



Request for Proposals:

Economic Impact Study of Bicycle and Pedestrian Facilities

East Central Wisconsin Regional Planning Commission

Date of Issuance: March 30, 2021

Proposals due: April 20, 2021 at 5pm CST

Catalog of Federal Domestic Assistance (CFDA) Number: 20.205

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Section 1 – General Information to Proposers

1. Background Information

About East Central Wisconsin Regional Planning Commission

East Central Wisconsin Regional Planning Commission is the official comprehensive, area-wide planning agency for the eight member-counties in the East Central Wisconsin including the counties of Calumet, Fond du Lac, Menominee, Outagamie, Shawano, Waupaca, Waushara and Winnebago. ECWRPC also serves as the Metropolitan Planning Organization for Appleton (Fox Cities) and Oshkosh, and as staff for the Metropolitan Planning Organization for Fond du Lac. East Central Wisconsin Regional Planning Commission, as the MPO and staff for the Fond du Lac MPO receives PL funds for the MPO and follow the federal regulations as it relates to MPO Activities within 23 CFR 420 and 450.

In 2014, East Central Wisconsin Regional Planning Commission adopted the *Appleton (Fox Cities) Transportation Management Area and Oshkosh Metropolitan Planning Organization Bicycle and Pedestrian Plan*. This plan identifies gaps in the bicycle and pedestrian network and creates recommendations for creating a cohesive network throughout the region. This project has been approved in 2021 ECWRPC's Transportation Work Program by the Federal Highway Administration and the Wisconsin Department of Transportation.

About the Appleton TMA and Oshkosh MPO Bicycle and Pedestrian Plan

The Appleton (Fox Cities) Transportation Management Area and Oshkosh Metropolitan Planning Organization Bicycle and Pedestrian Plan includes the urbanized areas of Calumet, Outagamie, and Winnebago counties; 28 municipalities; 20 school districts; and represents approximately 280,000 people. This plan was created with input from the public and from a 23-member steering committee with a broad representation. Local bicycle and pedestrian plans were considered, and the network proposed in the regional plan tie the local plans together.

One recommendation is to conduct an economic impact study of the bicycle and pedestrian facilities. An economic impact scoping study was completed in December 2019 (https://www.ecwrpc.org/wp-content/uploads/2021/03/ECWRPC_EIA-Scoping-Document.pdf), and East Central has the funding to conduct the economic impact study.

2. Project Summary

East Central WI Regional Planning Commission (ECWRPC) is issuing this "Request for Proposals" (RFP) to conduct an economic impact study of bicycle and pedestrian facilities within the Appleton (Fox Cities) TMA and Oshkosh MPO.

The Consultant selected to do this work will coordinate, work with and work under the direction of the Regional Bicycle and Pedestrian Coordinator for the completion of the

work described within the RFP. The deadline for the completion of this project will be **June 30, 2022 with an anticipated presentation to the Commission in July 2022.**

3. Purpose

The purpose of this project is to conduct a study that will culminate in a report that will comprehensively communicate the economic impacts of building bicycling and walking infrastructure in the Appleton TMA and Oshkosh MPO. It is expected that most of the data will be locally derived.

4. Project Timeline

The project shall be undertaken between May 3, 2021 and June 30, 2022. The project timeline can be modified and is subject to mutual approval by ECWRPC, WisDOT, and the consultant.

5. Request for Proposals (RFP) Process

This RFP will be publicly advertised and released in accordance with the applicable laws of the State of Wisconsin and shall include notification of the time and place when and where the RFP is due. Subconsultants that are awarded this contract will need to comply with the 2 CFR 200 and 23 CFR 450 and 420. The RFP may be obtained from primary contact:

Kim Biedermann, Regional Bicycle and Pedestrian Coordinator
East Central WI Regional Planning Commission
Attn: Bicycle and Pedestrian Facility Economic Impact Study
400 Ahnaip Street, Suite 100
Menasha, WI 54952
Email: kbiedermann@ecwrpc.org
Phone: 920.751.4770 x 6833

The evaluation process will include review of submittals, references, and other information necessary, as well as rating of submittals. ECWRPC staff will be in contact with Proposers if additional information or interviews are needed.

The selected consultant or consultant team must successfully complete the study no later than June 30, 2022, and the study's cost must not exceed \$59,485.00.

6. RFP Inquiries/Questions

All questions/inquiries must be directed in an email format with a subject line **"Questions - Bicycle and Pedestrian Economic Impact Study"** no later than **Friday, April 9, 2021 at noon to:**

Kim Biedermann, Regional Bicycle and Pedestrian Coordinator
East Central WI Regional Planning Commission (ECWRPC)
Email: kbiedermann@ecwrpc.org

ECWRPC will review all inquiries and questions received prior to the RFP submittal deadline and will address these questions on its website and as an addendum in VendorNet by Monday, April 12, 2021. It is the responsibility of each Proposer to check ECWRPC's website and/or VendorNet for questions and the corresponding answers. During the review or preparation of the RFP Proposal, if a Proposer discovers any errors, omissions, or ambiguities within the RFP, they should identify them in writing to ECWRPC *prior* to the RFP submission deadline.

7. RFP Proposal Submission

East Central Wisconsin Regional Planning Commission must receive all proposals no later than ***Tuesday, April 20, 2021 at 5:00 p.m. CST. Late proposals will not be considered.***

Applicants must submit **an electronic PDF version of the proposal with the project budget as a separate attachment in the same email.** Proposals must be emailed to:

Kim Biedermann, Bicycle and Pedestrian Coordinator
Subject Line: Bicycle and Pedestrian Facilities Economic Impact Study RFP
kbiedermann@ecwrpc.org

a. General Instructions

The evaluation and selection of a contractor will be based on the information submitted in the proposal plus references and any required interviews/presentations or demonstrations. Proposers should respond clearly and completely to all requirements. Failure to respond to each of the requirements in the RFP may be the basis for rejecting a proposal. Elaborate proposals (e.g. expensive artwork), beyond that sufficient to present a complete and effective proposal, are not necessary or desired.

Document requirements: Times New Roman, Size Font – 12.

Each proposal must include the following:

- Project Understanding and Work Plan
- Project Schedule and Timeline
- Description of Firm
- Project Team and Experience with Similar Projects
- Desired and Value-Added Capabilities
- Budget and Fee Information – **The budget and fee information must be submitted in a spreadsheet format in and clearly marked "Fee Structure" as a separate attachment in application email package**

Section 2 – Scope of Services

8. Scope of Services

The proposal should describe the Consultant's approach to completing each of the tasks outlined below. The proposal should provide sufficient detail to enable the selection committee to thoroughly evaluate and compare it with other proposals. The proposal should closely follow the format of the Scope of Services and address each point (a-f, below). It should include the following information and any other materials/ideas/data your firm believes is pertinent to this project.

a. Current Conditions

The Consultant will work with the ECWRPC to determine what current conditions need to be captured. Data for consideration include, but is not limited to, the following:

- Demographic data*
- Current bicycle and pedestrian network*
- Proposed bicycle and pedestrian network*
- Current economic factors
 - Business attraction and retention
 - Employee attraction and retention
 - Tourism
 - Real estate
 - Health
 - Environmental
 - Quality of life
 - Local business data

*These datasets can be provided by East Central and will be discussed contract negotiation process.

b. Work with Advisory Committee appointed by the Commission Board

The consultant will work with ECWRPC and an advisory committee throughout the process. This advisory committee will provide advice, insight, and direction throughout the study.

c. Identification of Key Audiences

The Consultant will work with the ECWRPC to identify the key audiences for the economic impact study. Key audiences may include, but are not limited to, elected officials, employers, and municipal/county staff. A final report(s) shall be tailored to meet the needs of these key audiences.

d. Stakeholder and Partner Organization Engagement

The Consultant work with East Central staff to engage stakeholders and partner organizations. This work shall include one-on-one interviews, surveys, and focus groups. The option to conduct these virtually will be available and monitored during the Covid-19 pandemic. The proposer is encouraged to and may suggest additional engagement techniques.

e. Economic Impact Discovery

The Consultant will examine the economic impacts of bicycle and pedestrian facilities on the current conditions outlined in Item A, above. This will include a thorough examination of economic impacts of current facilities and select future facilities. Projects of specific interest could include, but are not limited to, the following:

1. **Loop the Little Lake project** (completed): a loop that connects the downtowns of the cities of Neenah and Menasha and traverses the Village of Fox Crossing and;
2. **Loop the Locks project** (in progress): a loop that will span from downtown Appleton to downtown Kaukauna.
3. **Economic Impacts of High Cliff State Park Connection** (in planning phase)
4. **Riverwalk in Oshkosh**

Note that data extrapolated from statewide and nationwide resources may complement data collected; however, extrapolated data shall not be a substitute for data collected at the local level.

f. Final Economic Impact Report

The final product will be compiled by the Consultant into the following two documents: a full economic impact report and a visually-appealing executive summary document that will meet the needs of both key audiences and the general public. It is the desire of East Central to have both documents visually appealing and easy to read while still conveying all vital information.

Section 3 – Proposal Requirements and Evaluation

9. Proposal Requirements and Evaluation (Maximum of 100 points)

Document requirements: Times New Roman, Size Font – 12.

a. Evaluation and Scoring of Proposals

Accepted proposals will be reviewed by the ECWRPC selection team. The proposals will be scored using the following criteria:

Project Understanding and Work Plan	20 pts.
Project Schedule and Timeline	15 pts.
Description of Firm	15 pts.
Project Team and Experience with Similar Projects	15 pts.
Desired and Value-Added Capabilities	20 pts.

Budget and Fee Information (*see Section 10)15 pts.**Total Points****100 pts.****b. Estimated Schedule of Events**

This schedule is preliminary and subject to change.

Issuance of RFP	March 30, 2021
Question Submittal Deadline	April 9, 2021 at noon (12pm) CST
Closing Date of RFP Response	April 20, 2021 at 5pm CST
Evaluation Committee Meets to Rank Proposals	April 21-23, 2021
Interviews (only if needed)	Week of April 26, 2021
Contract Negotiation Meeting	Week of April 26, 2021
Contract Approval	Week of May 3, 2021
Begin Work on Contract	Week of May 3, 2021

c. Project Understanding and Work Plan (20 possible points)

This section requires a discussion of the approach the firm will use to complete the project. The proposal shall include a clear and concise understanding of the project, the work to be completed, and the coordination required based on existing information. Elements that will be evaluated are:

1. Demonstrates understanding of the project.
2. Clear and concise explanation of specific tasks needed to accomplish the project.
3. Defines issues to be resolved in the course of the project.
4. Previous work and tools.
5. Coordination efforts.
6. General tools that will help within the study.

d. Project Schedule and Timeline (15 possible points)

This relates to the consultant's time requirements to complete those tasks identified. Elements that will be evaluated include:

1. Time required to complete individual tasks (duration).
2. Inter-relations between tasks (dependencies).
3. Key events during the project (milestones).
4. Critical input points from the ECWRPC.

e. Description of Firm (15 possible points)

This is related to the firm and sub consultants. All sub consultants and their respective roles, qualifications, and experience must be clearly identified. This section will provide a basis for judging how well the firm's qualifications and experience relate to this specific project. Firm profile may be included. Elements that will be evaluated are:

1. Background & stability of firm (length of time in business, ownership, affiliations, financials, etc.).

2. Relevant projects the firm has completed (provide references).
3. Background of any sub consulting firm(s) used on this project, and an explanation of prior relationships with the consultant.
4. Relevant projects the sub consulting firm(s) has completed (provide references).
5. Provide three (3) references of individuals/agencies with contact information (i.e. phone numbers and e-mail) who can attest to your firm's ability to undertake and complete this project.

f. Project Team and Experience with Similar Projects (15 possible points)

This criterion relates to the project principal, project manager, key staff, and sub consultant staff. This section will provide a basis for judging how well the project team's qualifications, experience with similar projects, and time allocations related to this specific project. Individual resumes must be included. Elements that will be evaluated are:

1. Number of people and hours assigned to this project with information to be provided in a spreadsheet format that clearly identifies staff and hours. **Costs must not be listed on this spreadsheet.**
2. Extent of principal and project manager involvement. Meeting with the Project Team as often as necessary to meet objective and additional meetings, as the consultant believes necessary to enhance this project.
3. Key project team members on similar projects and unique qualifications that make them a valuable resource on this specific project, including experience with other consulting firms.
4. Key project team member roles during this project.
5. Does the project team cover all phases of this project?
6. Project Manager's technical and managerial experience with projects of similar scope and nature.

g. Desired and Value-Added Capabilities and Solutions (20 possible points)

The Consultant may submit any information they believe relevant that does not fit within the body of the proposal. This may include, but is not limited to brochures, company information, supplemental resumes, additional project descriptions, and any other information the consultant believes is useful. You may use this section to include innovative approaches your firm would take in working on this project or additional items that would complement the approaches outlined. This additional submittal will be reviewed and used by the Project Team.

h. Budget and Fee Information (15 possible points)

Proposed Consultant fees for **each phase** of this project must be submitted in a spreadsheet format in a **separate attachment** marked "**Fee Structure – Do Not Open.**" The fee structure relates to the total fee for this project as described by the consultant in Item 8. Proposed resources for each task must be identified, including hours and wage rates for consultants and sub consultants. Work that the consultant would not provide, and must be provided separately by the ECWRPC must also be identified. Elements that will be evaluated include:

1. Availability of resources from the consultant and the sub consultant(s) for the project.
2. Estimated hours and fees to complete individual work elements.
3. Estimated total fee for the project, based on hourly rates including a not-to-exceed cap.
4. List of tasks not performed by the consultant or sub consultant(s) for project, which must be performed by the ECWRPC.

5. Identify what your firm considers reimbursable expenses and detailed costs of each. All costs, as requested, for furnishing the product(s) and/or services must be included in this proposal. No mention of the cost proposal may be made in the response to the general, technical, performance, or support requirements of the RFP. The proposed budget will be scored separately from the other criteria. The proposed budget will be 15% of the overall score and to be reviewed by only the ECWRPC staff once the selection committee has selected a contractor. The cost proposal **must be submitted as a separate attachment** within the emailed proposal package. All prices must be quoted in U.S. Dollars.

Section 4 – Proposal Terms and Conditions

10.RFP Document

Information provided herein is intended solely to assist Proposers in the preparation of their Proposals. To the best of the ECWRPC's knowledge, the information provided is accurate. However, ECWRPC does not warrant such accuracy and any errors or omissions subsequently determined will not be construed as a basis for invalidating this RFP.

11.Ownership of Records

ECWRPC will retain ownership of all interim and final documents and related materials that are either produced or developed in conjunction with the Consultant's contract. The Consultant is prohibited from copying or distributing any of these documents or other reports developed in conjunction with the East Central WI Regional Planning Commission (ECWRPC) without written permission from ECWRPC.

12.Acceptance of Proposal Content and Public Information

Proposals will be treated as proprietary and confidential from the time of the receipt and throughout the review process; however, the Proposer shall understand that all submitted proposals become the property of the East Central WI Regional Planning Commission (ECWRPC) and information included therein or attached thereto shall become public record pursuant to Wisconsin State Statute after recommendation for endorsement of contract is made. Any specific portions of the proposals which the submitting firm desires to remain confidential due to legitimate "proprietary information" or "trade secret" must be identified in Attachment A. In the event that ECWRPC judges the information to be non-confidential, the Proposer will be notified and given the opportunity to change the designation or withdraw the proposal prior to evaluation.

13.Proprietary Information

All restrictions on the use of the data contained within a proposal and all confidential information must be clearly stated on the attached "Designation of Confidential and Proprietary Information" form (Attachment A). Proprietary information submitted in a proposal, or in response to the RFP, will be handled in accordance with the applicable Wisconsin State Statute(s).

To the extent permitted by the law, it is the intention of ECWRPC to withhold the contents of the proposal from public view until such times as competitive or bargaining reasons no longer require non-disclosure, in the opinion of ECWRPC. At that time, all proposals will be available for review in accordance with the Wisconsin Open Records Law.

14. Personnel and Subcontractors

1. The COMMISSION must approve or disapprove the selection of key personnel as identified in the application and/or this Agreement. Any new hires or changes in key personnel require prior written approval from the COMMISSION. Resumes, in sufficient detail to reveal the experience, education, and other general and specific qualifications for the position, must be submitted to the COMMISSION for its consent prior to approval of a candidate.
2. The CONSULTANT agrees to comply with the requirements regarding support of salaries and wages in 2 CFR Part 200.430, "Compensation-personal services."

It is intended that a single contractor will have total responsibility for all services identified in the Bicycle and Pedestrian Facility Economic Impact Study RFP. Therefore, any Proposer desiring to use a sub-contractor(s) must identify each on a document supplied as an attachment to the Proposal and titled attachment "Sub-contractors" and should include:

- their company's name,
- the company's principal owner(s),
- description of their involvement in the project, and
- qualifications for each aspect Bicycle and Pedestrian Facility Economic Impact Study RFP that they will be involved with.

The subcontractor(s) cannot be changed after submission of the Proposal without the written approval of ECWRPC. The Consultant is responsible for all actions, workmanship, performance, and payment for their subcontractor(s). A contract between the Consultant and the subcontractor must be signed within 14 business days of Consultant's signed contract with ECWRPC. ECWRPC reserves the rights to a copy of the signed contract between the Consultant and the sub-contractors. ECWRPC reserves the right to terminate the terms of its contract in the event of Consultant's failure to establish a signed contract between the Consultant and subcontractor within 14 business days.

15. RFP Proposal Costs

ECWRPC is not liable for any costs or expenses incurred by any Proposer in the preparation of the Proposal, attendance at any conference, or meeting related to this RFP. ECWRPC is not liable for payment of any amount to the selected proposer until the Contract has been awarded and executed by ECWRPC and the Contractor has performed services pursuant to the Contract that entitle the Contractor to receive payment under the terms of the Contract.

16. Acceptance of Proposal Content

By submitting a proposal, the proposer agrees that all or portions of the proposal's contents may become part of a contract, if accepted, and ECWRPC will reject any

proposal submitted by a proposer who does not accept this condition.

17.Rejection of Proposals

ECWRPC reserves the right to waive any informality, and/or to reject, at any time and for any reason, any and all Proposals received as a result of this RFP. East Central WI Regional Planning Commission's intent is to enter into a Contract as a result of this RFP. However, if, after reviewing the Proposals received, ECWRPC determines that ECWRPC should not enter into any contract, or to enter into a partial or different contract from the Contract contemplated by this RFP, ECWRPC will act in accordance with what ECWRPC determines at that time to be in its best interest. No Proposer or any other party has any entitlement, interest, or right in this decision by the ECWRPC and by submitting a Proposal, acknowledges ECWRPC's right to exercise its discretion in this regard without any right of recourse by the Proposer.

18.Insurance and Hold Harmless

Per ECWRPC's Competitive Bid Policy and 2 CFR 200, the successful proposer will be required to provide proof of insurance prior to the signing the contract. In addition, "hold harmless" provisions will be contained in the contract with the successful proposer.

19.Contract Negotiations

East Central Wisconsin Regional Planning Commission (ECWRPC) reserves the right to negotiate the award and conditions of the proposal prior to entering into a written agreement.

20.Applicability of State and Federal Regulations

The selected contractor shall comply with all applicable terms and conditions of ECWRPC, the Wisconsin Department of Transportation, Federal Highway Administration.

The consultants and subcontractors will comply with federal regulations for 2 CFR 200 and 23 CFR 450 and 420.

23 CFR 450.308 Funding for transportation planning and unified planning work programs.

(a) Funds provided under 23 U.S.C. 104(d), 49 U.S.C. 5305(d), and 49 U.S.C. 5307, are available to MPOs to accomplish activities described in this subpart

23 CFR 450.336 Self-certifications and Federal certifications.

(a) For all MPAs, concurrent with the submittal of the entire proposed TIP to the FHWA and the FTA as part of the STIP approval, the State and the MPO shall certify at least every 4 years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:

- (1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- (2) In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;

- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (5) Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity programs on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27, 37, and 38;
- (8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities

21. Nondiscrimination & Equal Opportunity

As a recipient and sub recipient of state and federal funds, ECWRPC complies with State of Wisconsin and Federal Equal Opportunity Regulations (s. 16.765, Wis. Stats., s.51.01 (5), Wis. Stats.; Section 109 of the Housing and Community Development Act of 1974). ECWRPC also complies with Title VI of the Civil Rights Act of 1964, and the Civil Restoration Act of 1987 (P.L. 100.259). Any contract resulting from this RFP shall contain provisions referencing ECWRPC's and the Contractor's compliance with these regulations. ECWRPC has also complied with Title 15: Commerce and Foreign Trade, Section 24.36€ regarding affirmation steps to encourage small and minority firms, women's business enterprise and labor surplus area firms to respond to this RFP.

The Commission shall provide a copy of its Affirmative Action Plan and Title VI/Americans with Disabilities Act and Limited English Proficiency Plan to Prospective proposers, if requested.

22. Audits

1. The CONSULTANT agrees to comply with audit requirements as specified in 2 CFR Part 200.
2. The CONSULTANT shall ensure audits are properly performed, and furnish the required data collection forms and audit reporting packages to the Federal Audit Clearinghouse (FAC). The CONSULTANT shall upload audit reports into the FAC through the Internet Data Entry System (IDES) at <https://harvester.census.gov/fac/collect/ddeindex.html#>.
3. The CONSULTANT shall provide any audit with findings related to this award, with copies of the reporting package (including corrective action plans), management letters issued by an auditor, and audit working papers, to the COMMISSION.
4. The COMMISSION will seek to issue a management decision to the

CONSULTANT within six months of receipt of an audit report with findings, and the CONSULTANT shall take timely and corrective action to comply with the management decision.

5. The COMMISSION reserves the right to conduct an independent follow-up audit.

23. National Policy Requirements

1. Debarment and Suspension

The CONSULTANT agrees to comply with 2 CFR Parts 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” and 1125, “Department of Defense Nonprocurement Debarment and Suspension.” The CONSULTANT also agrees to communicate the requirement to comply with Parts 180 and 1125 to entities and persons at the next lower tier with whom the recipient enters into transactions that are “covered transactions” under Parts 180 and 1125.

2. Drug-Free Workplace

The CONSULTANT agrees to comply with Subpart B, “Requirements for Recipients Other Than Individuals,” of 32 CFR Part 26, “Governmentwide Requirements for Drug- Free Workplace (Financial Assistance).”

3. Hatch Act

The CONSULTANT is advised that its employees may be subject to the Hatch Act (5 U.S.C. § 1501-1508). If doubt exists in particular cases, the CONSULTANT should seek legal counsel.

4. Universal Identifier Requirements and Central Contractor Registration

The CONSULTANT agrees to comply with the requirements of 2 CFR Part 25, as amended, “Universal Identifier and Central Contractor Registration.” The System for Award Management (SAM) has replaced the CCR system.

5. Trafficking Victims Protection Act of 2000

The CONSULTANT agrees to comply with the requirements of 2 CFR Part 175, “Award Term for Trafficking in Persons.”

6. Reporting Sub-award and Executive Compensation Information

The CONSULTANT agrees to comply with the requirements of 2 CFR Part 170, “Reporting Sub-award and Executive Compensation Information.”

7. Restrictions on Lobbying

The CONSULTANT agrees to comply with the requirements of 31 U.S.C. § 1352, “Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions.” Appropriated funds cannot be used to pay any person to influence or attempt to influence employees of any agency or Congress. Links to the requirements referenced above as well as the full

listing of all National Policy Requirements are provided on the FHWA/DOT website at www.FHWA/DOT.gov.

24. Prior Written Approval

The purpose of this project is to engage the community and stakeholders in the economics of bicycle and pedestrian infrastructure, gauge what expectations they have for a future economic impact study, and determine what data is available regarding economics of bicycle and pedestrian facilities the Appleton TMA and Oshkosh MPO. Any changes in the project/program described in the application to include those identified below require prior written approval from the COMMISSION in the form of an amendment request:

1. Changes in the specific activities described in the application
2. Changes in key personnel as specified in the application and/or this agreement
3. Changes in the scope of work contained in any solicitation and/or request for proposals
4. Need for additional Federal funds
5. Budget reallocations that exceed 10 percent of the total budget among approved direct cost categories or are transferred to new budget line items
6. Changes in indirect cost rates or recertification of expired indirect cost rates during the project period unless otherwise specified in this Program agreement
7. Requests to purchase equipment (including software) with an estimated acquisition cost of more than \$5,000
8. Requests to use Federal and/or non-Federal match funds for food and/or beverages in conjunction with meeting costs

25. Separate Bank/Fund Accounts

1. The CONSULTANT is not required to establish a separate bank account but may do so. The CONSULTANT, however, must maintain accounting records to adequately identify the source and application of Program funds. Other considerations, such as Federal Deposit Insurance Corporation coverage, shall be in accordance with the provisions of 2 CFR Part 200.

26. Reimbursement for Travel

1. Reimbursement for travel (transportation, food, and lodging) in the performance of Program activities shall be consistent with those normally allowed in like circumstances in Federally sponsored activities of the CONSULTANT. CONSULTANTS may follow their own established rate but any travel allowance policies in excess of Federal limits must receive prior approval from the COMMISSION.

ATTACHMENT A: Designation of Confidential and Proprietary Information

____ This firm is NOT designating any information as proprietary and confidential under Sect 19.36(5) of Wisconsin State Statute or under the Wisconsin Open Records law.

____ This firm IS designating the below information as propriety and confidential under Sect 19.36(5) of Wisconsin State Statute or under the Wisconsin Open Records law. *(If checked, please complete all portions below.)*

The attached material submitted in response to this Proposal includes propriety and confidential information which qualifies as a trade secret, as provided in Sect 19.36(5), Wisconsin State Statutes, or is otherwise material that can be kept confidential under the Wisconsin Open Records law. As such, we ask that certain pages, as indicated below, of this proposal response be treated as confidential material and not be released without our written approval.

Prices always become public information when proposals are opened; therefore, they cannot be designated as confidential.

Attach additional sheets if necessary.

Section	Page Number	Topic

Other information cannot be kept confidential unless it is a trade secret. Trade secret is defined in Sect. 134(90)(1)(c) Wis. State Statutes as: “information, including formula, pattern, compilation, program, device, method technique or process to which all of the following apply:

1. The information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.
2. The information is the subject of efforts to maintain its secrecy that are reasonable under the circumstances.

In the event the Designation of Confidential of this information is challenged, the undersigned hereby agrees to provide legal counsel or other necessary assistance to defend the Designation of Confidentiality.

Failure to include this form in the proposal response may mean that all information provided as part of the proposal response will be open to examination or copying. East Central Wisconsin Regional Planning Commission considers other marking of confidential in the proposal document to be insufficient. The undersigned agrees to hold East Central Wisconsin Regional Planning Commission harmless for any damages arising out of the release of any material unless they are specifically identified above.

Signature

Date

Name (type or print)