



North Central Texas Council of Governments

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

**REQUEST FOR PROPOSALS
HURST SH10/HURST BOULEVARD CORRIDOR REDEVELOPMENT PLAN**

July 19, 2024

**REQUEST FOR PROPOSALS
FOR THE
HURST SH10/HURST BOULEVARD CORRIDOR REDEVELOPMENT PLAN**

INTRODUCTION

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from qualified firms(s) for the Hurst SH 10/Hurst Boulevard Corridor Redevelopment Plan Study. NCTCOG, in partnership with the City of Hurst, is seeking to redevelop land around the existing and aging State Highway 10 (SH 10), also known as Hurst Boulevard, with proximity to two Trinity Railway Express (TRE) stations. NCTCOG is looking to support land use with multi-modal transportation connections including economic development for mixed-use and infill development. Numerous challenges to land use redevelopment, transportation, and environmental factors exist in the aging industrial corridor that are beyond the City's resources to address without further study. The City and NCTCOG would like to leverage improved multi-modal transportation connections through the corridor and beyond to improve transportation options and encourage economic development. The planning needs of the SH 10 corridor, which is a Texas Department of Transportation (TxDOT) on-system facility, extend beyond the City boundaries and the area market for development and regional transportation connections.

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.

PURPOSE AND NEED

The North Central Texas Council of Governments (NCTCOG) is seeking an individual or firm to create a comprehensive corridor redevelopment plan that provides recommendations for land use actions guiding development and complementary transportation improvements. The plan should also guide possible future rezoning, local government support for catalytic redevelopment opportunities, address environmental context challenges, and consider multi-modal transportation connections.

PROJECT SUPPORT

NCTCOG will serve as the Project Manager to implement a mutually agreed upon scope of work, monitor progress of consultant(s) activities, and serve as liaison between the consultant(s) and other partners. NCTCOG staff and representatives from the City of Hurst and the Texas Department of Transportation's Fort Worth District will serve as the Project Review Committee (PRC). NCTCOG shall also serve as the contract manager and procurement administrator for the project.

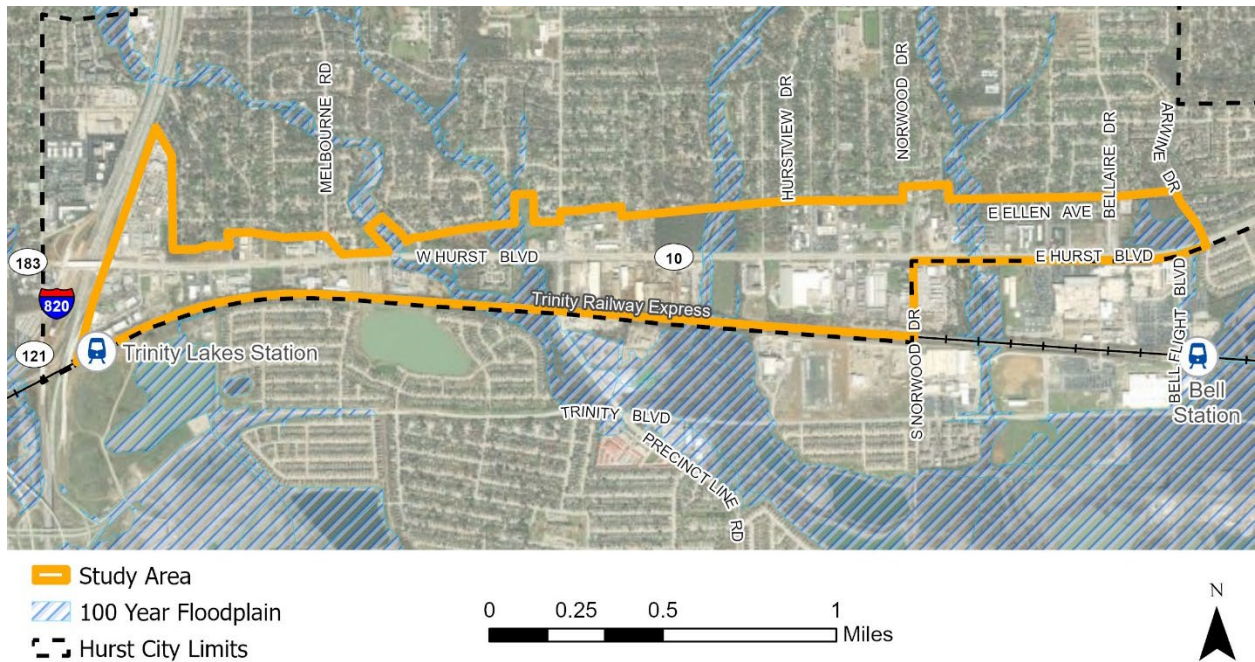
SCOPE OF WORK

The scope of work is summarized by the tasks outlined below. Proposers are encouraged to exercise creativity in responding to the project needs. Modifications to the tasks and task sequencing which will improve the effectiveness of the project effort, while containing costs, are encouraged.

STUDY AREA

The study area focuses on over 300 commercial (non-single-family residential) properties totaling approximately 518 acres along a 3.2 mile stretch of SH 10, also known as Hurst Boulevard between Interstate Highway 820 to the west and Bell Flight Boulevard on the east. Properties within the City of Hurst city limits nearest the new Trinity Lakes TRE rail station are also included. Planned and funded regional trail connections to this corridor will also need to be considered. All plan recommendations should be within the City of Hurst city limits as seen in Figure 1.

Figure 1: Project Study Area Map



Additionally, specific locations for Task 3.2, Market Study and Redevelopment Scenarios, and for Task 4.3, Bikeway Facility Recommendations, are shown below in Figures 2 and 3 respectively for reference as detailed in each of those tasks.

Figure 2: Proposed Catalyst Development Areas

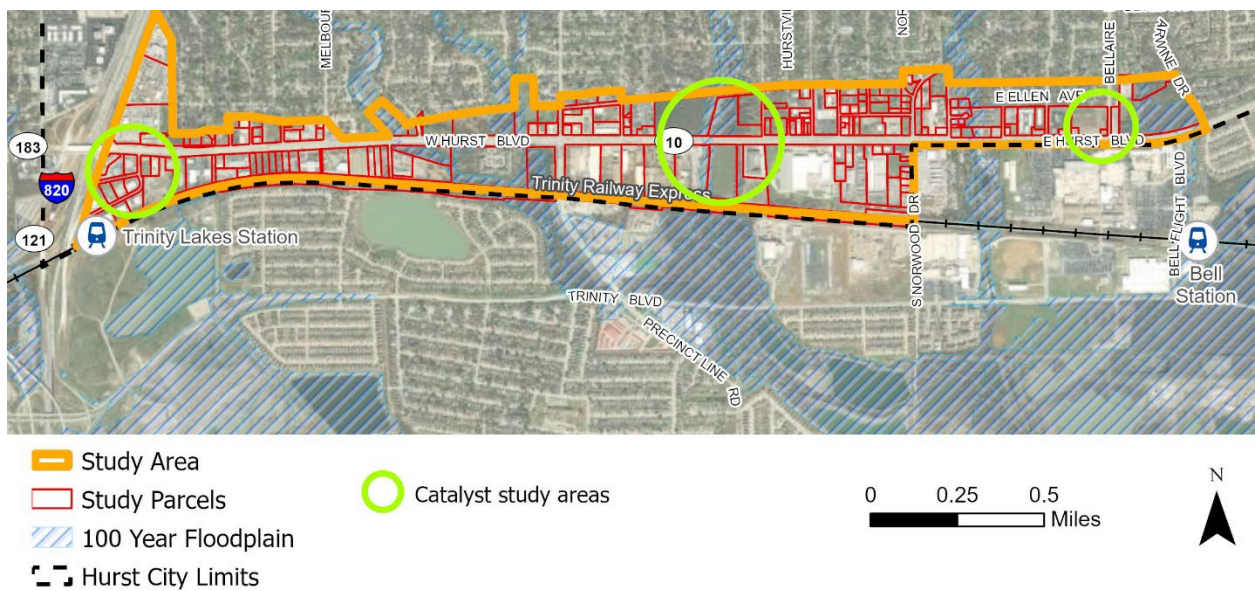
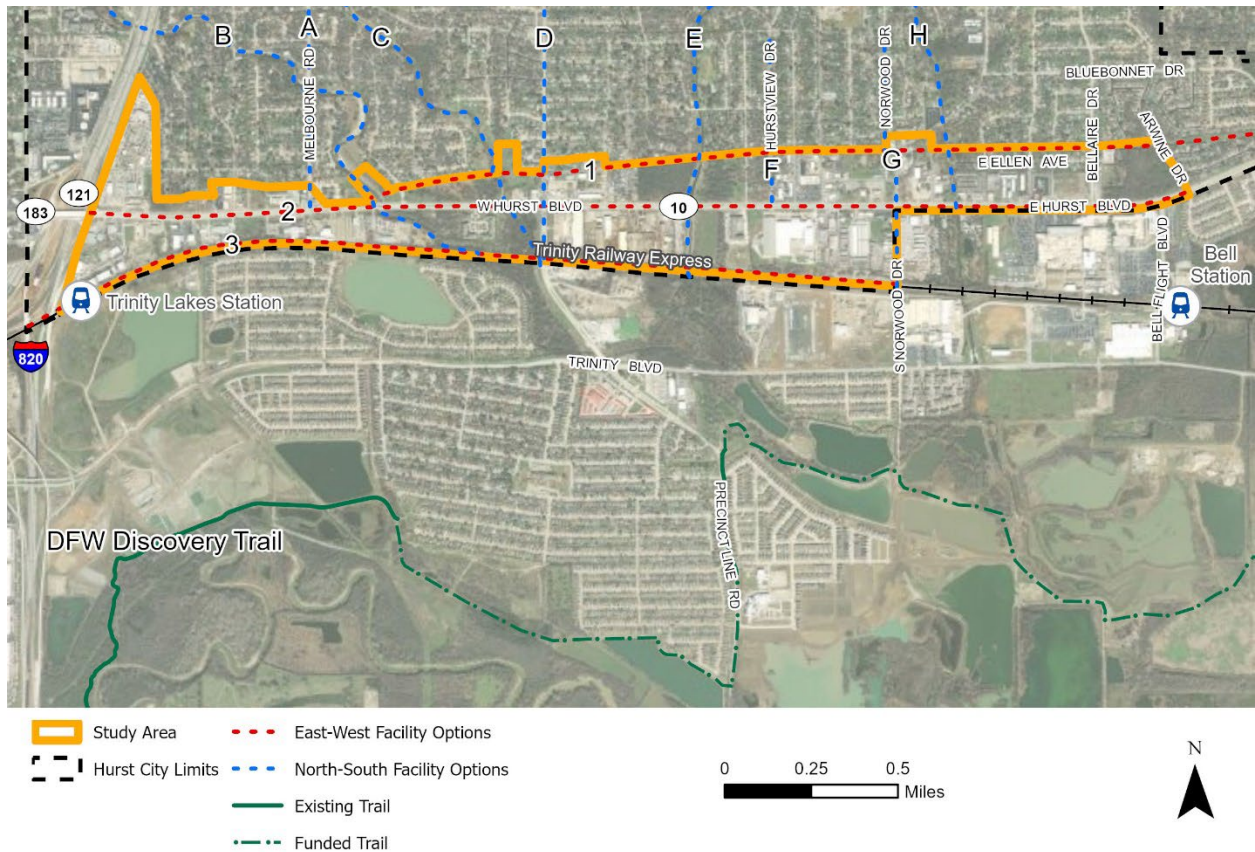


Figure 3: Bikeway Connection Draft Preliminary Options Map



TASKS

The Consultant will perform the following tasks and subtasks and will produce the deliverables listed for each task:

Task 1 - Project Management

After the Notice to Proceed is issued, a kickoff meeting will be conducted to review the project goals, scope of work, methodology, and schedule/timeline with the PRC. In addition, the Consultant will be responsible for the following:

- Regularly scheduled conference calls with the PRC to discuss project progress (monthly to quarterly frequency depending on project schedule).
- Monthly billing and progress reports submitted to NCTCOG.

Task 1 – Deliverables:

- Project schedule.
- Monthly progress reports and billings.
- Stakeholder kickoff materials and meeting notes summary.

Task 2 – Stakeholder and Public Engagement

The Consultant team will use input from corridor stakeholders to inform and build support for recommendations of this plan. Following project kickoff, the Consultant will develop a communications plan in coordination with the PRC outlining the engagement strategy. This will include engagement with technical and private sector stakeholders such as:

- City of Hurst staff from all applicable departments
- TxDOT
- Trinity Metro
- Tarrant County
- Property owners on the corridor
- Business owner/ managers
- Real estate developers with interest/ experience in the corridor
- Others as needed such as the Tarrant Regional Water District, Hurst-Euless-Bedford Independent School District, City of Fort Worth, etc.

Use of interviews or focus group meetings is the preferred method of technical stakeholder engagement. Engagement of this group will inform development opportunities and constraints along with possible paths to redevelopment partnerships.

Another level of engagement will be for the public including residents of Hurst. The Consultant Team will facilitate at least two public meetings/workshops for the general public to share information about the project, gather community input, and generate further support for the Plan. The purpose of these workshops will be to inform and engage the public in the planning process. Specifically, these workshops will explain the planning process, provide an update on the work completed to date, solicit input and feedback, and answer questions of concern and interest expressed by residents and business interests. The two public workshops will occur at key times during the planning process. Meetings/workshops should be combined with website and/or online comment forms/surveys to allow for digital engagement.

The consultant will also prepare presentation material for city staff to use at up to four City Council meetings/ briefings describing the project.

Task 2 Deliverables:

- Communications plan.
- Summary of technical stakeholder comments and issues.
- Meeting presentations (for public and City Council).
- Public and stakeholder meeting summary notes.

- Surveys, website, flyers, social media posts, printed material for public meetings and other items as needed.
- Summary of public comments and engagement insights.

Task 3 – Land Use Redevelopment Analysis

The Consultant Team will develop market-based revitalization recommendations focusing on development strategies including rezoning, increasing the mix and density of land uses, and policies and programs to support development along the corridor.

Task 3.1 – Existing Land Use Conditions Analysis

The Consultant Team will collect and summarize all existing studies and plans that relate to corridor land use and development. The Consultant will also analyze data listed in this task's deliverables.

NCTCOG and local stakeholder partners will provide the Consultant with the following information in GIS and/or electronic copy format:

- Zoning districts and regulations.
- Land use data (2020).
- Existing local government economic development plans and incentives.
- Known development projects and issues.

Task 3.1 Deliverables:

- Updated map of existing land uses (initial land use map to be provided by NCTCOG).
- Summary analysis of the socio-economic characteristics and demographics of the corridor.
- Summary of existing zoning.
- Map and summary of key land use opportunities and challenges.

Task 3.2 – Market Study and Redevelopment Scenarios

The Consultant Team will conduct a market analysis of short-term (within five years), mid-term (5 to 10 years), and long-term (10+ years) opportunities, projections, and demand for development in the corridor. It should include the likely demand for both residential and commercial projects and assess the competitive position of the corridor for each land use in its market area.

Considering existing ownership, vacancies, and insights from stakeholders, the Consultant will draft at least two market viable redevelopment concepts/options for up to three key sites/areas

(determined in coordination with PRC) to be proposed as catalysts for the corridor. Possible vacant or underutilized sites (see Figure 2 Proposed Catalyst Development Areas in the Study Area section) include:

- West end properties – approximately 35 acres
- Central area properties – approximately 32 acres
- East end properties – approximately 7 acres

Recommended public policy actions such as public/private partnerships, development incentives, and other strategies will be developed for the corridor.

Task 3.2 Deliverables:

- Area market study of real estate demand by land use/development type.
- At least two possible redevelopment options for up to three key sites on the corridor based on projected market demand.

Task 3.3 – Zoning Analysis

Using results of the market analysis indicating likely redevelopment scenarios, the Consultant Team will evaluate how the City of Hurst may rezone land to support market feasible development. This will require the Consultant to evaluate existing city zoning applied to corridor parcels and determine if it should be changed and how. Recommended zoning may be consistent with existing zoning districts in the city code. If new zoning districts not consistent with existing city code are recommended, administrative processes and legal frameworks to integrate them into the current city code should be provided.

Task 3.3 Deliverables:

- Summary of current zoning issues/opportunities.
- Map and descriptive summary/action plan of proposed re-zoning for the corridor.

Task 3.4 – Environmental Impacts and Mitigation

Several properties on the corridor are impacted by contamination from different past industrial and commercial uses. The Consultant Team should evaluate the known extent of these issues and determine how impactful they may be to future redevelopment. Recommendations for resources that may be publicly available to assist property owners in mitigating these issues should be provided.

The corridor is also close to the Trinity River and its floodplain. Areas on the corridor are impacted by periodic flooding and stormwater infrastructure needs that may limit development. The

Consultant Team should document and understand the impact flooding issues may have on redevelopment and suggest what role and possible actions local government should take in mitigating flood impacts to facilitate increased development density.

Task 3.4 Deliverables:

- List and map of known environmental issues.
- Summary of redevelopment impacts and local government strategies to mitigate the impact.

Task 3 Deliverables:

- All deliverables in Tasks above.
- A land use redevelopment plan with short-, mid-, and long-term recommendations on public policy, strategy, and zoning changes to promote redevelopment based on market projections and catalyst site proposals.
- Recommended public/private strategies for supporting environmental issue mitigation as needed.

Task 4 – Transportation Improvements

State Highway 10/Hurst Boulevard is a six-lane arterial road with a landscaped median that currently has inconsistent sidewalks and no dedicated bicycle facilities. It is also parallel to the TRE commuter rail transit, with Trinity Lakes Station on its west end and Bell Station on its east. The goal of this study is to increase multi-modal connectivity safety and options in the corridor area that make it more attractive for investment. Pedestrian and bicycle access to the TRE stations is desired to support ridership. The Consultant Team will evaluate sidewalk, bicycle, and roadway improvements needed to improve safety and multi-modal connectivity.

Task 4.1 – Transportation Existing Conditions

Review available transportation system data including infrastructure conditions and system performance. Available plan documents from the City of Hurst, TxDOT and NCTCOG will also be reviewed. At a minimum, items listed in Task 4 deliverables should be reviewed.

NCTCOG and local stakeholder partners will provide the Consultant with the following information in GIS and/or electronic copy format:

- City thoroughfare and other local/regional transportation plans as applicable.
- Preliminary ideas and concepts for each corridor provided by the stakeholders.

- Crash data and contributing factors.
- Existing traffic volume data, including vehicle type (if available).
- Right-of-Way (ROW) maps as available.
- Construction plans (as built) and local street improvement plans as applicable.
- Existing sidewalks.
- Existing, funded, and planned shared-use paths and on-street bicycle facilities.
- Other local geometrical and operational characteristics of roadways and transportation infrastructure in the corridor as needed.

Task 4.1 Deliverables

- Map/GIS layer and summary of current transportation infrastructure including sidewalks (NCTCOG will provide layer of existing sidewalks), bicycle connections, SH10 road conditions, and transit options nearby.
- Summary of existing transportation plans from TxDOT and local governments.
- Map and summary of known transportation safety issues (crash data provided by NCTCOG).

Task 4.2 – Corridor level Improvement needs.

The Consultant will use data provided by NCTCOG to map and evaluate sidewalk improvement needs along SH 10/Hurst Blvd. and near TRE stations within the City of Hurst boundary. This data will support pedestrian access to TRE stations and corridor redevelopment. A list of short-, mid-, and long-term recommended sidewalk projects should be provided. A known priority area will be the sidewalks within the City of Hurst nearest the two TRE stations. Additionally, the Consultant should review crash data and address possible implementation of safety countermeasures for all road users. The Consultant will develop a detailed opinion of probable construction costs (with inflation adjustments for year of construction) for priority sidewalk and safety improvements in the corridor. Funding source options should be listed along with each improvement recommendation.

Task 4.2 Deliverables

- Map and summary report of missing sidewalk segments to be improved in the short, mid-, and long-term.
- Map and summary of needed transportation safety recommendations.
- Typical cross sections for recommended roadway and pedestrian improvements.
- Opinions of probable construction cost for the highest priority safety and sidewalks improvements (including the two TRE station areas) identified in coordination with the PRC.

Task 4.3 – Bikeway Facility Recommendations

The Consultant will review options and provide recommendations for dedicated bikeway facilities in the corridor study area in all directions. The corridor bike facility alignments may include a combination of off-street paths and on-street dedicated bikeways. This should include an analysis of available ROW on SH 10 and other connecting routes for implementation of the safest and highest comfort bike facility options. A map of all initial bike alignments to study are included in Figure 3 Bikeway Connection Options Map in the Study Area section of this document.

The first alignment to study will be east to west parallel to or in the SH 10 corridor ROW. These will connect destinations in the corridor including TRE stations and future north/south bike facilities. There are three possible alignments that the Consultant will need to assist the stakeholders in determining priority and feasibility:

1. Power line utility easement trail located north of SH 10.
2. Within the SH 10 ROW as a side path.
3. South of the corridor in the Trinity Railway Express ROW.

Additionally, the Consultant will review in coordination with the PRC the preferred options for north to south bike facility alignments and crossings. To the south, the Consultant will look at which options are most feasible and preferred for a facility connecting (through the City of Fort Worth) to the Dallas-Fort Worth (DFW) Discovery Trail (more info on the DFW Discovery Trail here: <https://www.nctcog.org/trans/plan/bikeped/veloweb/fort-worth-to-dallas-regional-trail>). To the north the City of Hurst would ultimately like to connect to numerous destinations such as the regional Cotton Belt Trail and Northeast Mall. The Consultant will examine up to eight connection points to SH 10 corridor to spur off the corridor where south to north bicycle facilities may intersect. The eight connections for evaluation will be the four streets listed below and four greenway-creek connection options. The Consultant will only study the feasibility of the connection off SH 10 in the study area and not the entire bicycle facility to the northern extent of the city (list order from west to east):

- A. Melbourne Road
- B. Calloway Branch Creek
- C. Walker Branch Creek
- D. Precinct Line Road
- E. Channelized Creek between Anderson and Arthur Drives
- F. Hurstview Drive
- G. Brown Trail/ Norwood Drive
- H. Channelized Creek parallel to Holder Drive

Finally, the Consultant will evaluate the safe crossing options for bicyclists to cross SH 10 in the north/south directions. These may be at-grade at one of the nine existing traffic signals, a new signalized intersection, or through a proposed grade-separated trail crossing. The feasibility and preference of these crossings need to be evaluated considering the east/west and north/south alignments and the most cost-effective options.

For all possible alignments the Consultant will collect data including traffic observations of locations that impact the operations of bicycle facilities such as key land use sites, intersections, and driveways on the SH 10 corridor. The recommended bikeway alignment for SH 10 and intersection streets/trails will also include roadway cross-sections to scale with recommendations for proposed bicycle facility types (e.g. bike lane, buffered bike lane, separated bike lanes, shared use path, etc.) with the intent to provide the safest and most comfortable facility type for bicyclists of all ages and abilities.

After determination of preferred alignment with the PRC, the Consultant will develop a detailed opinion of probable construction costs for the first phase of the recommended east/west corridor bikeway alignment in the study area. This should include identifying the anticipated costs associated with inflation for estimated operations and maintenance.

Task 4.3 Deliverables:

- Analysis of and map of recommended bikeway alignments east/west parallel to or on the SH10 corridor and north/south connections.
- Map and GIS centerline of recommended bikeway accommodations.
- Summary memorandum of recommendations, next steps, and key actions to implement the recommended trails and on-street bicycle facilities in the short-, mid-, and long-terms.
- Opinion of probable construction costs for the highest priority east/west bicycle improvements within the corridor.

Task 4 Deliverables:

- Multi-modal transportation improvements plan with a prioritized list of short-, mid-, and long-term recommendations to improve connectivity and safety on the SH 10 corridor study area.
- Bicycle facilities connection plan including implementation phasing with a prioritized list of short-, mid-, and long-term improvements in the SH 10 corridor study area and for connecting the corridor to key destinations.
- Opinion of probable construction costs for the highest priority nearest term sidewalk and bicycle improvements in the corridor study area.

Task 5 – Final Report

A final report will summarize the findings of all previous tasks. It will also include documentation of methods in a concise summary as applicable to explain findings. The final report should include an implementation plan organizing all short-, mid-, and long-term actions, specifying responsible parties (local governments and private sector), and possible funding sources. Revisions to the report shall be made after comments received from the PRC are considered.

Task 5 Deliverables:

1. Final Report drafted in Microsoft Word and final version as PDF plus all associated electronic files (images, text, etc.).
2. Four printed and bound copies of the final report.
3. Final GIS layers and Excel files for recommended improvements as applicable.

PROJECT SCHEDULE AND BUDGET

Proposers shall develop a schedule of tasks with completion deadlines and methodologies for the project. NCTCOG will select all the identified tasks or a subset of the tasks to be completed. NCTCOG and the selected firm will jointly determine a schedule for progress meetings in accordance with the final schedule for the scope of work. The timetable for completion of this project is 12 to 18 months from the date the consultant firm is authorized to proceed. NCTCOG anticipates the contract will begin approximately November 1, 2024.

A budget of approximately \$350,000 is allocated to conduct this project.

CONSULTANT SELECTION CRITERIA

The Consultant Selection Committee (CSC) will review all proposals and select a consultant it considers qualified to undertake the project. The following criteria will be used to evaluate the proposals:

1. Project Understanding	30 percent
2. Scope of Services	25 percent
3. Project Manager/Staff Qualifications	20 percent
4. Knowledge of the Dallas/Fort Worth Area	10 percent
5. Firm Qualifications/Consultant References	10 percent
6. Project Schedule	5 percent

If the CSC determines that interviews will be required before a final decision can be made, the interviews will take place on **September 5, 2024**. Proposers should be willing and able to attend these interviews in person or via web conference, if necessary. Consultants who are invited to an interview will be notified by the close of business on **Friday, August 30, 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

Following final negotiations of the work plan and costs satisfactory to NCTCOG, the consultant will be asked to execute a contract with NCTCOG. If applicable, a Notice to Proceed will be issued upon execution of the contract. 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.

The successful responder(s) to this Request for Proposals is expected to provide qualified personnel to accomplish each portion of the work in this study. 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.

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

The Disadvantaged Business Enterprise participation must meet the **32%** percentage goal identified for this type of procurement. Proposers should also include an Affirmative Action Plan is included in the proposal. Failure on the part of the majority contractor to meet this goal or show meaningful good faith efforts may be grounds for finding 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 on **Friday, July 26, 2024**. All questions and responses will be posted on the NCTCOG website at www.nctcog.org/rfp by the close of business on **Wednesday, July 31, 2024**. NCTCOG reserves the right to respond to inquiries as it deems necessary.

OVERALL PROCUREMENT SCHEDULE

This RFP shall be used to accept, review, and score proposals based on the following schedule with the intent of awarding an Engineering contract. The following represents the schedule of procurement activities leading to contract award:

Issue Request for Proposals	July 19, 2024
Last Day to Submit Questions	July 26, 2024
NCTCOG Q&A Posted to Website	July 31, 2024
Proposals Due & Proposal Public Opening	August 16, 2024
Consultant Selection Committee	August 29, 2024
Interviews (if needed)	September 5, 2024
NCTCOG Committee Approval	October 24, 2024
Execute Contract(s)	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 16, 2024**, at **5:05pm**. A link to the Microsoft Teams meeting is below. Microsoft Teams is integrated with audio so you will only need to use the conference call number (below) if you are unable to access the Microsoft Teams App. The Teams App is available for download [HERE](#).

Public Opening of Proposals:

[Join the meeting now](#)

Meeting ID: 231 100 146 936

Dial in by phone

[+1 903-508-4574](#)

Conference Phone ID: 240 451 540#

INSTRUCTIONS FOR PROPOSALS ARCHITECTURAL/ENGINEERING SERVICES

The Sample Contract provided with this Request for Proposals contains federal requirements which must be included with Proposals. Appendices C through F 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 Travis Liska, Principal Transportation Planner, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011. **Proposals must be received by 5:00 p.m., Friday, August 16, 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** - Proposals should be printed double-sided and include a footer containing consultant firm name, page number, and total pages in the proposal. (e.g., Planning firm 1 of 20). Proposals should be no more than 26 pages in total length (resumes, compliance, and Affirmative Action Plan attachments do not count against the total)
 - **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.
 - **Project Understanding** - A general description of the approach to be used in accomplishing the work, including the project organization and management plan. Senior personnel who will work on the project, including subcontractor personnel, should be identified by name and by role in the project; e.g., project manager, principal in charge, project advisor, etc. The project manager in particular must be specified and a clear indication given as to his/her involvement in the project. If more than one firm will be involved, the proposal should clearly delineate the work to be accomplished by each firm and how the work will be coordinated and managed. Any special requirements or coordination needs should be clearly identified.
 - **Scope of Services and Schedule** - This section should respond to the Request for Proposals task descriptions for the project by describing clearly in detail what and how work in each task will be accomplished, the technical methodology to be used, and the planned workflow and schedule. A description should be included concerning quality control and how this will be maintained and accomplished during the course of this project.

- **Consultant Qualifications** - This section should identify the background and experience of the consulting firm(s) and individuals in similar types of work and the results of that experience, along with up-to-date references (name, current affiliation, and phone number), should be included. Knowledge of the Dallas-Fort Worth area should be specifically indicated.
 - **Compliance Requirements** - Appendices C through F 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 (SB 19)**
 - Pursuant to Chapter 2274, Government Code, as enacted by SB 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 (SB 13)**
 - Pursuant to Chapter 2274, Government Code, as enacted by SB 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 maintains a Disadvantaged Business Enterprise (DBE) participation goal on the part of socially and economically disadvantaged individuals in USDOT-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. **DBE 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. As part of the proposal, consultants should summarize the budget for the project on the excel form provided. The overall project budget should include the cost of personnel, fringe benefits, overhead supplies, printing, and travel. The budget shall detail out

separately the tasks by prime and sub-consultant, and profit. If needed, additional tabs should be added for sub-consultants working on the project.

8. The Texas Legislature has adopted House Bill 1295. In short, the law states 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 a Frequently Asked Questions:
https://www.ethics.state.tx.us/resources/FAQs/FAQ_Form1295.php

9. 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 or 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.