METRO requests Statements of Qualifications (SOQs) from qualified consultant teams to perform the services noted above. **Advanced experience in this area is mandatory.**

SOQs are not to exceed five (5) typed pages, and must be accompanied by an organization chart and Standard Form 330, Part I (prime) and Part II (each subconsultant/subcontractor).

Please submit Eight (8) copies of the SOQ materials cited above.

**METRO must receive the Statement of Qualifications no later than**

2:00 p.m. local time, April 3, 2020.

Attention: Prinscella Abbs, Contract Services Assistant  
RFQ No.: 4020000111  
METRO must receive the Statement of Qualifications no later than

**FEDERALLY FUNDED**

**IMPORTANT – Notice to Proposer**  
All responses to this solicitation must be labeled as indicated below and delivered or mailed to the following address:

| Metropolitan Transit Authority | Upper Left Corner of Envelope Must Indicate: |
| Procurement Division | Proposer/Contractor Name and Address |
| Plan Room, 2nd Floor | |
| 1900 Main Street | |
| Houston, Texas 77002 | |

| Solicitation Number | |
| Due Date | |
| Due Time | |
| Solicitation Title | |

(No collect calls accepted)
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SECTION I – STATEMENT OF QUALIFICATIONS SUBMISSION REQUIREMENTS AND INSTRUCTIONS

1 REQUEST FOR QUALIFICATIONS SUMMARY

RFQ NO.: 4020000111    RFQ ISSUE DATE: March 8, 2020

PROJECT NAME: Program Management Consultant (PMC) Services

For: Professional Program Management Consultant Services on an 'As Needed' Basis

ISSUED BY: Metropolitan Transit Authority of Harris County (METRO)

METRO Procurement Web site: https://www.ridemetroapp.org/procurement/

NOTE TO PROPOSERS: PROPOSERS ARE RESPONSIBLE FOR ALL INFORMATION IN THIS SOLICITATION, HOWEVER, PLEASE PAY PARTICULAR ATTENTION TO INFORMATION SHADED IN GRAY.

DISCIPLINARY EXPERIENCE: The team/firm selected to provide these services will have considerable local experience in all of the following disciplines:

- Team Experience
- Key Personnel Experience
- Work Plan
- Program Controls
- Communications
- Universal Accessibility
- Small Business Enterprise Program Participation

RECEIPT DATE/TIME/LOCATION of STATEMENT OF QUALIFICATIONS (SOQs): SOQs will be received until 2:00 p.m. local time on April 3, 2020 at the METRO Procurement Office Plan Room, 2nd floor, 1900 Main St., Houston, Texas 77002. Responders are to submit an original and seven (7) copies in a sealed envelope bearing the name and address of the Responder and the identification ‘Request for Qualifications No. 4020000111.’ SOQs received will not be opened publicly. See additional submission requirements below in Article 2.

A PRE-SUBMITTAL BRIEFING will be held at 10:00 a.m. on local time on Tuesday, March 17, 2020 in the 2nd Floor Board Room, 1900 Main St., Houston, Texas 77002. All interested firms are encouraged to attend.

The purpose of the conference is to explain the solicitation requirements and answer any questions prospective proposers may have regarding the solicitation. All questions pertaining to this solicitation shall be presented IN WRITING to the above METRO representative at or prior to the Pre-Proposal Conference. All interested firms are strongly encouraged to attend.

Please click on this link to see parking lots available in downtown Houston near the 1900 Main Building. https://www.ridemetroapp.org/procurement/Documents/MetroParkingMap.pdf. Prospective submitters unable to attend the briefing in person may participate by telephone using the dial-in information provided below.

OBLIGATION: This Request for Qualifications does not obligate the Metropolitan Transit Authority to award a contract, or to pay any costs incurred in the preparation or submittal of any response.

PERFORMANCE PERIOD: The performance period for a contract resulting from this solicitation will be for a five (5) period with an option for five (5) additional years (10 years in total). Services thereunder will be utilized on an 'as needed' basis.

REGISTRATION ON PROCUREMENT WEBSITE: All Responders MUST register on METRO’s procurement website at https://www.ridemetroapp.org/procurement/ to ensure that they receive the latest solicitations and updates via their registered e-mail address.
REPRODUCTION: All forms contained in this solicitation may be reproduced if more space is needed due to the number of subcontractors or suppliers to be submitted with the SOQ or for any other reason.

SMALL BUSINESS PARTICIPATION GOAL: METRO has adopted a Small Business Enterprise Program to encourage the participation of Small Business enterprises in contracting activities through race-gender neutral means. METRO sets Small Business Participation goals on its contracts. Small Business Participation goals can be satisfied by METRO-certified Small Businesses (SBE), Texas Unified Certification Program (TUCP)-certified Disadvantaged Business Enterprises (DBE), or a combination of both. All references to Small Businesses in this document include Disadvantaged Business Enterprises. Copies of METRO’s Small Business and Disadvantaged Business Enterprise Programs can be obtained upon request.

This solicitation has a 35% Small Business Participation goal.

IF A SMALL BUSINESS PARTICIPATION GOAL IS LISTED ABOVE, PROPOSERS ARE REQUIRED TO DEMONSTRATE A COMMITMENT TO THE SMALL BUSINESS PARTICIPATION GOAL IN ORDER TO BE CONSIDERED IN THE EVALUATION PROCESS.

METRO ENCOURAGES SMALL BUSINESS PARTICIPATION EVEN IF NO SMALL BUSINESS PARTICIPATION GOAL HAS BEEN ESTABLISHED.

METRO encourages Contractors to use financial institutions owned and controlled by socially and economically disadvantaged individuals. A listing of such institutions may be found at https://www.fdic.gov/regulations/resources/minority/mdi.html

WRITTEN QUESTIONS: Written questions will be accepted until 2:00 p.m. local time, Tuesday, March 24, 2020. Submit questions to js07@ridemetro.org.

2 STATEMENT OF QUALIFICATIONS (SOQ) REQUIREMENTS

A. Respondents wishing to be considered for award of Program Management Consultant (PMC) Services as set forth in this RFQ, must submit an original and seven (7) copies of the SOQ. The SOQ is not to exceed five (5) double-sided typewritten pages, using no smaller than 9-point, Arial font, describing the Responder's interest and the qualifications of the team and key personnel. Do not include a cover letter with the SOQ.

B. A copy of a single Standard Form 330 - Part I for the prime, as well as copies of a Standard Form 330 - Part II for each and every firm identified as a team participant in the SOQ (not counted in the five pages), must accompany each copy of the SOQ. Firms listed as small businesses must have certification documentation attached (not counted in the five pages) that demonstrates their certification status. In Section E of the Form 330, resumes shall be organized in alphabetical order by last name and irrespective of firm affiliation. Link to Standard Form 330: https://www.gsa.gov/forms-library/architect-engineer-qualifications.

C. Required information that is not NOT INCLUDED in the 5-double-sided-SOQ page count:
   a. METRO forms to be submitted that are included as Exhibits herein
   b. A copy of a single Standard Form 330, Part I for the prime, as well as copies of a Standard Form 330, Part II for each firm identified as a team participant in the SOQ
   c. Certification documentation that demonstrates all small business team members' current SBE/DBE status
   d. The organization chart required as part of the SF 330 data; must identify all team participants and all proposed subconsultants and/or subcontractors, and their responsibilities.

3 EVALUATION CRITERIA

A. The SOQ shall address the following METRO criteria and shall be supported by the Standard Form 330. A Responder's Submittal will be evaluated on both technical and Small Business Program criteria for a possible total score of up to 100 points.

B. Technical evaluation criteria are identified with relative weights adding up to a maximum of 95 points. If a Small Business Participation goal has been set for the solicitation, a Responder may be awarded up to 5 additional points if the Responder commits to Small Business participation at a rate higher than the Small Business Goal.

C. Submittals should be organized under the following headings and should address each topic to demonstrate the Respondent's qualifications and ability to perform the Work.
### CRITERIA

<table>
<thead>
<tr>
<th>Qualifications/Team Experience</th>
<th>MAXIMUM POINTS AVAILABLE BY CRITERIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Proposer shall provide all relevant work experience and capabilities on projects of similar size, scope, complexity, and nature to the METRONext Program. This must include experience in all modes that are included in the METRONext Program, such as BRT, LRT, bus, and emerging technologies, as well as the technology and infrastructure of each mode. Consultant shall clearly convey current technical resources and provide examples of past performance in successful delivery of the project types similar in nature to project types in the Program Management Consultant Scope of Services.</td>
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<table>
<thead>
<tr>
<th>Key Personnel Experience</th>
<th>20 PTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience and technical capabilities of Proposer key personnel, including all subconsultants shall demonstrate abilities to successfully deliver projects similar in nature to project types in the Program Management Consultant Scope of Services. All team members shall demonstrate the ability to assign dedicated staff to the METRONext Program as required, to be in the Houston area, and attest that none of these key personnel will be replaced for the duration of the project unless approved by METRO.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Work Plan</th>
<th>20 PTS</th>
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</thead>
<tbody>
<tr>
<td>Proposer shall demonstrate to METRO the methodology proposed to rapidly meet the needs of the METRONext Program using proven and innovative solutions in all aspects of the program. A Work Plan and organizational chart shall be provided that clearly articulates the Proposer’s methodology for rapidly implementing all project types, scopes, services, cost, and scheduling requirements in the Program Management Consultant Scope of Services. The Work Plan shall provide experience in successfully assisting transit agencies through the NEPA process. Additionally, Work Plan shall include Proposer’s plan for funding major capital projects, such as Capital Investment Grants and other funding mechanisms. The Work Plan shall include proposal to efficiently manage third party consultants participating in the a program as set out in the Program Management Consultant Scope of Services.</td>
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</table>

<table>
<thead>
<tr>
<th>Program Controls</th>
<th>20 PTS</th>
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<tbody>
<tr>
<td>Proposer shall provide successful experience and demonstrate to METRO the ability to plan and meet multiple project timelines. Proposer is to provide proven and innovative solutions on managing scope, schedule, and cost on FTA funded programs, including but not limited to change management practices and issues resolution. Additionally, Proposer shall demonstrate ability to report project success factors with transparent reporting.</td>
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</table>

<table>
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<tr>
<th>Communications</th>
<th>10 PTS</th>
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<tbody>
<tr>
<td>Proposer shall provide experience using proven and innovative methods to communicate to a broad range of stakeholders to include but not limited to communities, businesses, local and regional entities, and elected officials. Proposer shall provide proven and innovative approaches to engaging the broad range of stakeholders regarding the various aspects and stages of the METRONext Program. The Proposer shall exhibit a knowledge of local and regional dynamics in which the Program will be developed.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Universal Accessibility</th>
<th>5 PTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposer shall provide a plan to ensure all projects and services included in the Program Management Consultant Scope of Services comply with METRO’s Universal Accessibility Initiative, which is METRO’s commitment to the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability.</td>
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<tr>
<th>Small Business Evaluation Criteria</th>
<th>Up to 5 PTS</th>
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<tbody>
<tr>
<td>Responders must demonstrate a commitment to meet or exceed the Small Business Participation goal, if one has been established.</td>
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</tr>
<tr>
<td>A Responder that fails to commit to the Small Business Participation goal will be deemed nonresponsive and no further consideration will be given to its Submittal.</td>
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</tr>
<tr>
<td>A Responder that commits to attaining the specified Small Business Participation goal will be deemed responsive and its Submittal will continue in the evaluation process. The Responder will be considered as having passed the requirement on a pass/fail basis and will receive 0 points.</td>
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<tr>
<td>A Responder that commits to exceeding the Small Business Participation goal will continue in the evaluation process and may receive up to 5 points. The determining factors in awarding any of the 5 points include, but are not limited to:</td>
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<tr>
<td>o Past compliance with the Small Business Enterprise (SBE) Program.</td>
<td></td>
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<tr>
<td>o Satisfactory completion of all administrative requirements of the SBE Program.</td>
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<tr>
<td>o Exceeding the specified SBE goal</td>
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</tbody>
</table>
4. EVALUATION / SOURCE SELECTION

A. Selection of a firm to provide the services required herein will be made by an Evaluation Committee. The Evaluation Committee will determine the most qualified firm(s) through validation of factors in described above and oral presentations, if necessary. If the decision is made to conduct oral presentations, oral presentations will be made accordingly.

B. The evaluation process may include the participation of an Oral Presentation Committee; an Executive Selection Committee, or a Board Selection Committee. The participation of the Executive Selection Committee or the Board Selection Committee may occur at the beginning of the evaluation process, foregoing an Evaluation Committee of staff members all together, or to become involved after the Evaluation Committee has made an initial shortlist. Board members may elect to participate as scoring members or non-scoring observers in any of these committees.

C. Following the evaluation of qualification submittals for Program Management Consultant (PMC) Services, METRO may, at its sole discretion:

1. Invite a short list of qualified Respondents to participate in oral interviews;
2. Take no further action; or
3. Modify (expand or reduce) the Scope of Services, Attachment A, and issue a Request for Submittal based upon the modified scope.

5 SMALL BUSINESS AND DISADVANTAGED BUSINESS ENTERPRISE PROGRAMS

A. The Metropolitan Transit Authority of Harris County, Texas (METRO) has implemented a Small Business Enterprise Program, hereinafter referred to as the Program, for small businesses attempting to provide goods and/or services as prime Contractors to METRO or as subcontractors to other prime Contractors to METRO. It is the policy of METRO to promote equal opportunity and non-discrimination in all of its procurement matters in accordance with state and federal law. The Program seeks to provide METRO-certified Small Businesses (SBE) and Texas Unified Certification Program (TUCP)-certified Disadvantaged Businesses Enterprises (DBE) a full and fair opportunity to participate in METRO projects through race-gender neutral means. The Small Business Enterprise Program shall not be used to discriminate against any person or company or group of persons or companies because of race, color, national origin, religion, sex (including gender identity and sexual orientation), disability, or age. Each bidder, proposer, Contractor and subcontractor shall comply with this non-discrimination requirement.

B. The Small Business Enterprise Program is a separate program from METRO’s Disadvantaged Business Enterprise (DBE) Program which is administered by the federal government and applies to federally funded projects. METRO’s Small Business and Disadvantaged Business Enterprise Programs can be found at https://www.ridemetro.org/Pages/SB-FormsTemplates.aspx

C. Nothing in the Small Business or Disadvantaged Business Enterprise Programs should be construed to give a bidder or proposer a property interest in a Submittal or contract prior to the Board of Directors’ award of the contract and compliance with all statutory and legal requirements.

D. METRO has established a Small Business Participation goal for this solicitation. The Small Business Participation goal may be satisfied by utilizing METRO-certified Small Businesses or TUCP-certified Disadvantaged business enterprises or a combination of both. All references to Small Businesses include Disadvantaged Businesses. The Small Business Participation goal is:

35%

RESPONDERS WHO FAIL TO COMMIT TO THE SMALL BUSINESS CONTRACT GOAL WILL BE DEEMED NONRESPONSIVE AND NO FURTHER CONSIDERATION WILL BE GIVEN TO THEIR SUBMISSION.

E. Small Business Goal Commitment for a Small Business Participation goal listed in above item D

1. If a Small Business Participation goal is established in item D above, bidders/proposers who fail to commit to the Small Business Participation goal will be deemed nonresponsive and no further consideration will be given to their Submittal.

2. Non-certified Small Business or TUCP Disadvantaged Business Enterprise primes must subcontract at a minimum the Small Business Participation goal percentage to certified Small Business firms, TUCP Disadvantaged Business Enterprise firms or a combination of both in order to satisfy the Small Business Participation goal requirement.

3. The performance of a METRO-certified Small Business or TUCP Disadvantaged Business Enterprise prime may satisfy the Small Business Participation goal requirement if:

   a) The SBE/DBE prime self-performs at a minimum the Small Business Participation goal percentage
Example: Small Business Participation goal is 35%
The SBE/DBE prime self-performs 35%
The prime has satisfied the 35% Small Business Participation goal

b) The SBE/DBE prime combined with a SBE/DBE subcontractor performs at a minimum the Small Business Participation goal percentage

Example: Small Business Participation goal is 40%
The SBE/DBE prime self-performs 35%
SBE/DBE subcontractor performs 5%
The prime has satisfied the 40% Small Business Participation goal

c) The SBE/DBE prime cannot self-perform 100% of the contract. The prime must subcontract to SBE/DBEs and/or non-SBE/DBEs at a minimum the Small Business Participation goal percentage

Example: Small Business Participation goal is 35%
SBE/DBE prime self-performs 65%
Subcontractors (certified and/or non-certified) perform 35%
The prime has satisfied the 35% Small Business Participation goal

d) Joint venture Contractors with SBE/DBE partners will count towards the Small Business Participation goal only for the percentage of the SBE/DBE partner.

Example: Joint venture
1 - Non-SBE/DBE partner @ 50% of joint venture
1 - SBE/DBE partner @ 50% of joint venture
Joint venturer is performing 30% of the contract = 15% Small Business participation

e) Joint venturers and their partners are prohibited from submitting as a prime and as a subcontractor on the same submission.

Example: Joint venturer submits as a prime
Joint venture partners are listed as subcontractors on the same submission
Joint venturers and partners are prohibited from submitting in this way

f) All prime Contractors, whether SBE/DBE or non-SBE/DBE, must always self-perform at a minimum thirty percent (30%) of the contract regardless of the Small Business Participation goal percentage

g) Bidders/proposers are prohibited from multiple submissions of Submittals, i.e. submitting as a prime Contractor in one submission and as a subcontractor in another submission for the same project. Such multiple submissions may result in the disqualification of all submissions where the bidder/proposer is listed.

h) Agreements between a bidder/proposer and a Small Business Enterprise or Disadvantaged Business Enterprise in which the SBE or DBE promises not to provide subcontracting quotations to other bidders/proposers shall be prohibited.

i) SBEs and DBEs are limited to submitting as subcontractors on only four (4) Submittals for the same project. Failure to adhere to this four (4) Submittal limit may result in the disqualification of the offending SBE or DBE from all Submittals.

F. Required Small Business Documents

1. Contractor Utilization Plan

   a) IT IS MANDATORY that every bidder or proposer submit a Contractor’s Utilization Plan (the ‘Plan’) when submitting a Submittal or response to request for qualifications, whether or not a Small Business Participation goal has been established.

   b) The bidder/proposer must use this form to identify all subcontractors with whom the bidder/proposer intends to contract, specifying the agreed price and/or percentage to be paid each subcontractor for such work, and certifying the contract items and parts thereof to be performed by each subcontractor. Only percentages of Contract Work Effort are to be indicated when responding to RFQ/RFP submissions, as pricing is determined later in the procurement process.

   c) If applicable, the Plan should set forth how the Small Business Participation goal for the proposed project is to be met. The Plan will be used by METRO as a factor in evaluating whether a bidder/proposer has complied with the requirements of the Program to satisfy the Small Business Participation goal.
d) If the Small Business participation submitted by the bidder/proposer does not meet an established Small Business Participation goal, if any, the bidder/proposer will be deemed non-responsive and will not be considered for contract award.

e) Failure to submit a complete Plan for a contract with a Small Business Participation goal will result in Submittal being deemed non-responsive and will not be considered for contract award.

f) When a Small Business Participation goal has been established, the Small Business Participation goal, the Contractor shall adhere to the Plan submitted unless a waiver is received from the Office of Small Business. Any changes in the Plan regarding the proposed use of certified subcontractors in discharging the contract duties must be approved by the Office of Small Business. The approval of the Office of Small Business will not be unreasonably withheld upon a showing of good cause to make the change.

g) When adding a certified subcontractor to the Plan with a Small Business Participation goal, the Contractor must submit a copy of the subcontract agreement to the Office of Small Business within fifteen (15) days of receiving approval from the Office of Small Business.

h) The Contractor Utilization Plan must include the following:

1) A simple, straight-forward statement outlining subcontractor participation regardless of certification, inclusive of scope, responsibilities and percentage of work.

2) Materials and supplies shall be counted towards the small business goal as follows:

   i. 100 percent of the cost of materials or supplies purchased from a small business manufacturer can be applied towards the Small Business Participation goal of a Contract. A manufacturer is defined as a firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment of the general character described by the scope and/or specifications of the contract.

   ii. Sixty percent of the cost of materials or supplies purchased from a small business regular dealer can be applied towards the Small Business Participation goal of a Contract. A regular dealer is defined as a firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the scope and/or specifications of the contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business.

3) Copies of documents demonstrating that each Small Business team member is acceptably certified as either a METRO-certified Small Business or TUCP-certified Disadvantaged Business Enterprise, and verifying that such certification is current as of the date of submission.

   i. METRO accepts the following certifications:

   • SBE - Metropolitan Transit Authority of Harris County (METRO)
   • DBE - City of Houston/Texas Unified Certification Program (TUCP)
   • DBE - City of Austin
   • DBE – Corpus Christi Regional Transportation Authority
   • DBE – North Central Texas Regional Certification Agency
   • DBE – South Central Texas Regional Certification Agency
   • Texas Department of Transportation (DOT) approved DBE certification

   ii. METRO does not accept the following certifications:

   • State of Texas HUB (Historically Underutilized Business)
   • Minority Business Enterprise only
   • Women Business Enterprise only
   • City of Houston Small Business certification only

   iii. If a proposer/bidder submits plans to add a firm as part of its small business participation that is not yet certified as referenced above, that firm must be either METRO Small Business- or TUCP Disadvantaged Business Enterprise-certified prior to the Submittal date. Firms certified after the Submittal date will not be counted towards the commitment. Additional Small Business certification information and forms may be found at METRO’s website: www.ridemetro.org under Small Business.

4) When requested, a timeline for performance by subcontractors.

5) Signature of the bidder/proposer
2. Business Assurance Statement (BAS)
   a) Bidders/proposers are required to submit an executed Business Assurance Statement form with their Submittal when a Small Business Participation goal has been established.
   b) Bidders/proposers must enter their Small Business Participation goal commitment. This includes the SBE/DBE prime’s participation if applicable.
   c) Bidders/proposers must enter into agreements with the subcontractors listed on the Plan
   d) Bidders/proposers must include the BAS Clauses in their subcontractor agreements

3. Letter of Intent (LOI)
   a) Bidders/proposers are required to submit a Letter of Intent form for all subcontractors when a Small Business Participation goal has been established.
   b) The Letters of Intent must be executed by the prime and the subcontractor

4. Contractor Utilization Plan Pledge (Pledge)
   a) Bidders/proposers are required to submit an executed Pledge form with their Submittal when a Small Business Participation goal has been established.
   b) Bidders/proposers must pledge prompt payment to ALL subcontractors
   c) Bidders/proposers must affirm adherence to METRO’s Non-discrimination Mandate.
   d) When applicable, bidders/proposers must pledge prompt payment of retainage
   e) Bidders/proposers must include the Pledge Clauses in their subcontractor agreements

G. Incentives Utilizing Small Businesses

1. Fees for Solicitation Documents. Submitters making a valid bid or proposal and participating in the Program will receive a refund for up to seven (7) sets of documents purchased from METRO.

2. Bid Security/Bond. A bid security will no longer be required except for federally funded construction solicitations exceeding $100,000.

3. METRO’s Incentives. METRO may utilize other incentives, as set forth in the request for Submittal, as it determines appropriate.

H. METRO encourages Contractors to use financial institutions owned and controlled by socially and economically disadvantaged individuals. A listing of such institutions may be found at https://www.fdic.gov/regulations/resources/minority/mdi.html

6  INSTRUCTIONS TO SOQ RESPONDERS

A. APPROVAL OF CONTRACT

If required by the METRO Procurement Manual, award of a Contract evolving from this solicitation shall be contingent upon the prior receipt of written approval from the METRO Board of Directors. No contractual agreement shall be binding on METRO until this approval has been obtained. It shall be the responsibility of firms responding to this solicitation to monitor Board award decisions. All persons and/or entities responding to this Solicitation hereby acknowledge the contract award requirement enumerated in this Paragraph. Anticipated Board Items are posted on METRO’s web site at: https://www.ridemetro.org/Pages/BoardMeetingsAndNotices.aspx

Public Notice of Solicitation Results

The anticipated METRO Board meeting month for approval of a contract resulting from this solicitation will be forthcoming. It is the responsibility of the proposer to check METRO’s website for notices on the specific dates for METRO Board meetings. All proposers of this Solicitation and METRO hereby agree that this provision shall serve as the minimum required action by the proposer toward exercising due diligence in obtaining the results of this Solicitation. The requirement of approval by the METRO Board of Directors for any particular solicitation is dependent upon several factors. However, all proposers shall be required to check the METRO web site regarding whether or not the solicitation associated with their proposal requires approval by the METRO Board of Directors. All persons and/or entities responding to this Solicitation hereby acknowledge the Public Notice of Solicitation Results enumerated in the Paragraph. METRO Board meeting notices are posted on METRO’s
Unsuccessful proposers can request a debriefing by contacting the Contract Administrator named in this solicitation.

B. CERTIFICATION

By submitting a SOQ in response to this announcement, a Respondent certifies that neither its firm nor any of its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or excluded from participation in this procurement process by any federal department or agency. Further, if any of the aforementioned situations occurs during the course of the procurement, the Respondent is required to inform METRO thereof. See Section XI, Exhibit C, 'Debarment and Suspension Form.'

C. CONFLICTS DISCLOSURE

Vendors doing business with METRO or seeking to do business with METRO are required to file a completed questionnaire (FORM CIQ) disclosing the vendor's affiliations or business relationship with any Board Member, local government officer (or his or her family member). Form CIQ is available on METRO's web site at https://www.ridemetro.org/Pages/ConflictsDisclosure.aspx.

D. DEBARMENT AND SUSPENSION

1. This Contract is a covered transaction for purposes of 49 Part 29. As such, the Contractor is required to verify that none of the Contractor's principals, as defined at 49 C.F.R. § 29.995, or affiliates, as defined at 49 C.F.R. § 29.905, are excluded or disqualified as defined at 49 C.F.R. § 29.940 and § 29.945.

2. The Contractor is required to comply with 49 C.F.R. § 29, Subpart C and must include the requirement to comply with 49 C.F.R. § 29, Subpart C in any lower tier covered transaction it enters into.

3. The Contractor must sign and submit the 'Debarment and Suspension Certification,' included herein as Exhibit C. The certification in this Clause is a material representation of fact relied upon by METRO. If it is later determined that the proposer knowingly rendered an erroneous certification, in addition to remedies available to METRO, the federal government may pursue available remedies, including but not limited to suspension and/or debarment. The proposer agrees to comply with the requirements of 49 C.F.R. § 29, Subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions. See Section XI, Exhibit C, 'Debarment and Suspension Form.'

E. ELIGIBILITY FOR AWARD

1. Each proposer shall complete, and submit the applicable forms contained in this document. If the proposer is a joint venture, each joint venturer shall prepare and submit separate forms.

2. In order for a proposer to be eligible to be awarded the contract, a proposal must be responsive to the Request for Proposals, show the proposer's technical competency, and METRO must be able to determine that the proposer is responsible to perform the contract satisfactorily.

3. A responsive proposal complies with all material aspects of the solicitation. Proposals that do not comply with all the terms and conditions of this solicitation will be rejected as nonresponsive.

4. Responsible proposers as a minimum must:

   a. Have financial resources adequate to perform the contract, or ability to obtain such resources as required during the performance of the contract;

   b. Have the necessary technical equipment, material and capability, including qualified supervision and skilled workforce, adequate to perform the contract, or the ability to obtain such resources as are required during the course of the contract;

   c. Have a satisfactory record of business integrity and ethics;

   d. Have a satisfactory record of current and/or past performance in behalf of METRO and/or other owners, including the areas of scheduling, submittals; record keeping, reporting, qualified supervision, skilled workforce, safety, quality of equipment, materials and workmanship, timely performance, warranties and guarantees;

   e. If applicable, have a satisfactory record as a Contractor of achieving Small Business Participation goals in past METRO projects, as well as providing evidence satisfactory to METRO that the proposer will comply with Small Business Program requirements and any Small Business Participation goal contained herein.
f. Certify that it is not on the U.S. General Services Administration's 'Lists of Parties Excluded from Federal Procurement or Non-Procurement Programs.' Signing and submitting the proposal is so certifying;

g. Be otherwise qualified and eligible to receive an award under applicable laws and regulations.

5. A proposer may be requested to submit written evidence verifying that it meets the minimum criteria necessary to be determined a responsible proposer. Refusal to provide requested information will result in the proposer being declared non-responsive, and the proposal will be rejected.

F. PREPARATION OF STATEMENTS OF QUALIFICATIONS (SOQs)

In an effort to promote greater use of recycled and environmentally preferable products and to minimize waste, all Submittals should comply with the following:

1. All Submittals and copies should be printed on recycled paper with a minimum post-consumer content of thirty percent (30%) or on tree-free paper (i.e., paper made from raw materials other than trees, such as kenaf).

2. Unless absolutely necessary, all Submittals and copies should minimize or eliminate the use of non-recyclable or non-reusable materials, such as plastic report covers, plastic dividers, vinyl sleeves and bindings.

3. To further reduce the use of materials not essential to Submittals, METRO encourages Responders to forgo the use of three-ringed binders or glued materials when assembling the originals and copies of the SOQ, Standard Form 330 Parts I and II, and other required information. Instead, METRO prefers and appreciates the use of paper clips, binder clips, staples, rubber bands, and other materials containing recycled content, such as folders, paper clips, discs or thumb drives, envelopes, boxes, etc. METRO also appreciates receiving Submittals assembled in formats that allow for easy removal and recycling of paper and other materials.

4. Unnecessary samples, attachments or documents not specifically asked for should not be submitted with a Submittal.

G. PROHIBITION ON LOBBYING

No Responder shall, directly or indirectly, engage in any conduct (other than the submission of the SOQ or other prescribed submissions and/or presentations before the Evaluation or Selection Committees) to influence any employee of METRO or any member of the Metropolitan Transit Authority Board of Directors concerning the award of a contract as a result of this Solicitation. Violation of this prohibition may result in disqualification of the Bidder or Proposer from further participation in the solicitation for the services or goods sought herein or from participation in future METRO solicitations or contracts. The communication blackout period shall commence from the issue of a solicitation through contract award. The Contract Administrator is the only METRO representative authorized to communicate with firms or their representatives during the blackout period.

H. PROTESTS

1. Any protest of the Request for Qualifications shall be submitted for resolution to the Chief Procurement Officer. Such protest shall be in writing and shall be supported by the information set forth in Chapter 12 of METRO’s Procurement Manual to enable the protest to be considered. A protest will not be considered if it is insufficiently supported or it is not received within the time limits specified herein.

2. A protest based upon terms, conditions or form of a proposed procurement action prior to submission of qualifications, shall be submitted so that it is received by the Chief Procurement Officer no later than five (5) calendar days prior to the specified date for submission of qualifications.

3. For a protest concerning award decision, including evaluations, the initial protest must be received by the Chief Procurement Officer not later than five (5) calendar days after the interested party knows, or through exercise of reasonable diligence should have known, whichever is earlier, of the grounds for the protest.

4. Each protest will be processed in accordance with METRO’s Protest Procedures located in Chapter 12 of METRO’s Procurement Manual. A copy of the procedures will be provided to the protester upon written request to METRO’s Chief Procurement Officer.

5. A written final determination on any protest will be rendered by METRO’s President & Chief Executive Officer and will be provided to the protester as soon as practicable.

6. The protester must exhaust its administrative remedies by pursuing METRO’s protest procedures to completion prior to appealing METRO’s decision to the FTA.

7. Federal Transit Administration (FTA) Circular 4220.1F, Paragraph 7L, addresses bid protests. A copy of this Paragraph will be provided to the protester upon written request to METRO. Review of a protest by FTA will be limited to a grantee’s
failure to have or follow its written protest procedures or its failure to review a complaint or protest or violation of federal law or regulation. An appeal to FTA must be received by the cognizant FTA regional or Headquarters Office within five (5) working days of the date the protestor learned or should have learned of any adverse decision by METRO, or other basis of appeal to the FTA. Violations of a specific federal law or regulation will be handled by the complaint process stated with that law or regulation. Alleged violations on other grounds are under the jurisdiction of the appropriate state or local administrative or judicial authorities.

I. RESTRICTIONS ON LOBBYING

Contractors who apply or propose for an award of $100,000 or more shall file the certification required by 49 C.F.R. part 20, ‘New Restrictions on Lobbying.’ Each tier certifies to the tier above that it will not and has not used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contracts on its behalf with non-federal funds with respect to that federal contract, grant or award covered by 31 U.S.C. 1352. Such disclosures are forwarded from tier to tier, up to the recipient. See Section XI, Exhibit B, ‘Certification of Restrictions on Lobbying.’

7 STATEMENT OF QUALIFICATIONS (SOQ) FORMS SUBMISSION CHECKLIST

Insert requested information and sign and date where indicated.

SUBMIT WITH COMPLETED SUBMITTAL

☐ Statement of Qualifications, responses to Evaluation Criteria Section I, No. 2 A
☐ Organization Chart Section I, No. 2 D
☐ Standard Form 330, Part I (prime) and Part II (For each subconsultant/subcontractor) Section I, No. 2 C
☐ ‘Certification of Restrictions on Lobbying’ form Section II, Exhibit B
☐ ‘Debarment and Suspension Certification’ form Section II, Exhibit C
☐ ‘Contractor’s Utilization Plan’ form Section II, Exhibit D, Form 1

SUBMIT IF A SMALL BUSINESS GOAL IS ESTABLISHED

☐ ‘Business Assurance Statement’ form Section II, Exhibit D, Form 2
☐ ‘Subcontractor/Supplier Letter of Intent’ form Section II, Exhibit D, Form 3
☐ ‘Contractor’s Utilization Plan Pledge’ form Section II, Exhibit D, Form 4
☐ Acceptable certification documentation

SUBMIT ONLY IF APPLICABLE

☐ Evidence of attainment of proper license or permit, if special licensing or permitting is required by federal, state or local law or ordinance.
SECTION II – EXHIBITS

1 EXHIBIT A SCOPE OF SERVICES

In August 2019, the METRO Board of Directors voted unanimously to approve the METRONext Moving Forward plan and called for a referendum to be placed on the November 5, 2019 ballot for METRO voters to consider $3.5 billion in bonding authority for METRO. The balance of the $7.5 billion plan would be funded through local dollars and federal funding grants. With METRO voter approval of the bond referendum, METRO is moving forward with developing a process to implement the program of projects.

BACKGROUND

METRO has developed and undertaken various plans and programs to provide its transit authority system, some of which are continuing and will continue for several years into the future.

A prior plan was approved by the voters of METRO at an election held on November 4, 2003 that included, among other things, increased bus routes, expanded Park & Ride service, buses, new Park & Ride lots, transit centers, shelters and other bus-related facilities and Phase II and later phases of METRORail (collectively, “METRO Solutions”).

In 2017, METRO began working with the community and interested stakeholders to develop another comprehensive plan that builds upon METRO Solutions. The METRONext Moving Forward plan includes major capital investments and other improvements needed for METRO to address mobility needs within its boundaries and service area through approximately 2040. This comprehensive plan includes the acquisition, construction, repair, equipping, improvement and/or extension of METRO’s transit authority system, as approved by the Board pursuant to METRO Board Resolution 2019-17 (collectively, “METRONext”).

The 500 miles of travel improvements identified in the METRONext plan include 290 miles of route enhancements, signature bus service plus accessibility and usability improvements for the disabled and seniors and other projects such as, 75 miles of METRORapid bus service, 21 new or improved Park & Ride transit centers and 16 miles of METRORail extensions which include connections to Hobby airport, the City of Houston Municipal Court House and the North Shepherd Park & Ride.

METRONext is expected to include some or all of the following:

- Creation of “METRORapid,” a new Bus Rapid Transit system, including:
  - Interstate Highway 45 North to George Bush Intercontinental Airport and Greenspoint
  - Inner Katy Corridor to Northwest Transit Center / Proposed High Speed Rail / Uptown
  - University Corridor between Westchase and Tidwell
  - Uptown Corridor extension to Gulfton
  - West Houston Corridor between West Little York Park & Ride and Missouri City

- Improvements to METRO’s Regional Express Network, including:
  - United States Highway 90A Two-Way HOV
  - Interstate Highway 10 West Two-Way HOV
  - Interstate Highway 45 North Two-Way HOV
  - United States Highway 59/Interstate Highway 69 South Two-Way HOV Downtown to Edloe
  - State Highway 249 Two-Way Diamond Lanes/HOV
  - 4 Off-Peak Direction Diamond Lane Corridors

- Construction of METRORail Phase III and related parking facilities, including:
  - Connecting the Green Line and Purple Line and extending the combined lines to William P. Hobby Airport
  - Extension of Red Line to North Shepherd
  - Extensions of Green and Purple Lines to the City of Houston Municipal Courthouse

- Improvements to Bus Operations Optimized System Treatments (BOOST) & Signature Service and other METRO bus services, including:
  - Approximately 16 BOOST corridors
  - Westheimer Signature Bus Service
- System Enhancements, including:
  - Systemwide route improvements, including approximately 10 new Community Connectors/Circulators
  - Downtown, Midtown & Texas Medical Center transit improvements
  - Accessibility and usability improvements and other improvements reducing barriers to the use by seniors, the disabled and others of METRO’s transit authority system, including improvements to METROLift services
  - Improvements to facilitate portions of a rider’s trip before and after use of METRO’s transit authority system (“First Mile/Last Mile”)

- Construction of new facilities, including:
  - Approximately 10 new or improved Transit Centers
  - Approximately 11 new or improved Park & Rides, including Park & Ride and parking facilities related to METRO’s rapid transit services

METRONext Moving Forward Plan map:

During the course of implementation of the METRONext plan, exact routes of the METRO Rapid and METRO Rail connections shown on the plan will only be decided and finalized after an extensive community involvement process.

Scope of Work

METRO will provide overall direction for the METRONext program and assign its own staff to perform specific job responsibilities. Implementing an integrated team approach the PMC shall function as an extension of and supplement to METRO staff by providing all necessary specialized oversight and management expertise as required to successfully complete the development and implementation of the METRONext program. The PMC will perform or support any and all project functions associated with obtaining Federal funding for METRONext, such as the National Environmental Policy Act (NEPA) process, environmental clearance documentation, program management, planning and grant management. The PMC will undertake key management and support activities related to Program Control activities to ensure regularly scheduled reporting on scope, risk, cost and schedule/project milestones on a project and Program basis. PMC scope items include the development of an FTA-compliant Program Management Plan, establishment of design criteria and specifications for all infrastructure and vehicles. The PMC shall establish a METRONext Real Estate Acquisition Management Plan and provide necessary resources for right of way acquisition. Additionally, the PMC shall develop, maintain and monitor System Service Plans, System Safety and Security Management Plans, Fleet Management Plans, Commissioning Plans and Quality Control Management Plans. METRO is committed to future proofing projects and implementing the latest and future innovations, therefore, Innovation Support is included in all aspects of the PMC scope.
The PMC shall supplement and support METRO staff in management, technical support and oversight of external Consultants performing Preliminary Design and Final Design, Construction Management, Environmental Services, Quality Assurance/Quality Control, Traffic Engineering, Survey, Public and Private utility coordination, Procurement, Small Business, Urban Design, Marketing, Communications and Public Engagement. The PMC will provide oversight efforts regarding third-party coordination and agreements. Third-parties could include, but are not limited to, governmental entities, utility companies and management districts, railroads and TIRZs.

The PMC will assist METRO staff in developing an effective workforce and small business development plan and mentoring program for all phases of the project and support its implementation.

The METRONext projects will have a focus on achieving Universal Accessibility. Universal Accessibility is METRO’s commitment to the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability.

Note: The selected firm and its sub-consultants participating in the preliminary engineering and environmental impact statement work will not be permitted to perform detail design or construction concurrently with their work on the environmental impact statement.

This contract will be delivered on a time and materials basis with a Not to Exceed amount. The following includes tasks that are included as part of this Scope of Service.

1. Program Management scope items include but are not limited to:
   i. Development and maintaining of FTA approved Program Management Plans to include but not limited to:
      - Organizational and project team structures
      - Project team responsibilities and reporting relationships
      - Program and project approaches
      - Work breakdown structure for management of cost, schedule and resources
      - Plans and procedures for successful implementation of METRONext
   ii. Development of Safety and Security Management Plans (SSMP)
   iii. Develop and maintain Fleet Management Plans
   iv. Develop and maintain Risk and Contingency Management Plan
   v. Develop and assist in oversight of QA/QC Program and Project Quality Plan
   vi. Start-Up support of each project
   vii. Develop a program master schedule
   viii. Assist in development of contract packages
   ix. Participation in progress meetings with METRO staff and third parties
   x. Prepare and submit all required reporting as per METRO direction

2. Contract Administration
   i. The PMC will assist METRO in contract administration and oversight of work performed by other contractors. Work items to be performed by others include but not limited to:
      - General Engineering Services
      - Final Design
      - Construction
      - Construction Management
      - Traffic Engineering
      - Surveying
      - Environmental Services
- Public and Private Utility Coordination
- Legal and Regulatory Compliance Support
- Small Business Support
- Marketing
- Communications and Public Engagement Support

ii. PMC Contract Administration support of other contractors includes but is not limited to:
- Development of Scope of Services
- Scope Compliance Verification
- Assistance with administration of change orders and contract modifications
- Documenting project files.
- Review invoices submitted by any contractors and make recommendations to METRO regarding the payment of the invoice.
- Change Order Prevention Process
- Claim resolution assistance
- Oversee FTA, state and METRO compliance requirements, including the SBE/DBE, Davis Bacon wage rate, and Buy America programs.
- Small Business/DBE Program compliance reports shall be submitted as directed by METRO

3. Program Controls

Program Controls is vital to the success of the METRONext program of projects. PMC scope Program Controls scope includes but is not limited to:

i. Cost & Budget Management
- The PMC shall prepare independent detailed cost estimates and update them as needed to facilitate decision making
- Establish format for Program estimates, review and validation
- Document and monitor contingency and assumptions
- Translate estimates and costs into the FTA's Standard Cost Categories (SCC) format
- Support cost analysis as part of FTA processes.
- Document contingency assumptions considering risks, including findings from risk assessment process.
- Provide cost estimates that will be part of the Final EIS and Financial Plan, which is a requirement for the New Starts Application for Entry to Engineering and a Full Funding Grant Agreement. It is the responsibility of the PMC that firm and reliable cost estimates are developed as they will be the basis for FFGAs. All assumptions and cost estimation methodology will be adequately documented by PMC.
- Project Status Reporting
  a) Project Expenditure Tracking
  b) Forecasting of Project Costs
  c) Preparation of Monthly Reports
  d) Monitoring of Critical Path Activities
  e) Align with actual expenditures from METRO's ERP financial system and must incorporate pending costs and potential cost increases
  f) Provide dashboard for expenditure tracking and forecast tracking can be shared with stakeholders
  g) The PMC shall assist METRO to ensure that proposed project changes are incorporated in the project reporting tool and are evaluated for budget impact
  h) The PMC shall provide analysis and recommendations on approving changes and shall recommend budget or schedule recovery strategies where appropriate
  i) The PMC shall review the design consultant cost estimates for Change Order requests or provide an additional independent estimate

ii. Schedule Management – The PMC shall develop a full Program Schedule for Delivery of all METRONext projects.
- The PMC will develop a detailed Program Schedule for the Final EIS & PE phase.
- The full schedule through construction would be part of the Final EIS and also needed for METRO's New Starts application for Project Development and Entry to Engineering.
- The PMC will ensure that project schedules are met, will track project performance against schedule, and keep METRO informed of risks to the schedule and changes.
- The PMC will develop schedule formats for sharing it with the FTA and METRO and provide an updated schedule per those formats periodically.

iii. Risk Management
To support the successful implementation of METRONext Projects, the PMC shall establish a systematic risk management process for the program and its component projects. This effort shall include:
- Develop a “Risk Register” to identify and assess risk for each of the projects and the overall program.
- Develop and implement response and control strategies to manage the identified risks, including a secondary mitigation plan.
- Monitor the risks to determine how they have been handled or changed and update the register as program/project risk occur, but not less than once every quarter for METRO’s review and approval.
- The Program Manager shall assist METRO in identifying mitigation strategies and solutions when unanticipated risks arise throughout the duration of the program.
- Provide technical assistance in developing and evaluating options for program insurance provisions.
- Evaluate and develop recommendations on a risk management strategy with respect to claims avoidance.

4. Planning, Project Development and FTA Processes Support
The PMC will provide oversight of concurrent NEPA/Environmental Clearance efforts. Some of these will be corridor-level efforts; others will be site specific. The PMC may lead issue resolution analyses to support preliminary engineering and NEPA efforts. The PMC may self-perform environmental planning or conceptual engineering efforts. These conceptual design efforts will inform the project design team’s efforts.

i. Planning and Preliminary Engineering Support
The Contractor shall provide general planning support services to assist with services related to METRONext, METRO’s new Long Range Plan, as well as agency initiatives, such as Universal Accessibility and First Mile Last Mile. The Contractor’s services shall include:
- Regional, corridor and facility planning; preparation of travel demand forecasts.
- Upgrades and maintenance of the travel demand model.
- Geographic information systems (GIS) support.
- Support and guidance in preparing and updating the FTA required information and submittals for Small Starts and New Starts applications.
- Support and coordination in conducting environmental analyses and preparing National Environmental Policy Act of 1969 (NEPA) documents.
- Quality control and quality assurance in preparation of documents and submittal to the local, state, and federal agencies.
- Service planning and scheduling services; assistance with conceptual design; grant writing assistance and support.
- Development of conceptual capital cost estimates and financial plans; support in coordination with agencies and stakeholders.
- Attendance at METRO/agency meetings.
- The Contractor shall have the knowledge and experience to operate, maintain and update the Activity Based and STOPs travel demand forecast models in a Cube environment.
- The Contractor shall coordinate model inputs, assumptions, and adopting future transit and highway networks and trip tables with the Houston-Galveston Area Council.
- The Contractor shall develop or provide support for travel demand forecasts for all corridors and prepare summary reports as needed to meet federally-mandated requirements.
- The Contractor shall also provide staff with an understanding of local regional funding mechanisms and strategies.
- The Contractor shall provide on-site personnel at METRO as required to carry out specific work authorizations issued by the agency.
- The Contractor shall closely services with METRO Planning staff and other related departments on a daily basis.
- Review and provide comments on capital and operation & maintenance (O&M) cost estimates as well as the basis of estimate methodology.
- Provide support for coordination with other projects to ensure consistency of design efforts and required elements are being undertaken and on schedule.
ii. Environmental Support
The PMC shall assist with project environmental efforts. This will include efforts related to federal NEPA requirements, including Section 106 of the National Historic Preservation Act, as well as other efforts that are required to address environmental issues that arise during project implementation. It is anticipated that the environmental service will include but not limited to:
- Develop a Mitigation Monitoring Program (MMP) to implement all METRO required environmental mitigation delineated in the project NEPA-approval documents
- In accordance with the MMP, provide oversight and tracking of the required mitigation measures and ensure that all activities identified are completed and documented in accordance with all local, state and federal regulations and guidelines.
- This will include providing field monitoring as required to confirm conformance with required thresholds, including noise and vibration, water quality, and other areas.
- Provide assistance with addressing any environmental issues that arise during project construction, including the discovery of contaminated or hazardous materials.
- Prepare construction work stop orders for issuance by METRO, developing draft work scopes and cost estimates for securing specialized environmental testing and/or remediation services, overseeing testing and remedial efforts, and assisting with coordination efforts with regulatory agencies to secure required approvals.
- Assist with preparation of any additional environmental documentation, in accordance with MMP that may be required during the implementation of the projects, including preparing a supplemental environmental assessment or documented categorical exclusion to address a revision to a project facility. The assistance would include preparation of any required documents or public notices for METRO review, attendance and support at any required agency or public meetings, preparation of draft responses to comments, field monitoring and support with any required filing of environmental documents.

5. Communications, Marketing and Stakeholder Coordination Support
In support of NEPA and subsequent outreach efforts, the PMC shall provide assistance to METRO in implementing the public outreach program for the program projects and coordinating with key project stakeholder. This effort may include:

i. Review the master plan/schedule for a community relations/public outreach program.

ii. Assist METRO in developing public outreach materials for meetings and program website as well as preparing responses to information requests.

iii. Assist METRO in conducting public meetings, recording meeting minutes and providing coordination and follow-up on issues.

iv. Assist in preparing responses to questions and information requests received from public comment and feedback received at meetings, through phone calls, correspondence, and the program website.

v. Support community relations/public outreach to address construction impacts to residents and businesses, including development of mailing lists, preparation, and distribution of information materials.

vi. Participate in regular program coordination meetings with the following stakeholder groups for each project, preparing presentation materials and meeting minutes:

vii. Conduct meetings comprising a broad range of stakeholders convened to advise on technical issues during project development and through implementation.

viii. Conduct meetings consisting of members of the community as identified by METRO. This group will provide feedback to METRO and the PMC, and it will also serve to inform citizens’ advisory groups and community organizations of project progress.

ix. Assist in creation and updates of maps and renderings related to METRONext projects.

6. Quality Assurance/Quality Control (QA/QC) Procedures and Oversight Support
Assist in development of QA/QC procedures and providing oversight of QA/QC programs and activities undertaken by program design teams and contractors. Services under this task shall include the following:
i. Develop a QA/QC protocol that will set the minimum standards for all design, construction and acquisition activities associated with the program. Establish and maintain design control procedures to control and verify the design and design changes, and ensure compliance with the design criteria, project requirements and the requirement of the relevant regulatory agencies.

ii. Assist METRO in performing reviews of QA/QC programs proposed by the project design teams and by the construction manager to ensure these meet or exceed minimum program QA/QC protocols and METRO requirements.

iii. Assist METRO in oversight of design and construction activities related to implementation of the adopted QA/QC protocol. Identify areas needing improvement, recommend corrective action plans and provide oversight to ensure compliance.

7. **Financial Management and Reporting**
The PMC shall provide financial management services in support of METRO to include but not be limited to the following:

i. Work with METRO staff to develop and oversee a master financial plan/schedule for the program that includes budget information for each period, with the source and use of the funds identified for each activity and expenditure. The master financial plan will be developed to address METRO's internal accounting system requirements and may include FTA requirements for federally supported capital projects.

ii. Regularly monitor the budget to determine if there are sufficient funds to allow project completion and assist in identifying and undertaking actions to address any deficiencies.

iii. Update and report the financial plan monthly and as required to addressing funding, cost and contract administration issues, including change order and contract modifications.

iv. Assist METRO in coordinating, tracking and securing different sources of funding. This may include a Full Funding Grant Agreement (FFGA) or other funding sources through FTA.

v. Provide technical support in establishing and implementing a program cost accounting structure.

vi. Analyze, prepare and maintain current and projected cash flow requirements for the projects and the program.

vii. Provide assistance with regular financial analyses of the projects, including tracking encumbrances, allocations, and expenditures; and analyzing, preparing and maintaining current and projected cash flow requirements for the Program.

viii. Coordinate with METRO on determining the schedule for any required debt financing and provide assistance in the preparation of information required to secure the financing.

ix. Assist in developing up-to-date operating and maintenance costs for the projects

8. **Procurement Management Assistance**
Assist with undertaking activities related to the development of procurement strategies and issuing procurement for the program services. Services under this task include the following:

i. Prepare draft Requests for Information (RFI) for METRO to distribute to suppliers to solicit input on design criteria, schedule, and other issues.

ii. Develop commercial, technical provisions for the procurement in cooperation with METRO.

iii. Assist in preparing procurement documents, including construction RFIs, and other contract documents as requested by METRO. Review or prepare program/project phasing plans and procurement strategy proposals to ensure optimization of the program delivery.

iv. Assess market conditions and potential bidder availability. Assist METRO in marketing and advertising procurement opportunities.

v. Assist METRO in organizing, conducting and recording pre-proposal conference meetings, site tours and providing draft meeting minutes to the project officer.
vi. Assist in developing responses to offerors’ questions. Assist in preparing the addenda concerning changes in solicitation documents.

vii. Assist in developing bid tabulations and analyzing proposals; reviewing proposals for reasonableness; performing price and cost analyses; identifying exceptions, deviations and non-conformance to the requirements of the solicitation documents; performing responsibilities reviews of the top technically rated firms; reviewing insurance requirements in conjunction with METRO’s risk manager, payment and performance bond submittals and certifications; and in preparing documents in consultation with METRO’s Procurement Department for award recommendation, contract, and notices-to-proceed.

viii. Develop and maintain current compatible procurement schedule and project schedules for all contract packages.

ix. Assist in undertaking tasks related to contract closeouts, including verifying deliverables have been satisfied, reviewing the final invoice and documenting contract files.

9. Final Design Support
The PMC shall assist with procurement and oversight of final design teams. The services under this task may include the following:

i. Final Design Support

ii. Develop a final design engineering scope of work for each project.

iii. Support METRO Procurement in the review and evaluation of proposals. Assist METRO with contract negotiations, as necessary.

iv. Upon selection, the PMC shall assist with oversight of the final design teams. The services under this task may include the following:

v. Develop procedures to ensure that design teams use current design criteria. Coordinate and oversee design work to ensure design integration, interface, consistency, and constructability. Ensure close communication of any changes to project design criteria or details so that changes approved are implemented consistently for all packages.

vi. Develop and maintain a design decision-tracking system to assure timely decision making. Perform comprehensive decision analyses as directed by METRO. Facilitate and document major design decision processes.

vii. Provide input into design requirements and concepts as they relate to the operation and maintenance of the completed system.

viii. Conduct design reviews with all applicable agencies at appropriate stages of the engineering design as determined by METRO. Tabulate review comments in a spreadsheet format and follow-up with applicable agencies on any comments requiring clarification. Incorporate each review comment approved by METRO into a final review document to be incorporated into design plan.

ix. Organize independent technical design reviews of design submittal packages to ensure that design intent is properly implemented, project scope is accurately represented in contracts and QA/QC plans are effective.

x. Review the computation of engineering calculations for various construction design features in order to detect potential problems and determine potential solutions.

xi. Perform technical review of plans, specifications, and drawings for compliance with appropriate codes and design standards, right-of-way issues and for overall integrity.

xii. Review design team deliverables and determine earned value of work measured against budget.

xiii. Review and provide comments on capital and O&M cost estimates as well as the basis of estimate methodology.
XIV. Conduct peer reviews with personnel from other public transit and/or government agencies at appropriate stages of engineering design. The focus of the reviews shall be on operational and maintenance issues relating to the design of the project.

XV. Conduct value engineering reviews and energy efficiency reviews at appropriate stages of engineering design.

XVI. Provide support for coordination with other projects to ensure that all approved changes are communicated to the design team and are implemented consistently throughout the project and related to the overall program.

XVII. Assist in the development of vehicle design criteria and contract specification, for procurement of vehicles and vehicle inspection services and in the management of the vehicle and vehicle inspection contracts. The services under the task include the following:

XVIII. Develop vehicle design and performance criteria for BRT including autonomous vehicles. Formulate the strategy for procurement of the vehicles, in terms of schedule, type of procurement, specific provisions.

XIX. Oversee the vehicle design, manufacturing and delivery process, including required inspections are undertaken and any deficiencies are remedied.

XX. Assist in securing necessary local, state and federal regulatory approval, testing, commissioning and safety certification for vehicles.

XXI. Develop the conceptual design and design criteria for necessary maintenance and storage facilities. Assist in securing and overseeing support services, including vehicle inspection services.

XXII. Assist in securing support services including vehicle operation, maintenance, and support services.

10. Regulatory/Interagency and Other Approval/Coordination
The PMC shall support efforts in coordination activities, securing required approvals from METRO, state and federal agencies, as well as agreements with other third parties. Services include the following:

i. Develop and maintain a comprehensive list of all potential third-party agreements, including but not limited to utility companies, TxDOT, private developers and other private and government entities throughout the service area in order to maintain the Program and projects schedules, identifying any potential delays and necessary action to secure the agreement, and status of each agreement.

ii. Assist METRO in coordination with regulatory agencies and other stakeholders to facilitate resolution of issues related to design, construction and operations; compliance; and funding.

iii. Assist METRO in securing the required local, regional, state and federal permits and regulatory and legislative approvals.

iv. Provide technical assistance in performing all tasks required to secure agreements "memoranda of understanding" or "interlocal agreements" betweenMETRO and external agencies.

v. Assist METRO in developing agreements with developers for project elements and in negotiations to secure the agreements.

vi. Undertake coordination with utility companies for infrastructure that will need to be relocated and prepare draft agreements for METRO’s review.

11. Construction Management Oversight
Services under this task include the following:

i. Assist with oversight of the construction management contractors of all projects.

ii. Review CM qualifications
iii. Monitor contractors’ adherence with federal compliance requirements, including Davis Bacon wage rate, METRO’s SBE/DBE program and Buy America.

iv. Advise METRO on technical matters and assist in the resolution of technical issues

v. Assist in oversight of the program safety requirements with latest METRO/OSHA requirements.

vi. Assist in oversight of the quality system requirements including audits and recommendations.

vii. Maintain a program-level risk register to determine programmatic trends and escalation if necessary.

viii. Maintain a list of pre-approved products to minimize duplicate reviews as new products enter the program and are approved by METRO.

ix. Maintain and manage the change control process and analysis of the construction cost and project schedule impact for baseline and change requests and assisting in developing strategies and actions.

X. Assist in development of an oversight plan for the performance of the construction management contractors. Typical aspects to consider include:

- Review of the project risk register (which identifies, quantifies and tracks mitigation of project-level risks).
- Review of contractor quality assurance program and review compliance or contractor’s quality control program.
- Review of construction change requests and recommendation to METRO.
- Review of technical submittals and recommendation to METRO.
- Review/approve contractors interim pay applications.
- Review contractor(s) baseline schedule and schedule updates.

12. Systems Integration, Start-up, Testing, Commissioning

The PMC shall assist METRO in completing activities to achieve operational readiness and in establishing initial revenue service. The tasks include:

i. System integration for all program contracts, conduct start-up, and system integration meetings, as well as any other related meetings. Prepare meeting agenda and meeting minutes of each meeting to establish status, progress and follow-up tasks.

ii. Develop monitor and update a schedule to enable start-up, testing and commissioning of the projects. Identify activities, issues, and milestones necessary to achieve initial revenue service. Manage contractors’ compliance with the start-up schedule and assist in resolving issues related to testing and start-up.

iii. Oversee development and acceptance of the contractors integrated testing plan, system safety certification plan (SSCP) and system startup plan (SSP), and oversee contractor compliance with testing plan, SSCP, and SSP.

iv. Review and/or prepare training plans and training material. Monitor training conducted by contractors by METRO operations and maintenance personnel.

v. Assist in completing tasks related to contract closeouts, including verifying deliverables have been satisfied, including manuals and warranties, reviewing the final invoice and documenting contract files.


Assist with document management and administrative support activities, including the following:

i. Assist METRO with the development and implementation of CADD standards, document control procedures and policies to ensure proper record retention and that all program team members have access to current and accurate documents at all times.

ii. Assist METRO in developing and maintaining program websites.
iii. Provide administrative support to METRO, including, but not limited to, documentation of meetings, report writing, preparation of presentation and correspondence, logging and storage of information, electronic file maintenance.

iv. Provide data, graphics and other materials as required by METRO for internal, external and public presentations.

14. Configuration Management

i. Develop a configuration management system and administer procedures to ensure complete, accurate and consistent project baseline documents, and to ensure changes in design and construction are controlled in accordance to contract documents and/or controlling procedures.

15. Additional Services

i. The PMC may be required to perform or manage additional work and studies not defined at this time. The following service shall be provided if required:
   - Evaluating the implications of delivering the project as a public-private partnership.
   - Evaluating and comparing the implementation of projects through alternative project delivery methods, including design-bid-build.
   - Right-of-way acquisition, vehicle acquisition, and system startup.
   - Evaluating options for transit-oriented development/joint development opportunities on all METRONext projects.

16. Contract Term and Execution of Work

The Program Management Consultant (PMC) will provide the Scope of Services stated above for a 5-year duration from notice to proceed (NTP), with options to extend beyond the 5-year period for a maximum of 5 additional years (10 years in total). METRO and the PMC shall negotiate annual work authorization. METRO and the PMC in a collaborative effort will prepare a detailed draft description of the scope of required services for the upcoming annual work authorization based on the contract scope of services and program needs. The annual work authorization will identify the specific services and/or deliverables required, along with the expected time of completion for each specific service or deliverable.

The PMC shall respond to the detailed draft description by preparing and submitting a detailed scope of work for each task and deliverable on the annual work authorization that will include:

i. A description by task and subtask of the work to be performed and the means and methods that will be used to perform the work

ii. A description of each deliverable and the corresponding milestone

iii. PMC project team members assigned to each task and subtask, along with a brief justification of the proposed level of effort (i.e., number, level, and staff involved)

iv. A cost estimate for each task or subtask (i.e., lump sum or time and materials) showing a breakdown of estimated hours and hourly rate by classification for each activity required to complete all tasks and subtasks and estimated reimbursable expenses.
EXHIBIT B CERTIFICATION OF RESTRICTIONS ON LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

A. No federal appropriated funds have been or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an office or employee of any agency, a member of Congress, an officer or employee 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.

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for 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 this 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. After a Contract is awarded by METRO, if applicable, the undersigned is also required to submit to METRO's Contracting Officer a signed copy of the Form-LLL, ‘Disclosure Form to Report Lobbying,’ for all sub-awards at all tiers in excess of $100,000.00.

C. 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. Once a Contract is awarded by METRO, the undersigned is also required to submit to METRO’s Contracting Officer a signed copy of the certificate for all sub-contracts at all tiers in excess of $100,000.00.

This certification is a material representation of fact upon which reliance is 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 Section 1352, title 31 U.S. Code. 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.

Executed this _______________ day of ____________________, 20___

Company Name: _____________________________________________

By: ________________________________________________________

(Signature of Company Official)

________________________________________________________

(Title of Company Official)
3 EXHIBIT C DEBARMENT AND SUSPENSION FORM

The undersigned certifies, by submission of this certification, that neither the proposer’s/contractor’s company nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

If the company is unable to certify to any of the statements in this certification, the company shall attach an explanation to this certification.

I hereby certify that I am authorized to execute this certification on behalf of the company and certify the truthfulness and accuracy of the contents herein or attached hereto to the best of my belief. The company does/does not (strike one) have in-house legal counsel.

Company Name: ____________________________________________

By:  ______________________________________

Signature of Company Official          Date

____________________________________

Title of Company Official

The following shall also be completed if the Company has in-house legal counsel:

The undersigned legal counsel for ______________________________________ hereby certifies that ______________________________________ has authority under state and local law to comply with the subject assurances and that the certification above has been legally made.

__________________  ____________________

Signature of Company's Attorney        Date
**EXHIBIT D SMALL BUSINESS FORMS**

Form 1  CONTRACTOR UTILIZATION PLAN FORM

**INSTRUCTIONS TO COMPLETING CONTRACTOR UTILIZATION PLAN FORM**

The Contractor Utilization Plan identifies the bidder's/proposer's (prime) team of certified and non-certified subcontractors and suppliers. It is also used to determine the percent (%) of Small Business (SB) participation on the team. **All team members must be listed on the form regardless of certification status.** Make additional copies of the appropriate Section(s) of the form, if needed, to include all team members.

**Information applicable to all members of the team in Sections 1, 2, 3 & 4 of the CUP:**

- Name, tax identification number, business address and contact information of prime, subcontractors and suppliers.
- Brief description of work to be performed by prime or subcontractors; or products to be provided by the suppliers.
- Certification status of prime, subcontractor(s) and supplier(s). Include a copy of the METRO SBE certificate or a DBE certificate for any applicable members of the team. Be sure to reference the solicitation regarding the types of SB certifications that METRO accepts or visit the METRO website [www.ridemetro.org](http://www.ridemetro.org) and go to the Small Business link.
- Percentages of the total contract value to be performed by the prime and each subcontractor and supplier. **(Note: The total of all team members must equal 100%).**
- **Price is REQUIRED on this form when responding to “Invitations for Bid” (IFB) solicitations. Price is only required on the FINAL CUP for “Requests for Qualifications” (RFQ) or “Requests for Proposals” (RFP) solicitations.**

<table>
<thead>
<tr>
<th>Type of Work to be Performed or Materials Supplied</th>
<th>Indicate if SBE/DBE (Y/N)</th>
<th>Percent of Contract Effort</th>
<th>Price (IFB ONLY)</th>
</tr>
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<tbody>
<tr>
<td>SBE</td>
<td>DBE</td>
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</tbody>
</table>

**CUP Completion Instructions continued on next page**

Name of Business

Tax ID No.

Business Address

Telephone No.

Contact Person

Title

Email Address
Section 1 – Prime Contractor: This Section is only for the bidder’s/proposer’s information.

Section 2 – Subcontractors: This Section is used to list all certified and non-certified subcontractors.

Section 3 – Suppliers – Manufacturers (100%): In this section, list all certified and non-certified suppliers that manufacturer or produce the product they are providing.

- 100% of each certified supplier’s contract value (or percentage) will count towards the SB goal.

Section 4 – Suppliers – Dealers (60%): In this section, list all certified and non-certified suppliers that purchase their products from a wholesaler.

- 60% of each certified supplier’s contract value (or percentage) will count towards the SB goal.
- Note that the “Percent of Contract Effort” in this section is divided into 2 parts: “100%” and “60%”. BOTH PERCENTAGES MUST BE SPECIFIED IF A SUPPLIER IS CERTIFIED.
- The “100%” represents the total value of the P.O. (or Contract) as a percentage of the total value of the bid. For example: If the total bid is $1,000,000 and the P.O. value is $100,000, then the 100% value = 10% and the 60% value = 6%. In this example, only 6% ($60,000) will be counted towards the SB goal. See example below:

<table>
<thead>
<tr>
<th>Percent of Contract Effort</th>
<th>Price (IFB ONLY)</th>
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</thead>
<tbody>
<tr>
<td>100% Value (%): 10%</td>
<td>100% Value ($)</td>
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<tr>
<td></td>
<td>$100,000</td>
</tr>
<tr>
<td>60% Value (%): 6%</td>
<td>60% Value ($)</td>
</tr>
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<td></td>
<td>$60,000</td>
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</table>

- Reminder: In the case of an RFP or RFQ, only specify the percentages.

Summary Totals & SBE/DBE Participation Section

- In this section, under “TOTAL AMOUNT OF BID/PROPOSAL”, specify the dollar amounts and the corresponding percentages relative to the total proposal amount from Sections 1, 2, 3, & 4. (Important: The total dollars must match your proposal amount and the corresponding percentages must total to 100%.)
- Under “% SBE/DBE Participation” specify the percent of SB participation per Sections 1,2,3 & 4. See IFB example below:

EXAMPLE ONLY SCENARIO: The Prime is not certified, and all of the subcontractors and suppliers are certified firms. The Small Business goal is 35%.

<table>
<thead>
<tr>
<th>TOTAL AMOUNT OF BID/PROPOSAL</th>
<th>% SBE/DBE Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRIME: $500,000</td>
<td>50%</td>
</tr>
<tr>
<td>SUBCONTRACTORS: $300,000</td>
<td>30%</td>
</tr>
<tr>
<td>SUPPLIER-MANUFACTURERS: $100,000</td>
<td>10%</td>
</tr>
<tr>
<td>SUPPLIERS-DEALERS: $100,000</td>
<td>10%</td>
</tr>
<tr>
<td>TOTAL BID/PROPOSAL AMOUNT:</td>
<td>$1,000,000</td>
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<tr>
<td>100%</td>
<td>46%</td>
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</table>

(Note: If the solicitation is an RFP or RFQ, only specify the percentages.)

Remember to submit all Sections, enter the information highlighted in yellow blow, sign and date the form.

Submitted By: ___________________________ Business Name: ___________________________
Signature of Owner/Officer of Business: ___________________________ (Date)
Address: ___________________________ Telephone/Email: ___________________________
Bidder/Proposer presents the following participants in this solicitation and any resulting contract.

<table>
<thead>
<tr>
<th><strong>Section 1 – PRIME CONTRACTOR</strong></th>
<th><strong>Type of Work to be Performed or Materials Supplied</strong></th>
<th><strong>Indicate if SBE/DBE (Y/N)</strong></th>
<th><strong>Percent of Contract Effort</strong></th>
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<tr>
<td>Name of Business</td>
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<tr>
<th><strong>Section 2 – SUBCONTRACTORS</strong></th>
<th><strong>Type of Work to be Performed or Materials Supplied</strong></th>
<th><strong>Indicate if SBE/DBE (Y/N)</strong></th>
<th><strong>Percent of Contract Effort</strong></th>
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<td>Email Address</td>
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28
Bidder/Proposer presents the following participants in this solicitation and any resulting contract.

### Section 3 – SUPPLIERS – MANUFACTURERS 100%

Counts for 100% toward small business goal when purchased from small business manufacturer (see Instructions to Bidders/Proposers).

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<tr>
<th>Name of Business</th>
<th>Tax ID No.</th>
<th>Business Address</th>
<th>Telephone No.</th>
<th>Contact Person</th>
<th>Title</th>
<th>Email Address</th>
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<th>Percent of Contract Effort (100%)</th>
<th>Price (IFB ONLY)</th>
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<td>SBE</td>
<td>DBE</td>
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</tbody>
</table>
Bidder/Proposer presents the following participants in this solicitation and any resulting contract.

**Section 4 – SUPPLIERS – DEALERS 60%**

Counts for 60% toward small business goal when purchased from small business regular dealer (see Instructions to Bidders/Proposers).

<table>
<thead>
<tr>
<th>Name of Business</th>
<th>Tax ID No.</th>
<th>Business Address</th>
<th>Telephone No.</th>
<th>Contact Person</th>
<th>Title</th>
<th>Email Address</th>
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<tbody>
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**Type of Work to be Performed or Materials Supplied**

<table>
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<tr>
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<th>Percent of Contract Effort</th>
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</thead>
<tbody>
<tr>
<td>SBE</td>
<td>DBE</td>
<td>100%</td>
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<tr>
<td>100% Value (%)</td>
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<th>60% Value (%)</th>
<th>60% Value ($)</th>
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**TOTAL AMOUNT OF BID/PROPOSAL**

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<tr>
<th>PRIME: $</th>
<th>%</th>
<th>%</th>
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</thead>
<tbody>
<tr>
<td>SUBCONTRACTORS: $</td>
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<td>%</td>
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<tr>
<td>SUPPLIERS-MANUFACTURERS: $</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>SUPPLIERS-DEALERS: $</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>TOTAL BID/PROPOSAL AMOUNT: $</td>
<td>%</td>
<td>%</td>
</tr>
</tbody>
</table>

The Contractor agrees to adhere to this Plan submitted unless a waiver is received from the Office of Small Business. Any changes in the Plan regarding the proposed use of certified subcontractors in discharging the contract duties must be approved by the Office of Small Business. The approval of the Office of Small Business will not be unreasonably withheld upon a showing of good cause to make the change.

Submitted By: _____________________________________________
Signature of Owner/Officer of Business (Date)
Address: _________________________________________________
Telephone/Email: __________________________________________
The undersigned certifies that he/she has read, understands and agrees to be bound by the small business provisions set forth in this Solicitation. The undersigned further certifies that he/she is legally authorized by the bidder/contractor to make the statements and representations in this solicitation and that said statements and representations are true and accurate to the best of his/her knowledge and belief. The undersigned agrees to attain the small business utilization percentages of the total offer amount as set forth below:

**Small Business contract Goal Commitment = ___% - must match commitment on the Contractor Utilization Plan form**

The undersigned will enter into formal agreement(s) for work to be identified on the ‘Contractor Utilization Plan Form’ form conditioned upon execution of a contract with METRO and agrees to include the two assurance statements below in all subcontracts.

**Copies of the subcontract agreements will be submitted to the Contracting Officer within fifteen 15 days of contract award and within fifteen 15 days of the addition of new subcontractors to the Contractor Utilization Plan.**

The undersigned certifies that the firm shown below has not discriminated against any subcontractors because of race, color, national origin, religion, sex (including gender identity and sexual orientation), disability, or age, but has provided full and equal opportunity to all potential subcontractors irrespective of race, color, national origin, religion, sex (including gender identity and sexual orientation), disability, or age.

The undersigned understands that if any of the statements and representations are made knowing them to be false or there is a failure to implement any of the stated intentions, objectives, goals, and commitments set forth herein without prior approval of METRO's President & Chief Executive Officer or duly authorized representative, the bidder/contractor will be subject to the loss of any Contractor, the termination thereof resulting from this proposal, and could be ineligible for future METRO contract awards.

---

**Signature:__________________________________________**

Title:__________________________________________ Date of Signing:____________________

Firm or Corporation:__________________________________________

Address:__________________________________________

________________________________________________________________________

Telephone Number:__________________________________________
Form 3  SUBCONTRACTOR/SUPPLIER LETTER OF INTENT

PLEASE SUBMIT SEPARATE FORMS FOR EACH SUBCONTRACTOR/SUPPLIER

For use by submitters to identify subcontractors and suppliers.

Solicitation No.: _________________________

Project Title: ___________________________________________________________________________________________________

Prime Contractor: __________________________________________________________________________________

________________________________________________

Subcontractor/Supplier: ____________________________________________________________________________________________

Small Business  Yes ☐  No ☐  Disadvantaged Business:  Yes ☐  No ☐

Contact Name: __________________________________________________________________________________________________

Address: _______________________________________________________________________________________________________

Phone: ___________________________  Fax: ___________________________

Period of Performance: _____________________________________________________________________________________________

Description of proposed materials or services to be performed under the Contract Utilization Plan:

________________________________________________

Signature of Subcontractor/Supplier  Title

________________________________________________

Signature of Prime Contractor  Title
Form 4  CONTRACTOR UTILIZATION PLAN PLEDGE

Copies of the Subcontract Agreements will be submitted to the Contracting Officer within fifteen (15) days of Contract award and within fifteen (15) days of the addition of new Subcontractors to the Contractor Utilization Plan and will include the Clauses below:

Pledge of Prompt Payments

I pledge to pay all Subcontractors within five (5) business days after receiving payment from METRO for amounts previously invoiced for work performed or materials furnished under the Contract.

Signature: ______________________________
Title: ________________________________
Date: ________________________________

METRO’s Non-discrimination Mandate

I affirm that ___________________________ (Company name) adheres to METRO’s Non-discrimination Mandate and has not discriminated against any subcontractors in considering subcontracting opportunities based on race, color, national origin, religion, sex (including gender identity and sexual orientation), disability, or age.

Signature: ______________________________
Title: ________________________________
Date: ________________________________

(FOR CONSTRUCTION CONTRACTS)

I pledge to release the retainage of all Subcontractors within thirty (30) days after satisfactory completion and approval of work performed. Subcontractors may petition the prime Contractor to make the final payment and may notify METRO of the request. As METRO releases retainage for payment to the Subcontractor, the prime Contractor is required to immediately (within 15 days) pay the Subcontractor. The release of retainage will be made to the Subcontractor regardless of the prime invoicing METRO.

Signature: ______________________________
Title: ________________________________
Date: ________________________________
EXHIBIT E CODE OF ETHICS OF THE METROPOLITAN TRANSIT AUTHORITY

Please refer to the current versions of METRO’s Codes of Ethics for METRO Employees and for the METRO Board of Directors at https://www.ridemetro.org/Pages/ConflictsDisclosure.aspx