicability

The provisions of Part 29 apply to all grantee contracts and subcontracts at any level expected to equal or exceed $25,000 as well as any contract or subcontract (at any level) for Federally required auditing services. 49 CFR 29.220(b). This represents a change from prior practice in that the dollar threshold for application of these rules has been lowered from $100,000 to $25,000. These are contracts and subcontracts referred to in the regulation as “covered transactions.”

Grantees, contractors, and subcontractors (at any level) that enter into covered transactions are required to verify that the entity (as well as its principals and affiliates) they propose to contract or subcontract with is not excluded or disqualified. They do this by (a) Checking the Excluded Parties List System, (b) Collecting a certification from that person, or (c) Adding a clause or condition to the contract or subcontract. This represents a change from prior practice in that certification is still acceptable but is no longer required. 49 CFR 29.300.

Grantees, contractors, and subcontractors who enter into covered transactions also must require the entities they contract with to comply with 49 CFR 29, subpart C and include this requirement in their own subsequent covered transactions (i.e., the requirement flows down to subcontracts at all levels).

Instructions for Certification: By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below.

Suspension and Debarment
This contract is a covered transaction for purposes of 49 CFR Part 29. As such, the contractor is required to verify that none of the contractor, its principals, as defined in 49 CFR 29.995, or affiliates, as defined at 49 CFR 29.905, are excluded or disqualified as defined at 49 CFR 29.940 and 29.945.

The contractor is required to comply with 49 CFR 29, Subpart C and must include the requirement to comply with 49 CFR 29, Subpart C in any lower tier covered transaction it enters into.

By signing and submitting its bid or proposal, the bidder or proposer certifies as follows:

The certification in this clause is a material representation of fact relied upon by the recipient. If it is later determined that the bidder or proposer knowingly rendered an erroneous certification, in addition to remedies available to the recipient, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment. The bidder or proposer agrees to comply with the requirements of 49 CFR 29, Subpart C while this offer is valid and throughout the period of any contract that may arise from this order. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

Contractor __________________________________________________________________________

Signature of Authorized Official _________________________________________ Date ___ / ___ / ___

Name & Title of Contractor’s Authorized Official ____________________________________________
Request for Proposals (RFP)

Long-Range Data Development Plan and Demographic Forecast Study

Exhibit C - Certification of Restriction on Lobbying

I, _______________________________________________________________ hereby certify on behalf of______________________________________________ that:

(Name and Title of Grantee Official)

(Name of Bidder / Company Name)

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S. Code 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The undersigned certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Section 3801, et seq., are applicable thereto.

Name of Bidder / Company Name _______________________________________________________

Type or print name ____________________________________________________________________

Signature of authorized representative ___________________________________ Date ___ / ___ / ___

(Title of authorized official)
Request for Proposals (RFP)

Long-Range Data Development Plan and Demographic Forecast Study

Legend

- Urban Area Boundary, Adjusted 2013
- Metropolitan Planning Area Boundary
- Township within the Metropolitan Planning Area (MPA)
- County Boundary
- Red River
- Interstate Highway
- Major Highway or Other Arterial/Collector
- County Highway or Other Arterial/Collector
- Local Collector or Other Local Road

Fargo-Moorhead Metropolitan Council of Governments