

REQUEST FOR PROPOSALS (RFP) #18-7044-59B

**TO LEASE KCATA'S FACILITY
LOCATED AT 39TH AND TROOST AVENUE
IN KANSAS CITY, MISSOURI**

Date: June 1, 2018

Contact: Denise Adams, Procurement Manager
Kansas City Area Transportation Authority
1350 E. 17th Street
Kansas City, MO 64108

Telephone: (816) 346-0224

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Email: dadams@kcata.org

June 1, 2018

Request for Proposals (RFP) #18-7044-59b

For Lease or Otherwise Use at KCATA's Facility Located at
39th And Troost Avenue in Kansas City, Missouri

The Kansas City Area Transportation Authority (KCATA) owns the building and associated grounds totaling 42,000 square feet located at 3827 Troost Avenue (northeast corner of 39th & Troost) in Kansas City, Missouri. KCATA is interested in finding a new tenant or tenant for the facility through this proposal process. A long-term lease agreement (minimum five years) is anticipated.

A Pre-Proposal conference and on-site tour will be held on June 11, 2018 at 2:30 p.m. CDT at the location. This on-site visit is not mandatory but is recommended. Proposers that are not available at this time may contact Denise Adams to coordinate an on-site visit on an alternate date.

Questions (technical, contractual, or administrative) must be directed in writing to via email to Denise Adams at dadams@kcata.org. Questions and requests for clarification will be received until 4:00 p.m. CDT on June 21, 2018. If required, KCATA's response to these submissions will be in the form of an Addendum.

Proposals must be received with all required submittals as stated in the RFP no later than 2:00 p.m. CDT on July 2, 2018 to

Kansas City Area Transportation Authority
Attn: Denise Adams, Procurement Manager
Procurement Department
1350 East 17th Street
Kansas City, Missouri 64108
(816) 346-0224 -- Telephone
(816) 346-0336 -- Facsimile
dadams@kcata.org -- Email

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. Submission of a proposal shall constitute a firm offer to the KCATA for one hundred twenty (120) days from the date of RFP closing.

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 communicate about this RFP with any KCATA employee or KCATA Commissioner until the Notice of Intent to Award is issued.

Denise Adams
Procurement Manager

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NO PROPOSAL REPLY FORM

PROPOSAL #18-7044-59B

**To Lease KCATA's Facility Located at
39th And Troost Avenue in Kansas City, Missouri**

To assist KCATA in obtaining good competition on its Request for Proposals, we ask that if you received a solicitation but do not wish to propose, please state the reason(s) below and return this form to Denise Adams, Procurement Department, KCATA, 1350 East 17th Street, Kansas City, MO 64108 or via fax (816) 346-0336 or via email to dadams@kcata.org.

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
PROPOSAL CALENDAR**

RFP Issued	June 1, 2018
Pre-Proposal Conference and Site Visit	June 11, 2018 2:30 p.m. CDT
KCATA's Facility 3827 Troost Avenue (NE Corner of 39 th & Troost) Kansas City, MO 64109	
Questions, Comments and Requests for Clarifications Due to KCATA	June 18, 2018 4:00 p.m. CDT
KCATA's Response to Questions, Comments and Requests for Clarification (if required)	June 21, 2018
RFP Closing	July 2, 2018 2:00 p.m. CDT

SECTION 2 SCOPE OF WORK

2.1 Introduction

- A. KCATA is the regional transit authority for the seven-county bi-state (KS/MO) Kansas City metropolitan area operating under a Congressionally approved Bi-State Compact. KCATA is an instrumentality of the States of Kansas and Missouri and has certain property tax exemptions and transit related benefits that may be beneficial for development.
- B. KCATA owns the building and associated ground (totaling 42,000 square feet) on the northeast corner of 39th and Troost in Kansas City, MO. This facility was built and opened in 2003. It was designed and constructed with federal grant funds to serve transit and Transit Oriented Development (TOD) purposes. It was built to accommodate daycare / early childhood learning functions (15,100 sq. ft. of building and the associated parking and playground area) and to provide a separate transit waiting and operator area (1,246 sq. ft.).
- C. The facility is located at the intersection of two of the region's busiest transit lines – Troost MAX and 39th Street (Route 39). This location provides convenient transit access both north south and east west seven days a week.
- D. It has been leased to the YMCA for the past ten years for use as a Head Start learning center. The YMCA will be ending their lease and vacating the building on or about June 6, 2018.
- E. There is on-site parking and KCATA also has the right to use 30 additional parking spaces at the St. James Catholic Church parking lot on the southwest corner of 39th and Troost for park and ride purposes.
- F. A site plan of the KCATA facility is attached.

2.2 Future Use of This Facility

- A. KCATA is interested in finding a new tenant or tenants for the facility through this proposal process. Although a single tenant is preferred, KCATA is willing to entertain proposals to use only a portion (or portions) of the overall facility as an anchor tenant. A long-term lease agreement (minimum 5 years) is anticipated.

The preferred use is one associated with childcare and/or early childhood learning. The facility is designed for such a purpose. Other uses that are transit oriented may be proposed. Because of the federal grant funds used for this facility, the uses must be transit oriented.

- B. KCATA intends to continue to use a portion of the facility for transit purposes (the current transit waiting area and operator restrooms) – but the exact arrangement and space for transit activities may be revised to best fit with future tenant(s).

2.3 Proposal Process

- A. KCATA is requesting a proposal from entities interested in leasing this facility. The proposed lease must be for transit-oriented purposes but need NOT be used seven days per week.
- B. Respondents should explain the proposed use, the space needs including phased growth requiring additional leased space, any adjustments needed to the building or grounds, expected lease price

range, expected transit use by tenant(s) and their patrons, and other factors that will assist KCATA in selecting a potential tenant or tenants, including impact on the Troost Corridor and the surrounding neighborhoods.

- C. Proposers should explain their background, experience, qualifications and overall financial situation.
- D. Final Lease rate and terms will be negotiated but a market rate lease is desired. Final terms will be commensurate with proposed uses and the specific spaces being leased – respondent’s expectations should be explained. KCATA will be responsible for major building elements, but tenant will be responsible for all routine operation and maintenance, minor repairs and security.
- E. KCATA’s goal is to obtain a tenant or tenants who will use the facility for TOD purposes that benefit both KCATA and the surrounding community. Enhancing transit ridership and generating lease income are associated goals. A long-term lease (minimum five (5) years) is anticipated.

2.4 Selection of a Potential Tenant or Development Partner

- A. KCATA may request face-to-face interviews with selected respondents.
- B. From the responses received, KCATA may select one or more respondents whose proposals best meet KCATA’s objectives with whom KCATA may enter into lease negotiations. Ultimate approval of any lease or agreement will be by KCATA’s Board of Commissioners.
- C. KCATA reserves the right to reject all proposals.

2.5 Other Information Available

- A. A full set of plans for the facility is available at the KCATA offices. To coordinate an appointment, please contact Denise Adams, Procurement Manager, at (816) 346-0224 or via email at dadams@kcata.org.
- B. A copy of KCATA’s standard lease agreement for real estate will be made available during this procurement process.
- C. The following documents are attached:
 - Floor Plan Occupancy Rating
 - Site Plan
 - Site Graphic

**SECTION 3
PROPOSAL INSTRUCTIONS**

3.1 General Information

- A. The terms “solicitation” and “Request for Proposals (RFP)” are used interchangeably, and the terms “offer” and “proposal” are used interchangeably. The terms “Proposer,” “Contractor” and “Offeror” are also used interchangeably.
- B. Interested firms may submit proposals until proposal closing as listed in the Proposal Calendar in Section 1. 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.
- C. In cases where communication is required between Proposers and KCATA, such as requests for information, instruction, and clarification shall be forwarded in writing directly to Denise Adams, Procurement Manager, at dadams@kcata.org by the indicated deadline. The subject line of electronic communications must reference the RFP number and title.
- D. 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.

3.2 Reservations

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. KCATA shall be the sole judge of what is in its best interest with respect to this RFP.

3.3 Proposer’s Responsibilities

- A. Information contained within this RFP is presented as “to the best of our knowledge.” Firms are responsible to obtain all relevant information and base their decisions upon their independent due diligence and not from information contained herein.
- B. 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 enter into a successful lease agreement with KCATA; and
 - 3. It is authorized to transact business in the State of Missouri.
- C. 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.

3.4 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.

3.5 Withdrawal & Incomplete Proposals

- A. 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.
- B. Incomplete proposals may render the proposal non-responsive.

3.6 Modification of Proposals

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

3.7 Protests

- A. 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 holiday 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 KCATA’s Director of Procurement, no later than five (5) days before the bid 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’s Director of Procurement, no later than five (5) days after the bid closing date.
 - 3. **Post-Award.** Post-Award protests must be received by the Authority, in writing and addressed to KCATA’s Director of Procurement, no later than five (5) days after the date of the Notice of Intent to Award.
- B. KCATA’s 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 Director of Procurement, the protester may appeal in writing to KCATA’s Chief Financial Officer within five (5) days from the date of the Director of Procurement’s response.
- C. The 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 Chief Financial Officer’s response will be provided within ten (10) days after receipt of the request. The Chief Financial Officer’s decision is final and no further action on the protest shall be taken by the KCATA.
- D. By written notice to all parties, KCATA’s Director of Procurement 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.
- E. Protesters shall be aware of the Federal Transit Administration's (FTA) 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.

- F. 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, Kansas City, Missouri, 64106.

3.8 Disclosure of Proprietary Information

- A. 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 proposal by:
 - 1. marking each page of each such document prominently in at least 16 point font with the words "Proprietary Information;"
 - 2. printing each page of each such document on a different color paper than the paper on which the remainder of the proposal is printed; and
 - 3. 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.
- B. 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 Sunshine Law, Section 610 of the Revised Statutes of Missouri, 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.

3.9 Participation by Disadvantaged, Minority-Owned, Women-Owned and Small Business Enterprises

- A. It is the policy of that Disadvantaged Business Enterprises (DBE's), Minority-Owned Businesses (MBE's), Women-Owned Businesses (WBE's) and Small Businesses (SBE's), as defined herein and in the Federal regulations published as 49 CFR Part 26, shall have an equal opportunity to participate in in DOT-assisted contracts. It is also the policy of KCATA to:
 - 1. Ensure nondiscrimination in the award and administration of DOT-assisted contracts;
 - 2. Create a level playing field on which DBE's/SBE's can compete fairly for DOT-assisted contracts;
 - 3. Ensure that the DBE program is narrowly tailored in accordance with applicable law;
 - 4. Ensure that only firms that fully meet 49 CFR Part 26 eligibility are permitted to participate as DBE's;
 - 5. Help remove barriers to the participation of DBE's in DOT assisted contracts;

6. To promote the use of DBE's in all types of federally assisted contracts and procurement activities; and
 7. Assist in the development of firms that can compete successfully in the marketplace outside the DBE program.
- B. Certified DBE's, MBE's, WBE's, and SBE's are encouraged to submit proposals as prime or subcontractors.
- C. **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.
- D. **Certification.** KCATA will only recognize firms that are certified as DBE's or SBE's under the DOT guidelines found in 49 CFR Part 26. Firms must be certified as a DBE or SBE by 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 may be found at www.modot.mo.gov/ecr/index.htm.
- MBE and WBE certifications from an MRCC partner (City of Kansas City, City of St. Louis) will be accepted.

3.10 Proposal Format/Content

Proposers are asked to submit one original and four (4) copies of their proposal.

- A. The Original shall be unbound. The copies may be bound and all copies and originals shall have the RFP number and name, the offeror's identity, volume number and volume title printed on the cover page.
- B. Proposers are asked to provide a complete set of their proposal documents in .PDF format on a flash/jump drive.
- C. The proposal page limit is 30 pages. Proposers are asked to number all pages. If a Proposer submits a proposal exceeding this limit, KCATA may consider the pages up to the allowable number and discard all subsequent pages.
- D. 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)
- E. 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).

- F. Each 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 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. Statements which paraphrase the requirements or state that "standard procedures will be employed" are inadequate to demonstrate how the Proposer will comply with the requirements of this procurement.
- G. 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.

2. Letter of Transmittal

The letter should be addressed to Denise Adams, Procurement Manager, and signed by a corporate officer with authority to bind the firm. The letter must contain the following:

- a. Identification of proposing firm(s), including full legal name of the organization or institution, address, telephone number(s) and email addresses of each subcontractor.
- b. Name, title, address, telephone number and email address of the contact person for the project.
- c. Proposed working relationship among proposing firms (e.g., prime, subcontractor), if applicable.

3. Description of proposed use of the KCATA facility and property

- a. Proposed use of the building and grounds.
- b. The space needs including phased growth requiring additional leased space and any adjustments needed to the building or grounds.
- c. Expected lease price range and any unique lease terms desired.
- d. Anticipated transit use by tenant(s) and their patrons
- e. Proposed timeline for occupancy, work needed to ready the facility for the intended use (pending acceptance of proposal and satisfactory approval of a negotiated contract).
- f. Revenue sources that will be used to provide lease payments.
- g. Other factors that will assist KCATA in selecting a potential tenant or tenants, including impact on the Troost corridor and surrounding neighborhoods.

4. Experience and Qualifications of Firm and Key Personnel

- a. 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.

- b. Provide a summary of qualifications to include:
 - 1. Overall quality of the tenant as shown by their previous experience, as well as that of their principals and participants.
 - 2. Participation of minority and women-owned business in this project, as well as previous and current projects.
 - c. Provide resumes and references for the key personnel and discuss the unique qualifications these individuals bring to the project. Provide information of licenses and certifications held, as well personal experience on similar projects requested in this RFP.
 - d. Provide history of the proposer's leasing of facilities and making lease payments.
 - e. The offeror shall provide minimum three (3) references to enable KCATA to assess the quality of the Proposer's past performance with the proposed use as well as references on the proposers leasing history. Name, telephone number, and e-mail address of individual(s) able to provide information about offeror's past performance shall be provided.
3. Financial Condition of the Proposing Entity. Financial data will be held in confidence and will not become part of the procurement file or the awarded contract file. In this section the Proposer must submit information demonstrating that it 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 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.
5. Exceptions, and Omissions
- a. Exceptions. The proposal should clearly identify any exceptions to the requirements set forth in this RFP.
 - b. Omissions. The Contractor will be responsible for providing all services which are necessary within the general parameters described in this RFP, and consistent with established industry practices, regardless of whether those services are specifically mentioned in this RFP or not. The Proposer should clearly identify any omissions to the requirements set forth in the RFP.
6. Disclosure of Investigations/Actions.
- a. Proposer must provide a detailed description of any investigation or litigation, including administrative complaints or other administrative proceedings, 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, status, and, if applicable, the disposition.
 - b. Proposer must provide information regarding any adjudicated violations, penalties paid, or licenses revoked that were a result of violation of any professional licensing laws, regulations, codes and ordinances of any governmental agency.

7. Employee Eligibility Verification

- a. The Proposer is required by 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 (Attachment A).
- b. 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).
- c. The Proposer is required to obtain the same affirmation from all subcontractors at all tiers.

8. Debarment

- a. The Proposer must certify (Attachment B) that is not included in the “U. S. General Services Administration’s List of Parties Excluded from Federal Procurement or Non-procurement Programs.”
- b. 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.
- c. 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.

9. Lobbying.

- a. 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 (see Attachment C).
- b. 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.

3.12 Submittal Instructions

- A. Proposals must be submitted in accordance with the instructions contained at the date and time specified in Section 1, “Proposal Calendar.” Proposals received after 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.

- B. Proposals submitted 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: Denise Adams – Procurement Department
1350 East 17th Street
Kansas City, Missouri 64108

- C. **The outside of each package shall be clearly marked, “RFP #18-7044-59B.”**
- D. Proposals may be hand delivered, sent via overnight carrier, or mailed via USPS.
- E. All hand deliveries must be made through KCATA’s Shipping/Receiving Department. If delivering in person, please allow time to navigate KCATA’s security clearance and parking.
- F. 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.
- G. Submission of a proposal shall constitute a firm offer to the KCATA for one hundred twenty (120) days from the date of RFP closing.

**SECTION 4.
PROPOSAL EVALUATION AND AWARD**

4.1 Proposal Evaluation Criteria

- A. KCATA intends to enter into lease negotiations with the qualified proposing firm(s) or whose proposal makes the best long-term use of the KCATA facility and that best meets the agency goals of improving the community, increasing transit ridership, and providing lease income.
- B. Proposals will be evaluated by the evaluation committee based on the following criteria:
- Proposed use of the facility for compatible transit-oriented development purposes
 - Proposer qualifications and experience
 - Proposer's ability to provide ease payments under a long-term contract
 - Fiscal and staff capacity to enter into a long-term lease
 - Benefits of the proposed use to the community, transit ridership and transit revenue
 - Timing (and funding if relevant) of readying the facility for the proposed use.

4.2 Presentations/Interviews/Written Responses

Proposers submitting responsive and responsible proposals may be invited to interview with the evaluation committee at their own expense. The evaluation committee may also require a Proposer(s) to submit written responses to questions regarding its proposal. Proposers selected for interview will be notified. KCATA reserves the right to award a contract without benefit of additional interviews or evaluations.

4.3 Consultant Selection

Based on the evaluation process described above, KCATA will proceed to enter into contract negotiations with the selected firm. Final lease rate and terms will be negotiated and will be commensurate with proposed use and proposed purposes and market conditions. If negotiations are not successful, KCATA may negotiate with the next best proposer.

ATTACHMENT A
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 B
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 C
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 SITE GRAPHIC

