



**REQUEST FOR PROPOSALS (RFP) #17-7069-39**

**PROSPECT CORRIDOR BRT BID PACKAGE #3**

**Prospect MAX Shelter, Marker and Interactive “Smart” Kiosk Fabrication**



 Date: January 17, 2018

 Contact: Kristen Emmendorfer

 Purchasing Manager

 Telephone: (816) 346-0360

 Fax: (816) 346-0336

 Email: kristene@kcata.org

**Proposal #17-7069-39**

**Prospect MAX BRT Package #3**

**PROSPECT MAX SHELTER, MARKER & INTERACTIVE “SMART” KIOSK FABRICATION**

NOTICE OF REQUEST FOR PROPOSALS (RFP)

The Kansas City Area Transportation Authority (KCATA) is requesting proposals from qualified firms to provide fabrication and installation services for Prospect MAX Bus Rapid Transit (BRT) Shelters, Markers and Interactive “Smart” Kiosks. This is the third iteration of BRT in Kansas City and the Work associated with this RFP will be a significant improvement to the current BRT model. Amongst its improvements are interactive “smart” kiosks with information and updated MAX bus shelters and markers. The project is identified as Bid Package 3 for Prospect MAX BRT, and is comprised of three (3) sub-packages. PACKAGE #3A-1: Prospect MAX Style Shelters/Markers; PACKAGE #3A-2 Transit Emphasis Corridor (TEC) Style Shelters/Markers and PACKAGE #3B- Interactive “Smart” Kiosks.

A Pre-Proposal conference will be held Friday, January 26, 2018 at 10:00 a.m. in KCATA’s Breen Building Large Conference Room located at 1200 East 18th Street, Kansas City, MO 64108. This pre-proposal is not mandatory but contractors are encouraged to attend.

Contractors shall refer to the attached specifications and renderings as well as Project Special Provisions for detailed deliverables. For this Proposal, there are various elements and products associated with the Scope of Work for each package of deliverables and end products. KCATA’s intent is to select Proposers for consideration of awarded contract(s) who demonstrate qualified and affirmed production capabilities and resources, staffing, scheduling and “just in time” delivery capabilities for the shelters, markers, and kiosks and all associated equipment and work to be provided for each Scope of Work.

Proposals are subject to all terms, conditions, and provisions of this document, including Affirmative Action and Equal Employment Opportunity regulations. Offerors shall read and understand the requirements of this RFP.

Minority Owned Business Enterprises (MBEs), Woman Owned Business Enterprises (WBEs), Disadvantaged Business Enterprises (DBEs) and Small Business Enterprises (SBEs) are encouraged to submit proposals as Prime Contractors, Subcontractors, or through joint venture/partnership. There is no DBE goal for this proposal.

KCATA reserves the right to make a single or multiple awards, between project scopes or site locations, as it determines to be in the best interest of the Authority. A proposal response form has been provided. The bid response forms for each separate package requires pricing for add alternates. The add alternates for each of the packages may be selected at the discretion of KCATA based on availability of budget to fund the alternate work. Proposers must affirm pricing for the add alternates for one hundred eighty (180) days from the time of bid closing.

Proposals must be received with all required submittals as stated in the RFP, no later than February 16, 2018 at 3:00 p.m. Please reference RFP #17-7069-39 on the submittal cover. Proposals received after the time specified shall not be considered for award. Proposals received via facsimile (fax) or electronic mail (e-mail) shall not be considered. Proposals not meeting specified delivery and method of submittal will not be opened nor considered responsive.

Proposals must be addressed and delivered to KCATA at the following address. This is also the address to be used for all communication in connection with this RFP:

Kansas City Area Transportation Authority

Attn: Kristen L. Emmendorfer, Procurement Department

1350 East 17th Street

Kansas City, Missouri 64108

Submission of a proposal shall constitute a firm offer to the KCATA for One Hundred Twenty (120) days from Proposal Closing date.

For information regarding this proposal, contact Kristen Emmendorfer at (816) 346-0360 phone, (816) 346-0336 fax or Kristene@kcata.org. Any questions or requests for clarification are due from Proposers before January 30, 2018 at close of business and must be submitted in writing to Kristene@kcata.org. If required, KCATA’s response to these submissions will be in the form of an Addendum.

*No person or entity submitting a proposal in response to this RFP, nor any officer, employee, agent, representative, relative or consultant representing such a person (or entity) may contact through any means, or engage in any discussion concerning the award of this contract with any member of KCATA’s Board of Commissioners or any employee of KCATA (excluding Procurement staff) during the period beginning on the date of proposal issue and ending on the date of the selection of Contractor. Any such contact would be grounds for disqualification of the Proposer.*

 Denise Adams. Interim Director of Procurement

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**PROPOSAL #17-7069-39**

To assist KCATA in obtaining good competition on its Request for Proposals, we ask that if you received an invitation but do not wish to propose, please state the reason(s) below and return this form to Kristen Emmendorfer, Procurement Department, KCATA, 1350 East 17th Street, Kansas City, MO 64108, fax (816) 346-0336.

This information will not preclude receipt of future invitations unless you request removal from the Proposer’s List by so indicating below.

***Unfortunately, we must offer a “No Proposal” at this time because:***

\_\_\_\_ 1. We do not wish to participate in the proposal process.

\_\_\_\_ 2. We do not wish to propose under the terms and conditions of the Request for Proposal document. Our objections are:

\_\_\_\_ 3. We do not feel we can be competitive.

\_\_\_\_ 4. We do not provide the services on which Proposals are requested.

\_\_\_\_ 5. Other:

\_\_\_\_ We wish to remain on the Proposer’s list for these services**.**

\_\_\_\_ We wish to be removed from the Proposer’s list for these services**.**

FIRM NAME SIGNATURE

 **SECTION 1 – PROJECTED PROPOSAL CALENDAR**

|  |  |
| --- | --- |
| Proposal Advertised and Issued  | January 17, 2018 |
| Non Mandatory Pre-Proposal ConferenceKCATA’s Breen Building – Large Conference Room1200 East 18th Street, Kansas City, MO 64108 | January 26, 2017 at 10:00 a.m. |
| Deadline for Proposer Questions, Comments, & Requests for Clarification | January 30, 2018  |
| KCATA’s Response to Questions/Requests for Clarifications | February 6, 2018 |
| Proposal Closing | February 16, 2018 at 3:00 p.m. |
| Interviews (Tentative, and if Required) | February 21/ 22, 2018 |
| Notice of Contract Award (Anticipated) | March, 2018 |

**SECTION 2**

**KANSAS CITY AREA TRANSPORTATION AUTHORITY**

**Prospect MAX BRT Shelter, Markers & Interactive “Smart” Kiosks Fabrication**

**SCOPE OF SERVICES**

**SECTION 2. SCOPE OF SERVICES**

* 1. **SCOPE**

MAX is KCATA’s bus rapid transit network (BRT) serving highly populated residential and commercial corridors in Kansas City, Mo.  Plans are underway to implement this premium service along Prospect Avenue and into downtown KCMO.  From its vehicles to service, MAX touts its unique identity. Customers reach their destinations with greater ease because of MAX’s faster, more reliable service. MAX vehicles have a distinctively sleek design, while MAX stations are substantially larger than standard bus stops. In addition, one of the more popular customer-friendly MAX features includes real-time arrival information that helps transit customers know when MAX will arrive. By adding technologies and an array of modern passenger amenities, Prospect MAX will substantially enhance the transit experience for existing riders while attracting new transit customers. Among the features riders will encounter and experience along the Prospect MAX BRT line are:

* Frequent service
* Traffic signal priority
* Fewer stops for faster service
* Highly visible MAX stations
* Sleek, distinctly designed vehicles
* Unique branding
* In addition, Prospect MAX will offer:
* Level boarding platforms at select locations
* Ticket-vending machines at select locations
* Free Wi-Fi on buses and at MAX stations
* Mobility hubs with on-demand services such as bikeshare and carshare.

Prospect MAX BRT is the third iteration of BRT in Kansas City and the Work associated with this RFP will be a significant improvement to the current BRT model. Amongst its improvements are real time arrival signs/kiosks and revised MAX bus shelters and markers. The project is identified as Bid Package 3 for Prospect MAX BRT, and is comprised of three (3) sub-packages. PACKAGE #3A-1: Prospect MAX Style Shelters/Markers; PACKAGE #3A-2 TEC Style Shelters/Markers and PACKAGE #3B- Interactive “Smart” Kiosks.

KCATA reserves the right to make a single or multiple awards for Packages 3A-1, 3A-2, and 3B, as it determines to be in the best interest of the Authority. Proposal response forms have been provided. The bid response forms for each separate package ask for pricing for add alternates. These add alternates may be selected at the discretion of KCATA based on availability of budget to fund the alternate work. Proposers must affirm pricing for the add alternates for one hundred eighty (180) days from the time of bid closing.

This work consists of all labor, materials, tools and equipment required for set-up of general plant, storage/staging areas and facilities, as well as the procurement of all bonds, permits, and insurance necessary for this project and as required by Federal and State Laws and City Ordinances; and the general mobilization of equipment required for the completion of the work as stated in the Contract Documents. The cost proposal shall include all permits and fees, as required, to perform the project, unless otherwise noted in the Contract Documents.

Technical Specifications and Drawings for the project are attached to this RFP. The intent of the Plans and Specifications is to describe The Work which the Contractor undertakes to do, in full compliance with the Contract, and it is understood that the Contractor will furnish, unless otherwise provided in the Contract, all materials, machinery, equipment, tools, supplies, transportation, labor, and all other incidentals necessary to the satisfactory completion of the Work. The Plans and Specifications are complementary, and what is called for by either is as binding as if called for by both.

* 1. **PROJECT REQUIREMENTS SUMMARY**
1. A Disadvantaged Business Enterprise (DBE) Participation Goal has not been established for this project.
2. Minimum Prime Contractor Participation for this project is 30% of the contract amount.
3. A Bid Bond for 5% of the Contract Amount is required for this project.
4. Performance Bonds for 100% of the Contract Amount are required for this project. Payment Bonds may be reduced based on contract value. Additional project value as added via approved change orders shall be addressed by amendment of bonds as requested by KCATA.
5. Contract Completion.

Milestone 1

Package 3A-1

Complete Fabrication and Integration for 12th & Grand and Petticoat

210 Calendar days

Package 3A-2

Complete Fabrication and Begin Integration for Interactive “Smart” Kiosks

165 calendar days

Milestone 2 (Applies to all three Packages)

Complete Fabrication and Integration

365 Calendar Days

Milestone 3 (Applies to all three Packages)

Complete Integration and Testing

455 Calendar Days

Milestone 4 (Applies to Packages 3A-1 and 3A-2 only)

Complete Street Installation

545 Calendar Days

Substantial completion for the Scope of Work shall be established for each of the project packages per a written Notice to Proceed for each of the packages. The Date of Substantial Completion of the Work is the date certified by written Notice that the work is 95% or more complete, with the exception of a minimal list of deficiencies, as provided by KCATA’s project manager.

If one contractor is awarded multiple packages, contract time for each package shall run concurrent.

1. Wage Rates.

Federal:

The U.S. Department of Labor has established minimum wages to be paid on this project. A copy of U.S. Department of Labor (Federal) General decision is attached. In the event that there is a question regarding rate of pay applicable to laborers, the higher rate shall prevail.

1. Completion and Liquidated Damages.

1. KCATA will suffer financial loss if Work is not Substantially Complete on the date set forth in the contract documents. The Work to be performed shall begin on the date specified in a written Notice to Proceed issued by KCATA. Liquidated damages shall be assessed at $500 per calendar day beginning on the date the Work is to be substantially complete until the Work is complete to the satisfaction, as cited in written form, by KCATA’s Project Manager for Milestone 1, $950 per calendar day for Work associated with Milestone 2 and $950 per calendar day for Work associated with Milestone 3. Liquidated damages, not a penalty, shall be assessed at $1,470 per calendar day for Work associated with Milestone 4. Milestone 4 can be reduced by $15.50 per unit, based on the prorated number of completed shelters and markers.

2. The Date of Substantial Completion of the Work is the date certified by written Notice that the work is 95% or more complete, with the exception of a minimal list of deficiencies.

3. Occupancy or utilization of Completed Work, or a portion of completed work, by the KCATA, does not constitute Substantial Completion or Final Acceptance.

4. Contractor has no right to damages for any causes of delay by the KCATA. Scheduling of the Work must be mutually agreed upon by the KCATA and the Contractor before Work can commence. The KCATA's operational requirements are paramount and shall take precedence. A request for an adjustment of time shall be forwarded in writing to KCATA's Project Manager as soon as the Contractor is aware of circumstances beyond the Contractor's control. Requests shall include a statement of cause and expected time delay. The Project Manager may from time to time award extensions to the contract time justified by delay caused by either the Contractor or the KCATA, provided that adequate evidence is presented to enable the Project Manager to determine with exactness the extent and duration of delay for each item involved. Time may only be adjusted by Change Order.

5. The Contractor in his/her submittal of Bid Response Form(s) is undertaking to complete the Work within the stated and agreed contract time, has taken into consideration and made allowances for all of the ordinary delays and hindrances incident to such Work, whether because of delays in procuring equipment, materials, workers or other causes.

6. KCATA will suffer financial loss if the Work is not Substantially Complete on the date set forth in the contract documents. The Contractor and/or the Contractor's Surety shall be liable for and shall pay the KCATA the sums previously identified for each day of delay until the Work is Substantially Complete. The KCATA is authorized to withhold from monies due the Contractor the sum as indicated above that has been assessed as liquidated damages (not a penalty).

**2.3 PROPOSAL INFORMATION**

1. Contacts.

Owner(s)

Kansas City Area Transportation Authority

1350 E. 17th Street

Kansas City, Missouri 64108

KCATA Procurement

1350 E. 17th Street

Kansas City, Missouri

Kristen Emmendorfer

Telephone (816) 346-0360

Facsimile (816) 346-0336

e-mail: Kristene@kcata.org

KCATA Project Management Team

1200 E. 18th Street

Kansas City, Missouri

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Kansas City, Missouri 64108

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Facsimile (816) 346-0253

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Kansas City, Missouri 64108

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David Johnson, Project Manager

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Kansas City, Missouri 64108

Telephone (816) 346-0217

Facsimile (816) 346-0253

djohnson@kcata.org

Engineer

Taliaferro & Browne, Inc.

1020 E. 8th Street

Kansas City, Missouri 64106

Telephone (816) 283-3456

Fax (816) 283-0810

1. Project Manual, Technical Specifications and Drawings are available for review at:

1. KC Blueprint

2106 Swift

North Kansas City, MO 64116

816-527-0900

2. Associated General Contractors of Missouri

1221 Jefferson Street

Jefferson City, MO 65109

573-634-5574

3. Minority Contractors Association

3200 Wayne, Suite 103
Kansas City, MO 64108

816-924-4441

4. Kansas City Hispanic Chamber of Commerce

1600 Baltimore Avenue, Suite 250

Kansas City, MO 64106

816-472-6767

5. Kansas City Hispanic Association Contractors Enterprise, Inc. (KCHACE)

705 Virginia

Kansas City, MO 64108

816-474-3800

6. National Association of Women in Construction

909 Troost
Kansas City, MO 64106

816-842-7023

7. Black Chamber of Commerce

1501 E 18th St
Kansas City, MO 64108

816-474-9901

8. Black Economic Union of Kansas City

1601 E. 18th Street, Suite 300

Kansas City, MO 64108

816-474-1080

9. Hispanic Office of Equality and Justice

4325 Bell St.

Kansas City, MO 64111

816-309-1295

1. Proposal Documents are distributed through KC Blueprint and may be purchased (non-refundable) from the KC Blueprint plan room by calling 1-816-527-0900. Plans may be picked up or delivered upon request. Bid Documents may also be viewed and purchased at http://www.kcblueprint.com. KC Blueprint offices are located at 2106 Swift, North Kansas City, Missouri 64116.
2. Pre-Proposal Conference will be held at KCATA offices as listed in the Proposal Schedule. The purpose of this conference will be to present the proposed Work and field questions from attendees. Attendance is encouraged but not mandatory.

**SECTION 3**

**KANSAS CITY AREA TRANSPORTATION AUTHORITY**

**Prospect MAX BRT Shelters, Markers & Interactive “Smart” Kiosks Fabrication**

**PROPOSAL INSTRUCTIONS**

**SECTION 3. PROPOSAL INSTRUCTIONS**

1. **General Information**

* 1. The terms “solicitation” and “Request for Proposals (RFP)” are used interchangeably, and the terms “offer” and “proposal” are used interchangeably.
	2. Interested firms may submit proposals until proposal closing **at 3:00 p.m. on FEBRUARY 16, 2018.** Proposals received after the time specified may not be considered for award. Proposals received via facsimile (fax) or electronic mail (e-mail) will not be considered. Proposals must be delivered or mailed to KCATA’s Procurement Department at 1350 E. 17th Street, Kansas City, MO 64108 Attention: Shipping and Receiving.
	3. In cases where communication is required between bidders and the KCATA, such as requests for information, instruction, clarification of specifications, etc., such communication shall be forwarded in writing directly to Kristen Emmendorfer, Senior Procurement/Contract Administrator. Electronic comments, questions and requests for clarification should be sent to Kristen Emmendorfer at Kristene@kcata.org and the subject line should read **“RFP #17-7069-39 – PACKAGE 3- Prospect MAX BRT Shelters, Markers and Interactive “Smart” Kiosks Fabrication.”**
	4. Submitting a proposal constitutes a firm offer to KCATA for One hundred twenty (120) days from the closing date of the Proposal. Alternates pricing, per request and per Proposal Response Forms, shall be affirmed and held for a period of One hundred eighty (180) days from the closing date of Proposal. Alternates are not guaranteed and shall be elected at the sole discretion of KCATA based on budget availability.
	5. KCATA is not responsible for any cost or expense that may be incurred by the Proposer before the execution of a contract, including costs associated with preparing a proposal or interviews. Solicitation of this Proposal shall not be construed as an offer of award.
1. **Reservations**
	1. KCATA reserves the right to waive informalities or irregularities in proposals, to accept or reject any or all proposals, to cancel this RFP in part or in its entirety, and to re-advertise for proposals if it is in the best interest of the Authority.
	2. KCATA also reserves the right to award a contract solely on the basis of the initial proposal without any interviews or negotiations. Therefore, offers should be submitted to KCATA on the most favorable terms possible, from a cost or price and technical standpoint.
2. **Proposer’s Responsibilities**
	1. By submitting a proposal, the Proposer represents that:
		1. The Proposer has read and understands the RFP and the proposal is made in accordance with the RFP requirements and instructions;
		2. The Proposer possesses the capabilities, resources, and personnel necessary to provide efficient and successful service to KCATA; and
		3. It is authorized to transact business in the State of Missouri.
	2. Before submitting a proposal the Proposer should make all investigations and examinations necessary to ascertain site or other conditions and requirements affecting the full performance of the contract.
3. **Authorization to Propose**

If an individual doing business under a fictitious name makes the proposal, the proposal should so state. If the proposal is made by a partnership, the full names and addresses of all members of the partnership must be given and one principal member should sign the proposal. If a corporation makes the proposal, an authorized officer should sign the proposal in the corporate name. If the proposal is made by a joint venture, the full names and addresses of all members of the joint venture should be given and one authorized member should sign the proposal.

1. **Withdrawal & Incomplete Proposals**
	1. Proposals may be withdrawn upon written request received by KCATA before proposal closing. Withdrawal of a proposal does not prejudice the right of the Proposer to submit a new proposal, provided the new proposal is received before the closing date.
	2. Incomplete proposals may render the proposal non-responsive.
2. **Modification of Proposals**

Any proposals, modifications, or revisions received after the time specified for proposal closing may not be considered.

**3.7 Approved Equals**

A. Wherever brand, manufacturer, or product names are used, they are included only for the purpose of establishing a description of minimum quality of the requested item unless otherwise specified. This inclusion is not to be considered as advocating or prescribing the use of any particular brand or item or product. However, approved equals or better will be accepted only when approved by the KCATA.

B. All requests for approved equals shall be received in writing. Changes to the specifications will be made by addendum if applicable. Proposers may discuss the specification with the KCATA; however, requests for changes shall be written and documented.

C. When an approved equal is requested, the successful bidder shall demonstrate the quality of its product to the KCATA, and shall furnish sufficient technical data, test results, etc., to enable the KCATA to determine whether the Proposer's product is or is not equal to specifications.

**3.8 Protests**

* 1. The following protest procedures will be employed for this procurement. For the purposes of these procedures, “days” shall mean business days of KCATA administrative personnel which are days other than a Saturday, Sunday or legal holidays observed by KCATA for such administrative personnel.
		1. Pre-Submittal. A pre-submittal protest is received prior to the proposal due date. Pre-submittal protests must be received by the Authority, in writing and addressed to the KCATA Interim Director of Procurement no later than five (5) days before the proposal closing date.
		2. Post-Submittal/Pre-Award. A post-submittal/pre-award protest is a protest against making an award and is received after receipt of proposals but before award of a contract. Post-submittal protests must be received by the Authority, in writing and addressed to the KCATA Interim Director of Procurement, no later than five (5) days after the proposal closing date.
		3. Post-Award. Post-Award protests must be received by the Authority, in writing and addressed to the KCATA Interim Director of Procurement, no later than five (5) days after the date of the Notice of Intent to Award.
	2. The KCATA Interim Director of Procurement shall respond in writing within five (5) days from the date of the written request. If the protester is not satisfied with the response of the KCATA Interim Director of Procurement the protester may appeal in writing to the KCATA Chief Financial Officer within five (5) days from the date from the KCATA Interim Director of Procurement’s response.
	3. The KCATA Chief Financial Officer will decide if the protest and the appeal (if any) have been given fair and reasonable consideration, or if additional consideration is warranted. The KCATA Chief Financial Officer’s response will be provided within ten (10) days after receipt of the request. The KCATA Chief Financial Officer’s decision is final and no further action on the protest shall be taken by the KCATA.
	4. By written notice to all parties, the KCATA Chief Financial Officer may extend the time provided for each step of the protest procedures, extend the date of notice of award, or postpone the award of a contract if deemed appropriate for protest resolution.
	5. Protesters should be aware of the Federal Transit Administration's protest procedures with the FTA Regional Office (ref: FTA Circular 4220.1F). If Federal funding is involved, FTA will review protests from a third party only when: 1) a grantee does not have a written protest procedure or fails to follow its procedure, or fails to review a complaint or protest; or 2) violations of specific Federal laws or regulations have occurred.
	6. An appeal to FTA must be received by FTA’s regional office within five (5) working days of the date the protester learned or should have learned of KCATA’s decision. Protests shall be addressed to: Regional Administrator, FTA Region 7, 901 Locust, Room 404, and Kansas City, MO, 64106.

**3.9 Disclosure of Proprietary Information.**

* 1. A Proposer may restrict the disclosure of scientific and technological innovations in which it has a proprietary interest, or other information that is protected from public disclosure by law, which is contained in the proposals by:
		1. marking each page of each such document prominently in at least 16 point font with the words “Proprietary Information;”

* + 1. printing each page of each such document in a different color paper than the paper which the remainder of the proposal is printed; and
		2. segregating each page of each such document in a sealed envelope, which shall prominently display, on the outside, the words “Proprietary Information” in at least 16 point font, along with the name and address of the Proposer.
	1. After either a contract is executed pursuant to this RFP, or all proposals are rejected, the proposals will be considered public records open for inspection. If access to documents marked “Proprietary Information,” as provided above, is requested under the Missouri Open Records Law, the KCATA will notify the Proposer of the request and the Proposer shall have the burden to establish that such documents are exempt from disclosure under the Law. Notwithstanding the foregoing, in response to a formal request for information, the KCATA reserves the right to release any documents if the KCATA determines that such information is a public record pursuant to the Missouri Sunshine Law.

### 3.10 Disadvantaged Business Enterprise (DBE) Requirements

A. This Contract is subject to the Requirements of Title 49, Code of Federal Regulations Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. KCATA’s overall goal for DBE participation is 15%. There is no participation goal for this procurement.

1. **Non-discrimination -** Proposers shall not discriminate on the basis of race, color, national origin, or sex in the performance of this project. The Proposer shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the Proposer to carry out these requirements is a material breach of the resulting contract, which may result in the termination of the contract or such other remedy as KCATA deems appropriate.

C. **DBE Certification -** KCATA will only recognize firms that are certified as DBEs under the DOT guidelines found in 49 CFR Part 26. DBE subcontractors must be certified as a DBE by the Kansas Department of Transportation (KDOT) or a member of the Missouri Regional Certification Committee, which includes KCMO, MoDOT, City of St. Louis, Metro in St. Louis or KCATA. A list of certified firms certified by the MRCC may be found at www.modot.mo.gov/ecr/index.htm. A list of KDOT certified firms is located at https://kdotapp.ksdot.org/dbecontractorlist/. MBE and WBE certifications for other agencies will not be considered.

C. DBE Participation Credit **-** DBE firms may participate as Prime Contractors, Subcontractors or Suppliers.

The following shall be credited towards achieving the goals, except as provided herein:

1. The total contract dollar amount that a qualified DBE Prime Contractor earns for that portion of work on the contract that is performed by its own workforce, is performed in a category in which the DBE is currently certified, and is a commercially useful function as defined by the Program. DBE Prime Contractors must perform thirty percent (30%) of the contract value.

2. The total contract dollar amount that a Prime Contractor has paid or is obligated to pay to a subcontractor that is a qualified DBE; and

3. Subcontractor participation with a lower tier DBE subcontractor; and

4. Sixty percent (60%) of the total dollar amount paid or to be paid by a Prime Contractor to obtain supplies or goods from a supplier who is not a manufacturer and who is a qualified DBE. If the DBE is a manufacturer of the supplies, then one hundred percent (100%) may be credited, to be determined on a case-by-case basis.

5.NO CREDIT, however, will be given for the following:

a. Participation in a contract by a DBE that does not perform a commercially useful function as defined by the Program; and

b. Any portion of the value of the contract that a DBE Subcontractor subcontracts back to the prime contractor or any other contractor who is not a qualified DBE; and

* 1. Materials and supplies used on the contract unless the DBE is responsible for negotiating the price, determining quality and quantity, ordering the materials and installing (where applicable) and paying for material itself; and
	2. Work performed by a DBE in a scope of work other than that in which the DBE is currently certified.

**SECTION 4**

**KANSAS CITY AREA TRANSPORTATION AUTHORITY**

**Prospect MAX BRT Shelters, Markers & Interactive “Smart” Kiosks Fabrication**

**PROPOSAL SUBMISSION,**

**EVALUATION AND**

**AWARD**

**SECTION 4. PROPOSAL SUBMISSION,**

**EVALUATION AND AWARD**

1. **Proposal Copies**
	1. The proposal package consists of two (2) sealed packages.
	2. The first sealed package should contain an original and six (6) full, complete, and exact copies of the Technical Proposal. The package should be clearly labeled “RFP #17-7069-39 Prospect MAX Shelter, Marker and Interactive “Smart” Kiosks”.

The original may be bound but additional copies shall be submitted without binding or staples, in an easily identifiable and sequential order.

* 1. The second sealed package should contain an original and one (1) full, complete, and exact copies of the Cost Proposal. The package should be clearly labeled– “RFP #17-7069-39 Prospect MAX Shelter, Marker and Interactive “Smart” Kiosks - Cost Proposal.”
	2. Proposers are asked to submit a complete set of their Proposal Documents in an electronic format (flash drive) and submit with Cost Proposal packet.
	3. Pages in the Proposal document shall be numbered. The Proposer shall ensure that all copies and all electronic media are identical to the Proposer’s hardcopy, original submission. In case of a discrepancy, the hard copy shall govern.
1. **Technical Proposal Format**
	1. The technical proposal page limit is 20 pages. The Proposer may choose to allocate pages between any of the criteria as long as the proposal does not exceed 20 pages. If a Proposer submits a proposal exceeding this limit, KCATA will consider the pages up to the allowable number and discard all subsequent pages.
	2. The following are excluded from the page count:
* Title Page
* Table of Contents
* Letter of Transmittal
* Tabs or Indices
* Additional lists of references
* Résumé/background information (please restrict to a maximum of three (3) pages per individual)
* Required forms such as certifications, financial data
* Vendor Registration Form
* Affirmative Action information
	1. One page is defined as one side of a single, 8-1/2 x 11” page, with 11 point minimum font size for the substantive text. Any page over this size will be counted as two (2) pages. Any page or partial page with substantive text, tables, graphics, charts, résumés, etc. will be counted as one (1) page. Proposers may use their discretion for the font size of other materials (e.g. graphics, charts).
1. **Technical Proposal Content**
	1. Each technical proposal should enable the evaluation committee to make a thorough evaluation and arrive at a sound determination as to whether or not the proposal will meet KCATA’s requirements. Each technical proposal must be so specific, detailed and complete as to clearly and fully demonstrate that the Proposer has a thorough knowledge and understanding of the requirements and has valid and practical solutions for technical problems. Statements which paraphrase the requirements or attest that “standard procedures will be employed” are inadequate to demonstrate how the Proposer will comply with the requirements of this procurement.
	2. To achieve a uniform review process and obtain the maximum degree of compatibility, technical proposals must be organized as follows:
		1. Title Page

Show the RFP number and title, the name of the firm, address, telephone number(s), name and title of contact person, telephone number(s), email address, facsimile number and date.

* + 1. Table of Contents

Clearly identify the materials by section and page number.

* + 1. Letter of Transmittal

The letter should be addressed to Chief Financial Officer, Michael Graham, and signed by a corporate officer with authority to bind the firm. The letter must contain the following:

* + - 1. Identification of proposing firm(s), including name, address, telephone number(s) and email addresses of each subcontractor
			2. Proposed working relationship among proposing firms (e.g., prime, subcontractor), if applicable
			3. Acknowledgement of receipt of RFP addenda, if any
			4. Name, title, address, telephone number and email address of the contact person for this project
			5. Briefly state the firm’s understanding of the services to be performed and make a positive commitment to provide the services as specified
		1. Experience and Qualifications
			1. Provide a brief synopsis of the firm, including when and where incorporated, major business activities, and a listing of officers of the company. State whether the firm is local, regional, or national and how long the firm has been in existence under current ownership/management.
			2. This section should demonstrate the Proposer’s experience, skills and qualifications of the Project Manager and other key personnel in the manufacturing and installation of bus passenger shelters and kiosks in meeting goals, objectives and schedules. Describe direct experience administering and operating similar projects during the last three (3) years. Identify and describe in detail any plans on services the Proposer will provide that are not specifically required in this RFP.
			3. Provide resumes for the proposed Project Manager and other key personnel and discuss the unique qualifications these individuals bring to the project.
			4. To demonstrate the project manager’s experience, provide references on up to five (5) representative projects. At least one reference contact (including name, title, e-mail address and telephone number) should be provided for each project. Include role of the project manager, contract amount, and contract start and end dates.
		2. Financial Condition of the Firm. Financial data will be held in confidence and will not become part of the awarded contract file. In this section the Proposer must submit information demonstrating that the Firm is financially sound and has the necessary financial resources to perform the contract in a satisfactory manner. The Proposer is required to permit KCATA to inspect and examine its financial statements. The Proposer shall submit the firm’s most recent unaudited financial statements as well as two (2) years of its most recent audited annual financial statements. These statements should be included with the Cost Proposal submittal and consist of Statement of Financial Position (Balance Sheet), Results of Operations (Income Statement), Statement of Cash Flow, and Statement of Retained Earnings, and applicable footnotes. Supplementary financial information may be requested as necessary.
		3. Production Capability
			1. This section should describe and specifically demonstrate the experience, skills and qualifications of key personnel and team to perform the required services. Present the work and project management approach and techniques required for quality control of the Work including submittal of shop drawings, manufacturing methods, quality oversight and onsite installation, including shipping “just-in-time” to each location. At minimum address and include preliminary production schedule to include submittal of shop drawings, accuracy, level and output of manufacturing, and installation of specified products. Identify employee numbers/resources used for completion of the Work.
			2. Provide an organizational chart showing how the project will be staffed in all functional areas. Indicate the number of employees of each type and percentage of time employees will be committed to this proposed project.
			3. Provide details of the production facility to be used. This should include location of site, square footage of production area, fabrication equipment to be used, paint booth area, storage, installation equipment and other details to show sufficient capacity and ability to complete the Work required.
			4. Provide a list of manufacturing contracts in progress or anticipated contracts which may run concurrent with this proposed Work. Include in the proposed timeline or schedule submitted the other work anticipated.
		4. Subcontractor Utilization Plan. Subcontractors must be approved by KCATA prior to contract award. For each anticipated subcontract, provide:
			1. Subcontractor’s name, address, and telephone number including the name, title and telephone number of the contact person
			2. DBE category, if applicable
			3. Type(s) of goods or services to be provided
			4. Estimated value of subcontract
			5. The following signed and dated certification statement: “I certify that each subcontractor has been notified that it has been listed in this proposal and that each subcontractor has consented, in writing, to its name being submitted for this RFP. Additionally, I certify that I shall notify each subcontractor in writing if the award is granted to my firm, and I will make all documentation available to KCATA upon request.”
		5. Exceptions, Omissions and Form of Contract
			1. Exceptions. The proposal should clearly identify any exceptions to the requirements set forth in this RFP.
			2. Omissions. The Contractor will be responsible for providing all services, equipment, facilities, and functions which are necessary for the safe, reliable, efficient, and well-managed operation of the program, within the general parameters described in this RFP, and consistent with established industry practices, regardless of whether those services, equipment, facilities, and functions are specifically mentioned in this RFP or not. The Proposer should clearly identify any omissions to the requirements set forth in the RFP.
			3. Sample Contract and Conditions. In addition to carefully reading all of the information in the RFP, the Proposer must carefully read and review the attached sample contract (Attachment A). The successful Proposer will be required to enter into a contract with KCATA, which will be substantially similar to the sample provided. Therefore, the Proposer must submit any proposed changes to the sample contract with the proposal. Any requested changes must be made legibly and conspicuously. Page(s) on which the change(s) appear must be tabbed so as to be easily identified. The Proposer must also provide the rationale for any requested changes. If no changes are requested, the Proposer will be deemed to have accepted the sample contract language. If the Proposer requests changes, such requests will be considered in any negotiations with the KCATA. Failure to reach an agreement may result in KCATA pursuing negotiations with the second highest ranked Proposer.
		6. Disclosure of Investigations/Actions. Proposer must provide a detailed description of any investigation or litigation, including administrative complaints or other administrative proceedings, involving any public sector clients during the past five (5) years including the nature and status of the investigation, and, for any litigation, the caption of the action, a brief description of the action, the date of inception, current status, and, if applicable, the disposition.
		7. Debarment
			1. The Proposer must certify that is not included in the “U. S. General Services Administration’s List of Parties Excluded from Federal Procurement or Non-procurement Programs.”
			2. The Proposer agrees to refrain from awarding any subcontractor of any amount (at any tier) to a debarred or suspended subcontractor, and to obtain a similar certification from any subcontractor (at any tier) seeking a contract exceeding $25,000.
			3. The Proposer agrees to provide KCATA with a copy of each conditioned debarment or suspension certification provided by a prospective subcontractor at any tier, and to refrain from awarding a subcontract with any party that has submitted a conditioned debarment or suspension certification until FTA approval is obtained.
		8. Lobbying
			1. Pursuant to Public Law 104-65, the Proposer is required to certify that no Federal funds were used to influence or attempt to influence an officer or employee of any Federal department or agency, a member of Congress or State legislature, an officer or employee of Congress or State legislature, or an employee of a member of Congress or State legislature regarding the project(s) included in this contract.
			2. Proposers who use non-Federal funds for lobbying on behalf of specific projects or proposals must submit disclosure documentation when these efforts are intended to influence the decisions of Federal officials. If applicable, Standard Form-LLL, "Disclosure Form to Report Lobbying", is required with the Proposer's first submission initiating the KCATA's consideration for a contract. Additionally, Disclosure forms are required each calendar quarter following the first disclosure if there has been a material change in the status of the previous disclosure. A material change includes: 1) a cumulative increase of $25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action; 2) a change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or 3) a change in the officer(s) or employee(s) or Member(s) contacted to influence or attempt to influence a covered Federal action.
			3. The Proposer is required to obtain the same certification and disclosure from all subcontractors (at all tiers) when the Federal money involved in the subcontract is $100,000 or more. Any disclosure forms received by the Proposer must be forwarded to the KCATA.
		9. Employee Eligibility Verification
			1. The Proposer is required by sworn affidavit and provision of documentation, to affirm its enrollment and participation in a Federal work authorization program with respect to employees working in connection with the contracted services.
			2. The Proposer shall also affirm that it does not knowingly employ any person in connection with the contracted services who does not have the legal right or authorization under Federal law to work in the United States as defined in 8 U.S.C. §1324a(h)(3).
			3. The Proposer is required to obtain the same affirmation from all subcontractors at all tiers.
		10. Proposer Status and Affirmative Action
			1. All firms doing business with the KCATA must be a registered vendor, and must be in compliance with the Authority's EEO and Affirmative Action requirements. Firms may be considered for certification by the KCATA for such compliance by completing the information required in the Vendor Registration Form (Attachment E). However, firms that are currently in compliance need not duplicate this information. Please contact KCATA's Procurement Department at (816) 346-0254 to verify affirmative action compliance status.
			2. The FTA’s EEO Program objectives are to ensure that FTA applicants, recipients, subrecipients, contractors and/or subcontractors (which include all businesses wishing to do business with KCATA) abide by Federal Transit Laws, 49 U.S.C. 5332(b).
			3. Firms that do not have a current Affirmative Action compliance certification with the KCATA must submit the following documents:
				1. A copy of its current Affirmative Action Program and/or Policy statement and a completed Workforce Analysis Report (Attachment H1). Form AA1 or EEO-1 may be substituted.
				2. A current certificate of Affirmative Action compliance from a local government agency may be submitted in lieu of a program or policy statement.
				3. A letter requesting exemption from filing an Affirmative Action Program if your firm has twenty-five (25) or fewer employees. A signed, notarized letter on company letterhead listing the employees, their race, gender, job title and annual salary must be submitted.
			4. For questions on these requirements, or assistance in completing the forms, please contact KCATA’s DBE and Grants Specialist at cmoore@kcata.org.
1. **Proposal Submission Requirements – Cost Proposal**

KCATA anticipates awarding a stipulated sum contract – AIA Contract A-101 Standard Form of Agreement between Owner and Contractor, 2007 Edition and AIA Document A-201, 2007 General Conditions (modified to include Federal Transit Administration and KCATA Contract Conditions. KCATA reserves the right to make a single or multiple awards, between project scopes or site locations, as determined to be in the best interest of the Authority. A proposal response form/itemized bid sheet has been provided for each of the project packages to be priced. DO NOT DEVIATE FROM THE USE OF THESE FORMS.

* 1. Detailed and summary cost proposal forms are attached. Cost Proposal(s) shall be submitted in a separate, sealed envelope per RFP Instructions. **DO NOT INCLUDE COST PROPOSALS with other Submitted Proposal Documents – Separate Technical and Contractual Submissions per Section 4.3.**
	2. The costs included in the cost proposal should include all items of labor materials, and other costs necessary to perform the contract. Transportation costs, offloading, installation and other costs associated with the delivery and ultimate installation of fabricated equipment should be included in price proposal. Any items omitted from this RFP which are clearly necessary for the completion of the work being proposed should be considered part of the work though not directly specified or called for in this RFP.
	3. Proposer understands that pay applications submitted for this project work shall identify subcontractors, if applicable, the amount of payment to the subcontractor for each pay application period as well as cumulative total paid to the subcontractor for the term of the contract. If subcontractor is certified as Disadvantaged Business Enterprise (DBE) this shall be identified on the Subcontractor Utilization Form submitted with each monthly payment application.
1. **Basis for Contract Award**
	1. This is a “Best Value,” competitive, negotiated source selection. Award of contract, if made, will be made to the responsive and responsible Proposer whose offer conforming to the solicitation is judged by an integrated assessment of the evaluation criteria to be the most advantageous to the Authority, price/cost and other factors considered. **For this procurement, all evaluation factors other than cost/price, when combined are significantly more important than cost/price.**
	2. KCATA may select other than the lowest cost/priced, technically acceptable offer if it is determined that the additional technical merit offered is worth the additional cost in relation to other proposals received. KCATA is more concerned with obtaining excellent technical features than with making an award at the lowest overall cost/price to the Authority. However, the Authority will not make an award at a significantly higher overall cost to achieve only slightly superior technical features.
	3. Offerors are further cautioned that KCATA may not necessarily make an award to the Proposer with the highest technical ranking if doing so would not represent the best value to KCATA. For evaluation purposes, if proposals become more technically equivalent, than cost/price becomes more important and may be the deciding factor.
2. **Technical Proposal Evaluation Criteria**
	1. Proposals will be evaluated by the Evaluation Committee on the basis of the following criteria. **These factors are shown in the order of importance for consideration:**
3. Cost/Price
4. Production Resources and Capability/Scheduling
5. Past Performance and References
6. Experience/Qualifications
7. **Bonding Requirements (Construction and Facility Improvements)**
	1. A proposal/bid bond in the amount of five percent (5%) of the full expected cost of services to be performed, reflected in U.S. dollars, must be enclosed in the original cost proposal envelope.
	2. The bond must be written by a licensed surety firm. Failure to submit a bond with the proposal will result in the proposal being considered non-responsive.
	3. A performance bond in the amount of one hundred percent (100%) of the full expected cost of of the contract and payment bond shall be required within ten (10) days from Notice of Intent to Award and prior to final award of a contract. Bonds, for the life of the contract, shall be maintained to reflect additional values incorporated by approved Change Orders.
8. **Presentations/Interviews/Written Responses**
	1. After the submission of proposals, selected Proposers with the highest evaluation score(s) may be invited to interview with the evaluation committee concerning its technical proposal. The evaluation committee may also require a Proposer(s) to submit written responses to questions regarding its proposal.
	2. Proposers selected for interview will be notified by telephone and follow up letter to advise of date and time. Interviews are tentatively scheduled for February 21/22, 2018. Selected Proposers will be informed as to the exact time and other details regarding the interview.
9. **Negotiations & Best and Final Offers**
	1. Additional contract negotiations may be required with the highest ranked Proposers prior to final contract award. KCATA may solicit a Best and Final Offer (BAFO) from one or more Proposers. KCATA may or may not contact all Proposers to negotiate and/or to submit a BAFO.
	2. After receipt of the results of the proposal evaluations, interviews, and BAFO(s), if applicable, the evaluation committee will complete its evaluation and recommend for award to the responsive and responsible Proposer(s) judged to provide the best value to the Kansas City Area Transportation Authority.

**PROPOSAL RESPONSE FORM**

**&**

**SUBMITTAL DOCUMENTS**

















**ATTACHMENT A**

PROPOSAL CHECKLIST FORM

Listed below are all documents that are required to be submitted as part of a response to this Request for Proposals (RFP).

* Technical Proposal
* Cost Proposal (Itemized Proposal sheets for each of the packages submitted in a separate, sealed envelope)
* Certificate of Ability to Bond (In lieu of providing Bid Bond)
* Vendor Registration Form
* Work Force Analysis Report Form
* Affidavit of Primary Participants Regarding Employee Eligibility Verification (Primary and Lower-Tier) Form Lower Tier is to be completed by sub-contractor(s).
* Certification of Debarment (Primary and Lower-Tier) Lower Tier is to be completed by sub-contractor(s).
* Certification of Lobbying (Primary and Lower-Tier) Form. Lower Tier is to be completed by sub-contractor(s).
* Buy America Certification Forms (For Primary and Lower Tier Firms)
* Vendor List
* Receipt of Addenda Form (If Applicable)
* Proposer shall submit the firm’s most recent unaudited financial statements as well as two (2) years of its most recent audited annual financial statements.

**ATTACHMENT B**

|  |  |
| --- | --- |
| *KCATA3colorLogo***Procurement Department****1350 E. 17th Street** **Kansas City, MO 64108**(816) 346-0254 | **Vendor Registration Application** |
| **[ ]  REVISION [ ]  INITIAL** |
| **PLEASE TYPE OR CLEARLY PRINT ALL INFORMATION**  |
| Thank you for your interest in doing business with the Kansas City Area Transportation Authority. To be placed on the KCATA Registered Vendors List for goods and services, please complete this form in its entirety and return it to the KCATA Procurement Department. Submittal of this registration form will place your company on the KCATA Registered Vendor List, but does not guarantee a solicitation. The list will be periodically purged. If you do not receive solicitations, inquire to confirm that your company remains on our list. Current business opportunities can be found in the “Doing Business with KCATA” section of our website, [www.kcata.org](http://www.kcata.org). |
|  |
| **Legal Entity Name:** |  | **Phone:** |  |
| **Doing Business As:**  |  | **Toll-free Phone:** |  |
| **Physical Address:** |  | **Fax:** |  |
| **City:** |  | **Email:** |  |
| **State:** |  | **Zip:** |  | **Website:** |  |
| **Contact Person Name:** |  | **Title:** |  |
| **Contact Phone:** |  | **Contact Email:** |  |
|  |
| **Mailing Address:** |  | **Phone:** |  |
| **City:** |  | **Fax:** |  |
| **State:** |  | **Zip:** |  | **Comments:** |  |
|  |
| **Business Type:**  | **[ ]  Individual** | **[ ]  Partnership** | **[ ]  Corporation** |
| **[ ]  Limited Liability Company** | **[ ]  Other (Explain)** |
| **If Incorporated, in Which State:**  |  | **Federal Tax ID No:** |  |
| **Years in Business:**  |  | **Years in Business Under Current Name:**  |  |
|  |
| **Annual Gross Receipts:** | **[ ]  Less than $250,000** | **[ ]  $250,000 to$ 500,000**  | **[ ]  $500,000 to 1 Million** |
| **[ ]  $1 Million to 5 Million** | **[ ]  $5 Million to 10 Million** | **[ ]  More than 10 Million** |
|  |
| **Standard Invoice Terms:** | **Due Days** | **Discount Days** | **Percent** |
|  |  |  |
|  |
| **Identify the goods or services you are interested in providing to KCATA:** |
|  |
| **NAICS CODE(S):** |  | **SIC CODE(S):** |  |
| **NAICS CODE(S):** |  | **SIC CODE(S):** |  |
|  |
|  |
| **Identify number of personnel employed by the company in the following categories:** |
| **Administrative** | **Sales** | **Management** | **Construction** | **Manufacturing** | **Consulting** | **Other (Specify)** |
|       |       |       |       |       |       |       |
|  |
| **1. Does your firm have a Data Universal Numbering System (DUNS) number as a Federal contractor?** If so, please provide. DUNS numbers may be obtained free of charge from Dun & Bradstreet at 1-866-705-5711 or at [www.fedgov.dnb.com/webform](http://www.fedgov.dnb.com/webform). | DUNS # \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **2. Does your firm have a written Affirmative Action Plan?** If YES, submit a copy. | [ ]  YES | [ ]  NO | [ ]  ENCLOSED |
| **3. Does your firm have a current Certificate of Compliance that has been issued by a governmental agency?**  If YES, submit in lieu of an Affirmative Action Plan. | [ ]  YES | [ ]  NO | [ ]  ENCLOSED |
| **4. Does your firm have twenty-five (25) or fewer employees?** If YES, submit a notarized letter requesting exemption from preparation of a written Affirmative Action Plan and list all employees by name, race, sex, job position and salary range. | [ ]  YES | [ ]  NO | [ ]  ENCLOSED |
| **5.** **Is your firm a Disadvantaged Business Enterprise (DBE) within the meaning of the following definition?** If YES, submit a copy of a current, valid letter or certificate of approval.  | [ ]  YES | [ ]  NO |  |
| **Definition of Disadvantaged Business Enterprise:** For-profit small business concern which 1) is at least 51 percent owned by one or more socially or economically disadvantaged individuals; and 2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged owners. REF: 29 CRF Part 26For questions regarding DBE/Affirmative Action, please contact the Contracting/Supplier Diversity Coordinator at (816) 346-0224 or via email at dbradshaw@kcata.org. |
|  |
| **WORKER ELIGIBILITY AFFIDAVIT**: As required by §285.500 RSMo, et seq., any business contracting to perform work in excess of $5,000 for the KCATA shall provide a sworn affidavit affirming: (1) its enrollment and participation in a federal work authorization program such as E-Verify, accompanied by corresponding documentation to evidence its enrollment in that program; and (2) that it does not knowingly employ any person who does not have the legal right or authorization under federal law to work in the United States**.** |
|  |
| **CERTIFICATION:** I certify that information supplied herein (including all pages attached) is correct and that neither the business entity nor any person in any connection with the business entity as a principal or officer, so far as known, is now debarred or otherwise declared ineligible from bidding for furnishing materials, supplies, or services to the Kansas City Area Transportation Authority or declared ineligible to participate in federally funded projects. |
|  |  |
| **Signature** | **Date** |
|  |  |
| **Printed Name**  | **Title** |
| **Return completed Vendor Registration Form to Kansas City Area Transportation Authority,****Procurement Department, 1350 East 17th Street, Kansas City, MO 64108****Fax: (816) 346-0336 or email:** **proc@kcata.org** |
| **A foreign corporation may not transact business in Missouri until it obtains a Certificate of Authority.**  **To apply, you must use the forms provided by the Missouri Secretary of State’s office, as required by law.** |

**ATTACHMENT C**

**GUIDELINES FOR WORKFORCE ANALYSIS**

 Form AA1, Part I

**DEFINITIONS:**

***RACIAL/ETHNIC***

1. **WHITE** (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

2. **BLACK** (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.

3. **HISPANIC**: All persons of Mexican, Puerto Rican, Cuban, Central or South American origin, regardless of race.

4. **ASIAN or PACIFIC ISLANDER**: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.

5. **AMERICAN INDIAN or ALASKAN NATIVE**: All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

***JOB CATEGORIES***

1. **OFFICIALS and MANAGERS**: Includes chief executive officers, presidents, vice-presidents, directors and kindred workers.

2. **PROFESSIONALS**: Includes attorneys, accountants and kindred workers.

3. **TECHNICIANS**: Includes computer programmers and operators, drafters, surveyors, highway technicians, inspectors and kindred workers.

4. **SALES WORKERS**: Includes contract sales representatives, purchasing agents, customer relations representatives and kindred workers.

5. **OFFICE and CLERICAL**: Includes secretaries, book-keepers, clerk typists, payroll clerks, accounts payable clerks, receptionists, switchboard operators and kindred workers.

6. **CRAFT WORKERS** (skilled): Includes mechanics and repairers, electricians, carpenters, plumbers and kindred workers.

7. **OPERATIVES** (semi-skilled): Includes bricklayers, plaster attendants, welders, truck drivers and kindred workers.

8. **LABORERS** (unskilled): Includes laborers performing lifting, digging, mixing, loading and pulling operations and kindred workers.

9. **SERVICE WORKERS**: Includes janitors, elevator operators, watchmen, chauffeurs, attendants and kindred workers.

|  |  |
| --- | --- |
| **Job****Categories** | **Number of Employees (Report employees in only one category)** |
| **Race/Ethnicity** |
| **Hispanic or Latino** | **Not Hispanic or Latino** | **Total****Col****A-N** |
| **Male** | **Female** |
| **Male** | **Female** | **White** | **Black or African Ameri-can** | **Native Hawaiian or Other Pacific Island-er** | **Asian** | **American Indian or Alaska Native** | **Two or more races** | **White** | **Black or African Ameri-can** | **Native Hawaiian or Other Pacific Island-er** | **Asian** | **American Indian or Alaska Native** | **Two or more races** |
|  | **A** | **B** | **C** | **D** | **E** | **F** | **G** | **H** | **I** | **J** | **K** | **L** | **M** | **N** | **O** |
| **Executive/Senior-Level****Officials and Managers** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **First/Mid-Level Officials and Managers** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Professionals** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Technicians** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Sales Workers** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Administrative Support Workers** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Craft Workers** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Operatives** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Laborers and Helpers** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Service Workers** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **TOTAL** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **PREVIOUS YEAR TOTAL** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **TYPE OF BUSINESS** | [ ]  Manufacturing | [ ]  Wholesale | [ ]  Construction | [ ]  Regular Dealer | [ ]  Selling Agent | [ ]  Service Establishment | [ ]  Other |
|  |  |       |
| Signature of Certifying Official |  | Company Name |
|  |  |       |
| Printed Name and Title |  | Address/City/State/Zip Code |
|  |  |       |
| Date Submitted |  | Telephone Number/Fax Number |

**ATTACHMENT D.1**

**AFFIDAVIT OF PRIMARY PARTICIPANTS**

**COMPLIANCE WITH SECTION 285.500 RSMO, ET SEQ.**

**REGARDING EMPLOYEE ELIGIBILITY VERIFICATION**

 STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 On this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20 \_\_\_\_\_, before me appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, personally known by me or otherwise proven to be the person whose name is subscribed on this affidavit and who, being duly sworn, stated as follows: I am the

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (title) of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (business entity) and I am duly authorized, directed or empowered to act with full authority on behalf of the business entity in making this affidavit.

 I hereby swear or affirm that the business entity does not knowingly employ any person in connection with the contracted services who does not have the legal right or authorization under federal law to work in the United States as defined in 8 U.S.C. §1324a(h)(3).

 I hereby additionally swear or affirm that the business entity is enrolled in an electronic verification of work program operated by the United States Department of Homeland Security (E-Verify) or an equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, under the Immigration Reform and Control Act of 1986, and that the business entity will participate in said program with respect to any person hired to perform any work in connection with the contracted services.

 I have attached hereto documentation sufficient to establish the business entity’s enrollment and participation in the required electronic verification of work program. I shall require that the language of this affidavit be included in the award documents for all sub-contracts exceeding $5,000.00 at all tiers and that all subcontractors at all tiers shall affirm and provide documentation accordingly.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Affiant’s signature

 Subscribed and sworn to before me this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public

My Commission expires:

**NOTE: An example of acceptable documentation is the E-Verify Memorandum of Understanding (MOU) – a valid, completed copy of the first page identifying the business entity and a valid copy of the signature page completed and signed by the business entity, the Social Security Administration and the Department of Homeland Security.**

**ATTACHMENT D.2**

**AFFIDAVIT OF LOWER-TIER PARTICIPANTS**

**COMPLIANCE WITH SECTION 285.500 RSMO, ET SEQ.**

**REGARDING EMPLOYEE ELIGIBILITY VERIFICATION**

 STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 On this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20 \_\_\_\_\_, before me appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, personally known by me or otherwise proven to be the person whose name is subscribed on this affidavit and who, being duly sworn, stated as follows: I am the

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (title) of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (business entity) and I am duly authorized, directed or empowered to act with full authority on behalf of the business entity in making this affidavit.

 I hereby swear or affirm that the business entity does not knowingly employ any person in connection with the contracted services who does not have the legal right or authorization under federal law to work in the United States as defined in 8 U.S.C. §1324a(h)(3).

 I hereby additionally swear or affirm that the business entity is enrolled in an electronic verification of work program operated by the United States Department of Homeland Security (E-Verify) or an equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, under the Immigration Reform and Control Act of 1986, and that the business entity will participate in said program with respect to any person hired to perform any work in connection with the contracted services.

 I have attached hereto documentation sufficient to establish the business entity’s enrollment and participation in the required electronic verification of work program. I shall require that the language of this affidavit be included in the award documents for all sub-contracts exceeding $5,000.00 at all tiers and that all subcontractors at all tiers shall affirm and provide documentation accordingly.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Affiant’s signature

 Subscribed and sworn to before me this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public

My Commission expires:

**NOTE: An example of acceptable documentation is the E-Verify Memorandum of Understanding (MOU) – a valid, completed copy of the first page identifying the business entity and a valid copy of the signature page completed and signed by the business entity, the Social Security Administration and the Department of Homeland Security.**

**ATTACHMENT E**

CERTIFICATE OF ABILITY TO BOND

(Certificate of ability to bond is required

if bid security is a certified check or cashier’s check)

The authorized representative of (Surety Company Name) (Address) licensed in Kansas or Missouri, as Surety, does hereby state that she/he understands the obligations of the Bidder as presented under the Bid Response Form and further understands and agrees to perform as Surety for the Bidder as required in the Bid Response Form, in the event that the bid of , the Bidder is accepted by the Kansas City Area Transportation Authority

 .

 Signed

 .

 Title

 .

 Date

Notarized by: .

Notary in the State and County of: (Seal)

NOTE: The Certificate of Ability to Bond form must be submitted if a cashier's check or certified check is used in lieu of a bid bond. This form ensures that the Bidder, if awarded a contract, is capable of obtaining required bonds.

**ATTACHMENT F.1**

**CERTIFICATION OF PRIMARY PARTICIPANTS**

**REGARDING RESTRICTIONS ON LOBBYING**

I, (Name and Title of Grantee Official or Potential Contractor for a Major Third Party Contract), hereby certify on behalf of (Name of Grantee or Potential Contractor) that:

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

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

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

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

Executed this day of 20

 By

 Signature of Authorized Official

 Title of Authorized Official

**ATTACHMENT F.2**

**CERTIFICATION OF LOWER-TIER PARTICIPANTS**

**REGARDING RESTRICTIONS ON LOBBYING**

I, (Name and Title of Grantee Official or Potential Subcontractor under a Major Third Party Contract), hereby certify on behalf of (Name of Grantee or Potential Subcontractor) that:

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

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

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

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

Executed this day of , 20 .

 By

 Signature of Authorized Official

 Title of Authorized Official

**ATTACHMENT G.1**

**CERTIFICATION OF PRIMARY PARTICIPANT**

**REGARDING DEBARMENT, SUSPENSION, AND OTHER**

**RESPONSIBILITY MATTERS**

The Primary Participant (applicant for an FTA grant or cooperative agreement, or potential Contractor for a major third party contract), certifies to the best of its knowledge and belief, that it and its principals:

 1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

 2. Have not within a three-year period preceding this bid, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and

 4. Have not within a three-year period preceding this application/bid had one or more public transactions (Federal, State or local) terminated for cause or default.

If the primary participant (applicant for FTA grant, or cooperative agreement, or potential third party Contractor) is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.

**THE PRIMARY PARTICIPANT (APPLICANT FOR AN FTA GRANT OR COOPERATIVE AGREEMENT, OR POTENTIAL CONTRACTOR FOR A MAJOR THIRD PARTY CONTRACT), CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C., SECTIONS 3801 *ET SEQ.* ARE APPLICABLE THERETO.**

 Signature and Title of Authorized Official

 Date

**ATTACHMENT G.2**

**CERTIFICATION OF LOWER-TIER PARTICIPANTS REGARDING**

**DEBARMENT, SUSPENSION, AND OTHER INELIGIBILITY**

**AND VOLUNTARY EXCLUSION**

The Lower Tier Participant (potential sub-grantee or sub-recipient under an FTA project, potential third party Contractor, or potential subcontractor under a major third party contract) , certifies, by submission of this bid, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

If the Lower Tier Participant (potential sub-grantee or sub-recipient under an FTA project, potential third party Contractor, or potential subcontractor under a major third party contract) is unable to certify to any of the statements in this certification, such participant shall attach an explanation to this bid.

**THE LOWER-TIER PARTICIPANT (POTENTIAL SUB-GRANTEE OR SUB-RECIPIENT UNDER AN FTA PROJECT, POTENTIAL THIRD PARTY CONTRACTOR, OR POTENTIAL SUBCONTRACTOR UNDER A MAJOR THIRD PARTY CONTRACT), , CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C., SECTIONS 3801 *ET SEQ.* ARE APPLICABLE THERETO.**

 Signature and Title of Authorized Official

 Date

**ATTACHMENT H**

BUY AMERICA CERTIFICATION FORM

For Steel or Manufactured Products
Other Than Rolling Stock

**Certificate of Compliance with Buy America Requirements**

The bidder or offeror hereby certifies that it will comply with the requirements of 49 U.S.C. 5323(j)(1), and the applicable regulations in 49 CFR part 661.

 Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Company: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Certificate of Non-Compliance with Buy America Requirements**

The bidder or offeror hereby certifies that it cannot meet the requirements of 49 U.S.C. 5323(j), but it may qualify for an exception to the requirements pursuant to 49 U.S.C. 5323(j)(2) as amended, and the applicable regulations in 49 CFR 661.7.

 Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Company: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ATTACHMENT I**

**ACKNOWLEDGMENT OF ADDENDA**

The following form shall be completed and included in the bid.

Failure to acknowledge receipt of all addenda may cause the bid to be considered non-responsive to the solicitation. Acknowledged receipt of each addendum must be clearly established and included with the Offer.

ACKNOWLEDGMENT OF ADDENDA

The undersigned acknowledges receipt of the following addenda to the documents:

Addendum No. , Dated

Addendum No. , Dated

Addendum No. , Dated

Addendum No. , Dated

Offeror:

 Name

 Street Address

 City, State, Zip

 Signature of Authorized Signer

 Title

 Phone

**ATTACHMENT J**

CONTRACTOR’S LIST

**REQUEST FOR PROPOSALS (RFP) #17-7069-39**

**PROSPECT CORRIDOR BRT BID PACKAGE #3**

**Prospect MAX Shelter, Marker and Interactive “Smart” Kiosk Fabrication**

Acme Sign and Hanger

1313 Vernon Avenue

North Kansas City, Missouri 64116

816-842-8980

816-842-5308

pmabry@acmesigninc.com

Dimensional Innovations

3421 Merriam Drive

Shawnee Mission, Kansas 66203

913-384-3488

913-384-3477

jwood@dimin.com

Central Denver Iron Works

4245 Fox St, Denver, CO 80216

(303) 433-3180

(303) 433-3002

<http://www.cdironworks.com/>

Star Signs, LLC.

801 E 9th St, Lawrence, KS 66044

(785) 842-4892

(314) 628-9931

<http://starsignsllc.com/>

Brasco International

32400 Industrial Drive

Madison Heights, MI 48071

(313) 393-0393

(313) 393-0499

info@brasco.com

ICON Shelter Systems, Inc.

1455 Lincoln Avenue

Holland, MI 49423

(800) 748-0985

info@iconshelters.com

**ATTACHMENT K**

**WAGE RATES**

**PROSPECT CORRIDOR BRT BID PACKAGE #3**

**Prospect MAX Shelter, Marker and Interactive “Smart” Kiosk Fabrication**