

North Central Texas Council of Governments

**NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
METROPOLITAN PLANNING ORGANIZATION**

REQUEST FOR PROPOSALS

**INSTALLATION AND INTEGRATION OF THE FDOT-OWNED VEHICLE-TO-EVERYTHING
(V2X) DATA EXCHANGE PLATFORM (DEP)**

July 12, 2024

INTRODUCTION

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from qualified firms(s) with the background, expertise, skills, and capability to install, integrate, develop, and provide on-going support services of a Transportation Systems Management and Operation (TSMO) Data Hub utilizing the Vehicle-to-Everything Data Exchange Platform (V2X DEP) from the Florida Department of Transportation (FDOT) for the DFW Metroplex.

The purpose of this Request for Proposals (“RFP”) is to solicit responses that result in a contract with a qualified Respondent who can demonstrate that they have the resources, experience, and qualifications to provide systems integration services for the V2X DEP. All software developed under this contract will be works made for hire and will become the property of NCTCOG upon completion or termination without restriction or limitation on their use and will be made available, upon request, to NCTCOG at any time during the performance of such services and/or upon completion or termination of this contract.

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

The North Central Texas Council of Governments (NCTCOG) is a voluntary association of, by, and for local governments, and was established to assist local governments in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development. NCTCOG’s purpose is to strengthen both the individual and collective power of local governments and to help them recognize regional opportunities, eliminate unnecessary duplication, and make joint decisions.

Since 1974, NCTCOG has served as the Metropolitan Planning Organization (MPO) for transportation in the Dallas-Fort Worth (DFW) Metropolitan Area. NCTCOG’s Transportation Department is responsible for regional transportation planning for all modes of transportation. The Department provides technical support and staff assistance to the Regional Transportation Council (RTC) and its technical committees, which compose the MPO policy-making structure. In addition, the Department provides technical assistance to the local transit providers of North Central Texas in planning, programming, coordinating, and implementing transportation decisions.

BACKGROUND

NCTCOG is in the process of receiving a license to deploy, integrate, and operate the Vehicle-to-Everything Data Exchange Platform (V2X DEP) from the Florida Department of Transportation (FDOT) to support regional data initiatives to include mobility applications, connected vehicle projects, and assist regional agencies with their Transportation Systems Management and Operations (TSMO) activities.

The plan is to fulfill the region's safety, mobility, environment, and economic development goals by reducing crashes and congestion and by providing real-time information to road users and connected vehicles directly via stakeholder agency managed Intelligent Transportation Systems (ITS) devices or indirectly via Original Equipment Manufacturers (OEMs), travel navigation services, and other 3rd party systems/applications.

In addition to data from Connected Vehicles provided by deployed Roadside Units (RSUs) and other data sources, TSMO data from freeway management systems, arterial management systems, public transportation system, environmental systems, and commercial vehicle and freight management systems will be collected and integrated into this Platform. Users of the Platform will have access to real-time and near real-time data to support decision making and short-term and long-term planning and performance assessments.

This project will expand existing investments in the region by integrating data from existing data platforms in the region which include, but are not limited to:

- Texas Department of Transportation (TxDOT) Dallas and Fort Worth Districts and North Texas Tollway Authority (NTTA) Lonestar Platforms
- Major cities signal systems
- Work Zone data
- 511DFW data
- Transit data from Dallas Area Rapid Transit (DART), Trinity Metro, Denton County Transportation Authority (DCTA)
- Connected Vehicles and OEM data
- 3rd party traffic data, such as HERE, INRIX, and Waze
- Weather and Environmental data

NCTCOG is seeking the services of a qualified contractor with appropriate knowledge and experience to install, integrate, develop, and provide on-going support services of the V2X DEP

in the DFW Metroplex. The Platform will be installed on an Amazon Web Services (AWS) cloud hosting service and integrated with regional data sources and 3rd party data sources. This project is also part of the Advanced Transportation Technologies and Innovation (ATTAIN) Program.

PURPOSE AND NEED

The purpose of the TSMO data hub is to provide a single platform for all regional operational and planning data on an open non-proprietary platform. The platform chosen by NCTCOG is the FDOT V2X DEP. This RFP will provide NCTCOG with a systems integrator who will configure the V2X DEP software on an AWS cloud, modify as needed, integrate regional agency data and 3rd Party data into the platform; provide use case development through discussions and workshops with regional agencies to use the data in innovative ways; and maintain and expand the platform for a period of time.

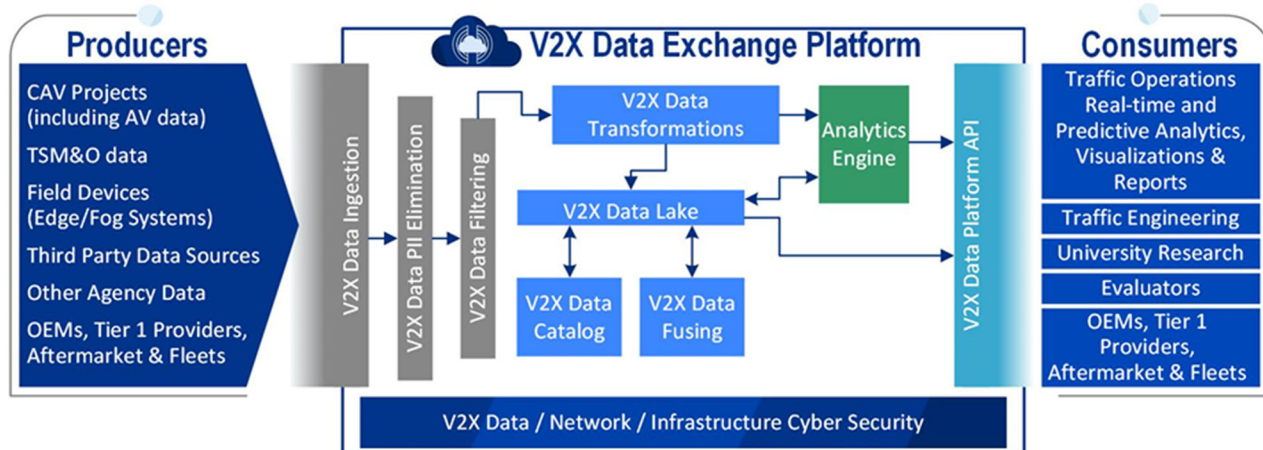
It is the NCTCOG intention to award one contract for all work identified within the Scope of Work. The prime consultant may utilize subconsultants for tasks or portions of tasks within the scope of work.

PROJECT SUPPORT

The project will be conducted under the guidance and supervision of a Project Review Committee. The responsibilities of the Project Review Committee will be to serve as the principal technical review committee for this project. NCTCOG shall serve as project manager to implement a mutually agreed upon scope of work, monitor the progress of consultant activities; and serve as a liaison between the consultant and other partners.

THE FDOT V2X DEP BACKGROUND

The Florida V2X DEP collects real-time Connected and Automated Vehicle (CAV) and TSMO data and packages data for distribution to internal and external stakeholders, including Automotive OEMs. The project includes the collection of ITS data in addition to CAV data to create a more robust data platform. The V2X DEP provides service in the FDOT statewide environment but is connected and exchanges data with district and local transportation systems in support of local CAV deployments.



The V2X DEP supports data analytics engines with the data collected and uses other services such as a Security Credentials Management System (SCMS) to support trusted data exchange.

The purpose of the V2X DEP is to:

- Collect, manage, and store CAV and TSMO data.
- Coordinate with and integrate additional data sources and systems.
- Normalize, filter, aggregate, and disseminate data.
- Send and receive data from automobile OEMs (reduce OBU purchasing).
- Develop real-time and predictive analytics.
- Leverage existing infrastructure.
- Provide visualization.

The FDOT's Concept of Operations and System Design Document for proposer's review in providing a response to this RFP is provided at the following links:

[V2X DEP Design Document](#)

[V2X DEP Concept of Operations](#)

SCOPE OF WORK

The scope of work is summarized by the tasks outlined below. Proposers are expected to respond on their approach to achieving each task. Modifications to the tasks and task sequencing which will improve the effectiveness of the project effort, while containing costs, are encouraged.

The following tasks comprise the essential elements of the desired services:

- Project Planning
- V2X DEP Installation
- Data Integration
- Use Case Development
- Testing
- Operations & Maintenance
- Documentation and Training
- Project Management.

The baseline information, data, and software that will be provided by NCTCOG to the firm selected for this work is as follows:

- V2X DEP software, provided by the Florida Department of Transportation
- Data sources information, to include contacts and interface documents, if available
- Licenses to any 3rd party data needed in the platform (i.e. HERE, Waze)
- Access to AWS hosting environment Configuring AWS cloud for the installation of the V2X DEP

Task #1: Project Planning

Respondents should detail their specific skill sets and/or range of capabilities for carrying out the following activities in their proposal for Task #1:

1. Planning for the project and system
2. Systems Engineering Documents

Deliverables for this task include:

1. Project Management Plan
2. Quality Control Plan
3. Project Schedule
4. Concept of Operations
5. System Requirements

Task #2: V2X DEP Installation

Respondents should detail their specific skill sets and/or range of capabilities for carrying out the following activities in their proposal for Task #2:

1. Installing, configuring the V2X DEP within the AWS cloud; to include recommendation of AWS services; account types; and expected AWS hosting costs.
2. Configuring AWS cloud for a cloud-based software platform.

3. Proposers should outline their cybersecurity strategy and provide evidence of third-party attestation of compliance with any of the following certifications or standards:
 - NIST 800-171, 800-53, CSF
 - Texas CSF
 - ISO27001
 - SOC 2
 - FedRAMP
 - TX-RAMP
 - Cloud Security Alliance STAR
 - PCI-DSS
 - HITRUST

In the absence of third-party attestation of compliance with these certifications or standards, proposers should provide documentation around the following cybersecurity controls at a minimum:

- Cybersecurity strategy and governance
- Risk management framework
- Third-Party/Supply Chain risk management
- Third-Party penetration testing, including frequency
- Data security
 - Encryption in transit and at rest
 - Data access by support personnel
- Personnel screening
- Physical security
- Software development life cycle security
- Network access controls
- Privileged level access controls
- Disaster recovery and business continuity
- Software Development Framework

In addition, proposers should outline their Single-Sign-On capabilities, e.g. support for SAML and integration with identity providers such as Azure Active Directory.

Deliverables for this task include:

1. NCTCOG AWS hosting environment configured for the V2X DEP
2. Installation of the V2X DEP into the AWS hosting environment
3. Provide cybersecurity compliance documentation.

Task #3: Data Integration

Respondents should detail their specific skill sets and/or range of capabilities for carrying out the following activities in their proposal for Task #3:

1. Integration of regional data sources into the V2X DEP, including:
 - a. TxDOT and NTTA Lonestar systems data (traffic data, DMS, CV, events, etc.)
 - b. TxDOT, NTTA, and City of Arlington Connected Vehicle Data (RSUs and CV Mgmt software, MAP, SPaT, etc.)

- c. Transit Data from DART, Trinity Metro, DCTA (routes, schedule, real-time transit vehicle location)
 - d. Traffic Signal Data from regional agencies to include Econolite, Cubic, Q-Free, KITS, and YUNEX traffic signal management software.
 - e. Weather and Environmental Sensors
 - f. Integration of 3rd Party data sources into the V2X DEP, including; HERE, INRIX and Waze
 - g. Integration of publicly available data sources into the V2X DEP, including National Weather Service
 - h. 511DFW System
1. Negotiation and execution of subcontract agreements, on behalf of NCTCOG, with external system providers to seek their assistance in the development of data interfaces with V2X DEP.
 2. Development and implementation of a C2C application to communicate with the different Traffic Control Systems (TCS) and implement a TMDD compliant output into V2X DEP. This will require conversion of various versions of TMDD produced by TCS vendors to the latest version of TMDD. The C2C system will also interface with other external systems and apply latest standards.
 3. Expansion of the existing Application Programming Interface (API) for 3rd Party access to data within the V2X DEP.

Deliverables for this task include:

1. Data interfaces development and integration for all agreed data sources.
2. Development and implementation of a C2C application to external systems and V2X DEP.
3. Data API for dissemination of data within the V2X DEP platform to external systems.
4. Data interface to allow users to select and download specific data sets.

Task #4: Use Case Development

Respondents should detail their specific skill sets and/or range of capabilities for carrying out the following activities in their proposal for Task #4:

1. The FDOT V2X DEP provides some existing use cases. It is anticipated that several NCTCOG-specific use cases will be developed in this project. These use cases will be identified during the Concept of Operations task and further elaborated and developed as part of the development process.

Deliverables for this task include:

1. Development and deployment of agreed use cases.
2. Development of performance report templates for use by regional stakeholders.
3. Development of operational and planning dashboards for use by regional stakeholders.

Task #5: Testing

Respondents should detail their specific skill sets and/or range of capabilities for carrying out the following activities in their proposal for Task #5:

1. Working software will be deployed to the AWS production environment; proposer will prepare an Acceptance Test Plan for approval by NCTCOG. The test plan will describe the schedule, environment, staff, and dependencies for the testing effort.
2. Perform Systems Integration Testing, and provide results to NCTCOG via a Systems Acceptance Test Readiness Review
3. Perform Systems Acceptance Testing (SAT) witnessed by NCTCOG and stakeholders.
4. Correct issues and punch list items from SAT.
5. Coordinate with NCTCOG for go-live of the V2X DEP
6. Provide a Final Test Report detailing test results, corrections, and suggestions for future changes.

Deliverables for this task include:

1. Test Plan
2. Test Readiness Review
3. Systems Acceptance Testing
4. SAT Test Report

Task #6: System Documentation and Training

Respondents should detail their specific skill sets and/or range of capabilities for carrying out the following tasks in their proposal for Task #5:

1. Provide systems engineering documents for the development and deployment of the V2X DEP.
2. Provide User and Administrative training and documentation on use and maintenance of the system.

Deliverables for this task include:

1. As-built document detailing the AWS environment to include server configurations, services, and software deployed.
2. System Operations and Maintenance Manual

3. User Training and documentation, to include a User Manual (online and PDF)
4. System Admin Training and documentation, to include an Administration Manual (online and PDF)

Task #7: Project Management (implementation)

Respondents should detail their specific skill sets and/or range of capabilities for carrying out the following activities in their proposal for Task #7:

1. Provide a Project Management Plan (PMP); the proposal should include an outline of the PMP, which includes the tasks and work breakdown structure expected for the project.
2. Develop and maintain a detailed schedule in MS Project based on the work breakdown and work plan.
3. Provide monthly status reports during development and deployment.
4. Attend monthly status meetings with NCTCOG and attend quarterly stakeholder meetings.
5. Submit monthly Request for Reimbursements (invoices).

Deliverables for this task include:

1. Project Management Plan
2. Project Schedule in MS Project and PDF format
3. Meeting Agendas and minutes
4. Monthly Status Report
5. Monthly Invoices

Task #8: Support During Operations

Respondents should detail their specific skill sets and/or range of capabilities for carrying out the following activities in their proposal for Task #8:

1. Support the Expansion of V2X DEP with integration of additional external systems data interfaces, use cases, and associated activities listed in Tasks 3 through Task 7 above.
2. Provide a web-based issue tracking tool for users to collaborate with support staff.
3. Provide System usage and status reports during operations phase.
4. Provide monthly security reports during operations phase.
5. Provide O&M Services that include:
 - System health monitoring
 - Cyber Security monitoring
 - Data maintenance
 - User Support

Deliverables for this task include:

1. Additional Data Interfaces and Use Cases, as Needed.
2. Monthly Status Report.
3. Monthly Security Report.
4. Monthly Usage Report.
5. Monthly System Health Report
6. Suggestions to minimize AWS charges.

PROJECT SCHEDULE AND BUDGET

This project has an anticipated Contract execution date of approximately November 2024 timeframe. The system implementation, integration, testing and training will be developed over a one-year time period, with maintenance and operations during the remaining 24 months. The 36 months will be followed by three optional one-year renewals. The firm(s) will develop a schedule of tasks with completion dates and methodologies for the development phase. NCTCOG will select all the identified tasks or a subset of the tasks to be completed. The project duration is expected to be 72 months (6 years). Suggested modifications to the schedule will be considered. Based on funding availability, NCTCOG reserves the right to modify the base contract term and optional renewal terms (e.g., 1-year base with 5 optional renewals or 2-year base with 4 optional renewals).

PROPOSAL FORMAT AND CONTENT

The Proposer must submit a technical proposal which is to be divided into the sections described below. Since NCTCOG expects all technical proposals to be in this format, failure of the Proposer to follow this outline may result in the rejection of the proposal. The technical proposal must be submitted in one separate pdf file marked “PROPOSAL FOR INSTALLATION AND INTEGRATION OF THE FDOT-OWNED VEHICLE-TO-EVERYTHING (V2X) DATA EXCHANGE PLATFORM (DEP).”

1. PROJECT UNDERSTANDING – Max 3 pages

The Proposer shall describe their understanding of the existing FDOT V2X DEP architecture related to the NCTCOG V2X DEP and explain how the Proposer’s experience and expertise will support the requested integration service and additional use case development.

Proposer shall describe similar data integration it has performed related to the requested data sources provided in the scope of services.

2. PROJECT Team and Key STAFF QUALIFICATIONS – Max 3 Pages

Proposer shall provide a brief introduction of the proposed team, and a ½ page summary for the following key personnel, and include a maximum 2-page resume for each in the Attachment A:

1. Project Manager – Minimum of 10 years of experience managing software development and integration projects, Project Management Professional (PMP) certification desired.
2. Cloud Architect – 5 years of experience in deploying cloud based, or cloud enabled software application, understanding of AWS services.
3. Lead Software Developer – 10 years of experience developing software interfaces,
4. Lead Data Analyst – 5 years of experience developing data enabled services, such as dashboards and reports leveraging large data sets.

Proposer shall provide a table with the availability and expected workload for this project.

3. PROJECT APPROACH – Max 10 Pages

Proposer shall describe their skill sets and capabilities for each of the tasks discussed in the above Scope of Work. Proposers should include any individual certifications of the personnel (PMP, Agile Coach, CCSP, etc.) and company certifications (ISO, CMM, TexRAMP, SOC II) that are relevant to the work. Additionally, proposer should include their proposed methodology for performing the work and their expectations for NCTCOG involvement for the project.

4. WORK FOR HIRE EXPERIENCE – Max 2 Pages

Proposer shall provide a description of their experience with developing software and systems on a works for hire type arrangement. This can include adding specific functionality for an existing software/ system or development of an entire software/ system.

5. FIRM QUALIFICATIONS AND REFERENCES – Max 3 Pages

Proposer shall provide three (3) project references, including agency; scope of project; relevance to the V2X DEP project, period of performance; and agency contact information for projects that demonstrate the proposer’s qualifications for this project.

6. PROJECT SCHEDULE – Max 2 Pages

Proposer shall provide a proposed schedule identifying the Tasks, sequencing, and expected duration for this project.

CONSULTANT SELECTION CRITERIA

The RFP is issued as a qualifications-based solicitation with a two-step process. First, based on proposals received, the most qualified firm will be selected. A cost proposal will be requested from the most qualified firm. Second, NCTCOG will attempt to negotiate a fair and reasonable price to perform the services with the most qualified firm. If a fair and reasonable price cannot be negotiated with the most qualified firm, negotiations will formally end with that firm, and then NCTCOG will attempt to negotiate with the next most qualified firm, and so on, until successful negotiations are completed. No cost information will be requested or received by NCTCOG as part of the first step of the qualifications-based selection process. The Consultant Selection Committee (CSC) will review all proposals and select a consultant it considers qualified to undertake the project. The following proposal outline and criteria will be used to evaluate the proposals:

- Project Understanding 15 percent
- Project Team and Key Staff Qualifications 20 percent
- Project Approach 25 percent
- Works for Hire Experience 15 percent
- Firm Qualifications/Consultant References 20 percent
- Proposed Schedule 5 percent

If the CSC determines that interviews will be required before a final decision can be made, the interviews will take place at the NCTCOG offices in Arlington, Texas, the afternoon of August 22 or morning of August 23, 2024. Proposers should be willing and able to attend these interviews, if necessary. Firm(s) who are invited to an interview will be notified by the close of business on Thursday, August 15, 2024, that an interview has been scheduled. Costs for developing the proposal and costs attributed to interviews (and subsequent negotiations) are at the proposer's own expense and will not be reimbursed by NCTCOG.

CONTRACT AWARD

NCTCOG reserves the right to reject any and all proposals, to contract for any or all portions of the project with the selected consultant, or to hire multiple firms.

Following final negotiations of the work plan and costs satisfactory to NCTCOG, the selected consultant will be asked to execute a contract with NCTCOG.

The successful responder to this Request for Proposals is expected to provide qualified personnel to accomplish each portion of the work in this project. NCTCOG will maintain the right to request the removal of any personnel found, in its opinion, during the course of work on this project, to be unqualified to perform the work.

The Texas Legislature has adopted House Bill 1295. In short, the law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties (Form 1295) to our agency at the time of a signed contract. As part of contract development, the Consultant will be asked to complete the disclosure of interested parties electronically and submit through the Texas Ethics Commission website. NCTCOG will provide a specific contract number associated with the award for inclusion in the submittal. Once submitted, the Consultant will be requested to return an e-mail confirmation of submittal to NCTCOG. For more information about the process, please visit the following website for Frequently Asked Questions: https://www.ethics.state.tx.us/resources/FAQs/FAQ_Form1295.php.

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

Other requirements are that the Disadvantaged Business Enterprise participation must meet the 14.1 percentage goal identified for this type of procurement and that an Affirmative Action Plan is included in the proposal. Failure to comply with these requirements may find the proposal nonresponsive

QUESTIONS AND ANSWERS

All questions regarding the RFP shall be directed in writing by e-mail to TransRFPs@nctcog.org by the close of business Friday, July 19, 2024.

OVERALL PROCUREMENT SCHEDULE

This RFP shall be used to accept, review, and score proposals based on the following schedule with the intent of awarding a Fixed Priced/ Milestone Based contract. The following represents the schedule of procurement activities leading to contract award:

Issue Request for Proposals	July 12, 2024
Last Day to Submit Questions	July 19, 2024
NCTCOG Q&A Posted to Website	July 24, 2024
Proposals Due	August 9, 2024
Consultant Selection Committee	August 15, 2024
Interviews (if needed)	August 22 and 23, 2024
NCTCOG Executive Board Approval	October 24, 2024
Execute Contracts	November 1, 2024

NCTCOG reserves the right to make changes to the above-mentioned schedule. All such changes shall be made by an amendment to the RFP and shall be posted on NCTCOG's website at www.nctcog.org/rfp. It is the responsibility of the consultant to frequently check this website for information concerning amendments to the RFP.

*Public opening of the proposals will be done via Microsoft Teams on **Friday, August 9, 2024 at 5:05 pm**. A link to the Microsoft Teams meeting is below.

Public Opening of Proposals via Microsoft Teams

Microsoft Teams

[Join the meeting now](#)

Meeting ID: 257 314 888 283

Or call in (audio only)

+1 903-508-4574

Phone conference ID: 747 499 569#

INSTRUCTIONS FOR PROPOSALS PLANNING SERVICES

The Sample Contract provided with this Request for Proposals contains federal requirements which must be included with Proposals. Appendices C through J contain compliance requirements and certification forms which must accompany the Proposals. **Failure to comply with the requirements may result in finding the proposal to be nonresponsive.**

Additional information is provided below:

1. Proposers may submit one hard copy or one flash drive of the proposal to Natalie Bettger, Senior Program Manager, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011. **Proposals must be received by 5:00 p.m., Friday, August 9th, 2024.** Proposals received after that time will not be considered and will be returned to the proposer unopened. Proposals containing original signatures and notary seals should be labeled "Original." The in-hand submittal will count as the official submittal. In addition to the in-hand submittal, NCTCOG is requesting electronic submission of proposal documents to TransRFPs@nctcog.org. Electronic submissions only will **not** be evaluated.

2. The proposal should address the criteria identified in the Request for Proposals that will be used for consultant selection. Proposals should include, at a minimum, the following information.
 - **Proposal Formatting** – Proposers should follow specific proposal format located on pages 11-12 of the RFP.
 - **Cover Letter** -- A brief summary of the key points of the proposal and approach to accomplishing the work. Name and address of the firm, as well as the contact person's name, phone number, and email address should also be included.
 - **Compliance Requirements** - Appendices C through J of the Sample Contract contain compliance requirements and other certification forms which must accompany the Proposal.
 - **Affirmative Action Plan** - NCTCOG is required, under Title 49, Code of Federal Regulations, Part 21 to request from all contractors an Affirmative Action Plan for the contracting entity. Such a plan will be reviewed by NCTCOG to determine compliance with federal Equal Employment Opportunity requirements. You are requested, then, to submit a plan which should include, at a minimum, a policy statement and utilization analysis of your workforce. An indication of the number and percent of your employees who would be classified as minorities, including both women and ethnic minorities, should be provided. An indication of the number and percent in professional versus nonprofessional positions, or administration versus clerical positions, should also be provided.
 - **Entities that Boycott Israel (House Bill 89)**
 - If proposers are required to make a certification pursuant to Section 2271.002 of the Texas Government Code, proposers should include a certification statement that they do not and will not boycott Israel during the

term of the contract resulting from this solicitation. If the proposer does not make that certification, proposer must indicate that in its response and state why the certification is not required.

- **Prohibition on Firearm and Ammunition Industry Discrimination (S.B. 19)**

- Pursuant to Chapter 2274, Government Code, as enacted by S.B. 19, 87th Legislature, NCTCOG is prohibited from using public funds to contract with entities who discriminate against firearm and ammunition industries. By signing this contract, the Consultant agrees that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the term of the Contract.

- **Prohibition on Boycotting Energy Companies (S.B. 13)**

- Pursuant to Chapter 2274, Government Code, as enacted by S.B. 13, 87th Legislature, NCTCOG is prohibited from using public funds to contract with entities who boycott energy companies. By signing this contract, the Consultant verifies that it does not discriminate against energy companies and will not discriminate during the term of the Contract.

3. The North Central Texas Council of Governments, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000(d) to 2000(d)(1) and Title 49, Code of Federal Regulations Part 26, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all proposers that it will affirmatively assure that, in regard to any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

4. The NCTCOG Transportation Department has a Disadvantaged Business Enterprise (DBE) participation goal on the part of socially and economically disadvantaged individuals in DOT-assisted projects. The specific DBE goal requirement for this procurement is identified in the RFP and Appendix D to the Sample Contract and is determined by the type of services being procured. **Failure on the part of a majority contractor to meet this goal or to show meaningful good faith efforts may be grounds for finding the proposal nonresponsive.** To facilitate this goal, a list of DBEs is attached for consideration. In the event the proposer is a majority firm and the above stated goal for DBE participation is not met, the prime contractor shall be required to provide justification and documentation for not reaching the goal with disadvantaged subcontractors.

- a. Joint ventures between majority and disadvantaged contractors are encouraged. Whenever a joint venture involves a disadvantaged firm(s), the proposer shall submit with the proposal the names, scope of work, and the anticipated percentage of work of each proposed DBE subcontractor and joint venture. The Affidavit of Intended Entrepreneurship, included as Attachment D.2 of the Sample Contract, is intended for this purpose. **Please submit the original notarized affidavit with the Proposal.** NCTCOG shall reserve the right to approve all substitutions of subcontracts.

- b. For the purposes of this policy, a Disadvantaged Business Enterprise is defined as: A business enterprise that is owned and controlled by one or more socially and/or economically disadvantaged persons. "Owned and controlled" is specified as a business which is (1) a sole proprietorship legitimately owned by an individual who is a disadvantaged person or (2) a partnership or joint venture controlled by disadvantaged persons and in which at least 51 percent of the voting interest and 51 percent of the beneficial ownership interests legitimately are held by disadvantaged persons. Such persons include individuals who are Women, Black, Hispanic, Native Americans, Asian-Pacific Americans, Asian-Indian Americans, or any other minorities or individuals found to be disadvantaged by the Small Business Administration pursuant to Section 8(a) of the Small Business Act. **D/M/WBE Certificates issued through the Texas Unified Certification Program are required.**
- c. The contractor shall maintain for three years such records as are necessary to determine compliance with their DBE obligations and shall submit regular reports to enable the North Central Texas Council of Governments to monitor this compliance.
5. The NCTCOG Executive Board encourages the use of local firms. However, all proposals, regardless of firm locale, will be evaluated using the consultant selection criteria contained in the Request for Proposals.
6. A consultant selection committee will review the proposals and select a firm it considers qualified to undertake the project. The selection of the proposal will be based on the technical proposal and/or interviews but will be subject to negotiation of conditions of cost satisfactory to NCTCOG. NCTCOG reserves the right to reject any or all proposals and to contract for any or all portions of the project with the selected consultant.
7. Procurement information shall be a public record to the extent provided by the Texas Open Records Act and the Freedom of Information Act and shall be available to the public as provided therein. If a proposal contains information that the proposer considers proprietary and does not want disclosed to the public or used for any purpose other than the evaluation of the offer, all such information must be indicated with the following suggested language:
- The information contained on pages _____ shall not be duplicated used in whole or in part, for any purpose other than to evaluate the proposal; provided that if a contract is awarded to this office as a result of or in connection with the submission of such information, NCTCOG has the right to duplicate, use or disclose this information to the extent provided in the contract.*
8. **CONFLICT OF INTEREST DISCLOSURE REQUIREMENT**
Pursuant to Chapter 176 of the Local Government Code, any person or agent of a person who contracts or seeks to contract for the sale or purchase of property, goods, or services with a local governmental entity (i.e. NCTCOG) must disclose in the Questionnaire Form CIQ ("Questionnaire") the person's affiliation or business relationship that might cause a conflict of interest with the local governmental entity. By law, the Questionnaire must be filed with NCTCOG no later than seven days after the date the person begins contract

discussions or negotiations with the NCTCOG, or submits an application or response to a request for proposals or bids, correspondence or another writing related to a potential agreement with the NCTCOG.

Updated Questionnaires must be filed in conformance with Chapter 176.

A copy of the Questionnaire Form CIQ is enclosed with the submittal documents. The form is also available at <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>

If you have any questions about compliance, please consult your own legal counsel. Compliance is the individual responsibility of each person or agent of a person who is subject to the filing requirement. An offense under Chapter 176 is a Class C misdemeanor.