



Request for Proposals (RFP) #21-8021-59B

Sale, Land Lease and or Joint Development (Joint Venture Partnership) of  
Underutilized KCATA Property for Transit-Oriented Development in the  
Vicinity of 10<sup>th</sup> and Main Street in Kansas City, Missouri

Date: August 10, 2021

Contact: Brien Sterner, President  
RideKC Development Corporation  
1106 E 30<sup>th</sup> Street, Suite M/2<sup>nd</sup> Floor  
Kansas City, MO 64109

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August 10, 2021

Request For Proposals (RFP) #21-8021-59b

Request For Development, Sale, Land Lease, or Potential Public Private Partnership Proposals  
for KCATA Property Supporting Transit-Oriented Development in the  
Vicinity of 10<sup>th</sup> and Main Street, Kansas City, Missouri

The RIDEKC DEVELOPMENT CORPORATION (RKCDC), a non-profit development corporation and wholly owned subsidiary of the Kansas City Area Transportation Authority (KCATA) is issuing this Request for Proposals (RFP) to solicit Transit Oriented Development proposals for 10<sup>th</sup> and Main Street, located on the KC Streetcar line on real property owned by KCATA and located in Kansas City, Missouri. The acquisition of the real property was assisted by the Federal Transit Administration.

A Pre-Proposal conference will be held August 20, 2021, at 10:00 am CDT via RideKC Development Corporation zoom meeting invitation. The Pre-Proposal conference is not mandatory, but firms are encouraged to participate, and the zoom invitation for the meeting at 10:00 am on August 20<sup>th</sup> can be found on page 5 of this proposal.

Questions (technical, contractual, or administrative) must be directed in writing via email to Brien Starner at [bstarner@ridekcdc.org](mailto:bstarner@ridekcdc.org). Questions and requests for clarification will be received until 4:00 p.m. CDT on August 27, 2021. If necessary, RKCDC'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 4:00 p.m. CDT on October 13<sup>th</sup>, 2021. A secure FTP site has been established for these submittals. Additional information is in Section 3, "Proposal Instructions." and submitted to:

Proposals received after the time specified will not be considered for award. Proposals received via electronic mail (e-mail) will 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/RKCDC for one hundred twenty (120) days from the date of RFP closing (as hereinafter defined).

For information regarding this RFP, please contact Brien Starner, President – RideKC Development Corporation, at the following address:

1106 East 30<sup>th</sup> Street, Suite M/2<sup>nd</sup> Floor  
Kansas City, Missouri 64109

Telephone: (816)-346-0828  
Email: [bstarner@ridekcdc.org](mailto:bstarner@ridekcdc.org)

***All communication regarding this RFP shall be in writing to the above email address. 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 otherwise about this RFP with any RKCDC and/or KCATA/RKCDC employee, RKCDC and/or KCATA Commissioner until the Notice of Intent to Award is issued.***

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**NO PROPOSAL REPLY FORM**

PROPOSAL #21-8021-59B

DEVELOPMENT OF KCATA PROPERTY AT 10<sup>th</sup> AND MAIN STREET, KCMO

To assist RKCDC/KCATA in obtaining good competition on its RFP, 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

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 .....	August 10, 2021
Pre-Proposal Conference .....	August 20, 2021 10:00 a.m. CDT
RideKC Development Corporation – Zoom Invitation	
Join Zoom Meeting	
<a href="https://us02web.zoom.us/j/2104413128">https://us02web.zoom.us/j/2104413128</a>	
Meeting ID: 210 441 3128	
One tap mobile	
+13462487799, 2104413128# US (Houston)	
+14086380968, 2104413128# US (San Jose)	
Questions, Comments and Requests for Clarifications Due to RKCDC .....	August 27, 2021 4:00 p.m. CDT
Response to Questions, Comments, and Requests for Clarification (if necessary) .....	September 8, 2021
RFP Closing .....	October 13, 2021 4:00 p.m. CDT
RFP Responses Evaluated and Shortlist Candidates Notified .....	October 21, 2021 4:00 p.m. CDT
Interviews with RFP Shortlist Candidates .....	November 4, 2021
Selection of Preferred Proposal Candidate for Negotiation .....	November 11, 2021
Nine (9) Week Hold with possible extension	
Shortlist candidates on pause, pending negotiation outcome of Preferred Development Proposal	
Announcement of Final Award Candidate .....	January 13, 2021

## SECTION 2 SCOPE OF WORK

### 2.1 Introduction

- A. This Request for Proposal (RFP) is made by RideKC Development Corporation (RKCDC), a non-profit development corporation and wholly owned subsidiary of the Kansas City Area Transportation Authority (KCATA), on behalf of KCATA and the site it owns at 10<sup>th</sup> and Main Street, to advance and support Transportation-Oriented Development (TOD) for KCATA/RKCDC, the region's Bi-State KS/MO transportation authority for the seven-county Kansas City Metropolitan Area. KCATA operates under a Federal Compact with legislative authority from the States of Kansas and Missouri as political subdivision and instrumentality of the States of Kansas and Missouri, with certain property tax exemptions and other transit-related benefits that are beneficial to the public and the developers of TOD development. RKCDC's mission includes soliciting and advancing TOD proposals and projects to the KCATA, and reviewing, and negotiating contract terms and conditions for such projects for consideration of the KCATA Board of Commissioners.
- B. This RFP is seeking TOD conditioned proposals for: 10<sup>th</sup> and Main Street in Downtown Kansas City, Missouri. The site is located at the southwest corner of 10<sup>th</sup> Street and Main Street in an area known as the Library District located in the Downtown Loop. The acquisition of the site by KCATA and the existing improvements on the site were funded using grants from the Federal Transit Administration (FTA) and the site's sale, land lease, and redevelopment will require review by several parties. The KCATA's proposed use of the site as its regional headquarters will be permitted by the FTA. The redevelopment of the site as a TOD project will also require that the project complement the unique attributes of historic transit uses of this site and the KC Streetcar line located adjacent to the property. The site is now available due to the development of the KCATA East Village Transit Center at 12<sup>th</sup> and Charlotte. RideKC Development Corporation's solicitation seeks proposals demonstrating strong public use and access to transit that generates, supports, and improves long term ridership and public access to all forms of transportation serving KCATA's stakeholders. The proposals must also meet related FTA requirements to assure the site's continued service to transportation. KCATA/RKCDC will also be expecting to generate development revenue to support the transit facilities of the KCATA/RKCDC. As a TOD Project, proposals will be expected to promote walkability, mobility, and varied assortment of transit services, with a development focus that uses alternatives to reduce and or eliminate structured parking through access to existing area parking structures, transit, and mobility alternatives.
- C. RKCDC will work through the Development Advisory Committee of the corporation to promote TOD for this site. The TOD proposal should emphasize sufficient density to support transit goals while creating economic value, revenues and benefits compatible with adjoining business and neighborhood districts. Proposals are strongly encouraged to think beyond traditional development of this site while including a focus on Mixed Use TOD Development that may include residential, office, commercial, aground floor commercial and activate green space and roof deck for creating public space and access. Proposals are encouraged to consider Public/Private Partnerships, Joint Development, and creative options that result in unique and impactful TOD, including if the site is sold.
- D. This RFP will examine and evaluate each proposal for such elements as: concept and design; massing/density; public access land use; and greenspace. The proposals must integrate the fountain located in the northeast corner of the site that will be preserved and maintained by the development ownership in perpetuity as a central public feature of the site's overall development. Developers are

encouraged to outline in their proposals the following: Developer investment of equity; proposed financing structure with letters of expressed support for the developer's proposed project from finance and equity partners; timeline for tenant lease up with a description of tenant types and percentage of the proposed lease space. While the type and magnitude of the proposed development will vary between submitted proposals, every proposal should address in identifiable and significant ways how TOD outcomes will be delivered and referred to in the Exhibits Section. TOD design for the site should generally address goals that promote mixed use development that may include office, retail, and or housing options that include workforce, mixed income, affordable units. Proposals should significantly reduce the use of new structured parking by including use of area parking garages, existing KCATA transit and Streetcar services, vehicles for rent available to tenants of the development and walkability to and through the site with specific mobility choices. The proposals should summarize how the development project(s) will benefit KCATA/RKCDC and its TOD stakeholders and riders.

## **2.2 RFP Overview**

The property at 10<sup>th</sup> and Main Street is a 26,000+ square foot site located in the north Downtown Loop. The KCATA/RKCDC expects that development of the site will remain within a footprint of 16-18,000 square foot with few exceptions, and the balance of the site will be programmed and activated as public and green space.

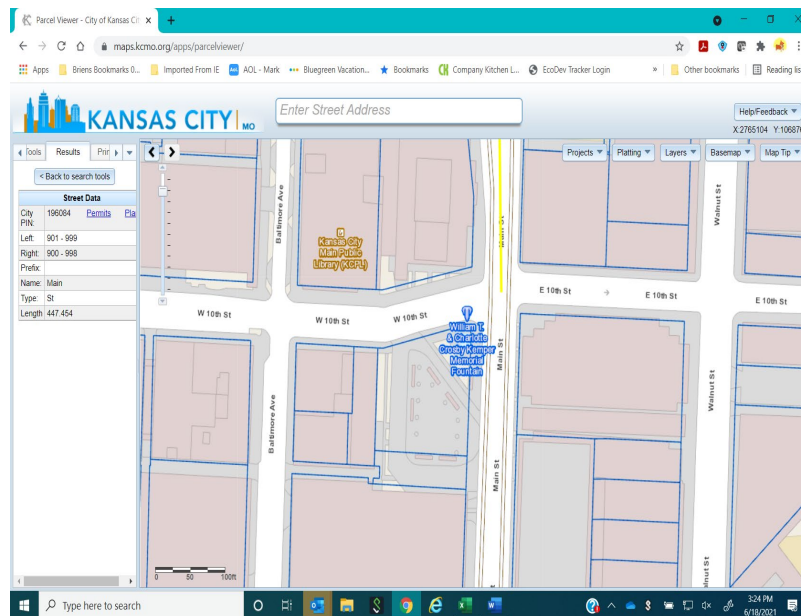
- A. RKCDC recognizes that this site is transitioning from KCATA operational use exclusive to bus transit to one that through development will connect, support, and engage the public, neighborhoods, and businesses resulting in TOD attributes capable of supporting varying types of development uses on the site. Development proposals should be site and development footprint specific, clearly identifying potential transit impacts of workforce, residents, business and related service providers, area businesses, neighborhoods, public access, mobility, and walkability. Each proposal should outline how project use(s) and density will enhance, and support transit services for the type of proposed use or uses such as: mixed use TOD; mixed residential income TOD; mixed TOD commercial; and how the site and project will overall create quality of life and development benefits and revenues for KCATA/RKCDC. Proposals are sought that:
- Promote vertical development/density, while also creating street level and rooftop public accessibility, walkability, site development density, creation of mixed: commercial/residential uses, income, employment; and location/neighborhood specific services.
  - Serve as a catalyst for economic growth, investment, and redevelopment compatible with the surrounding area, and compatible with neighborhood input and plans.
  - Provide improved connectivity through transit, mobility, and walkability, leased vehicles available with flexible rent options for building tenants, and linkages to the surrounding neighborhoods and commercial districts.
- B. If a final or preferred development proposal selection is made, RKCDC may recommend entering into negotiations with the preferred developer(s), reject all proposals, or return to shortlisted development proposals. This solicitation is open to all interested parties, and notices have been submitted to local and national media, recent developer lists for TOD RFPs, and the KCATA/ RKCDC websites.

## **2.3 Proposed Development Location -- 10th Street and Main Street, Kansas City, MO 64108**

- A. This site and location are in the southwestern downtown portion of this intersection in Kansas City, Missouri and located on the KC Streetcar line, and numerous RIDE KC bus lines. The site is also close

to the River Market, Interstate loop, and in the heart of the Downtown Business District.

**Figure 1: KCATA Proposed TOD Development Site at 10<sup>th</sup> Street and Main Street (See Alta Site Survey)**



B. **Existing Conditions.** The project area is referenced in several public and private plans that potential developers should consider in their response. These plans include, but are not limited to:

- The Greater Downtown Area Plan (2010) – <https://www.data.kcmo.org/Area-Plans/Greater-Downtown-Area-Plan/>
- Bike KC Plan (2012) – <https://data.kcmo.org/Transportation/Final-Bike-KC-4-3-16/6phz-6gj8>
- RKCDC Support Exhibits Materials:
  - Alta Site Survey
  - Governing Site Agreements
  - Development and green/public space area (pending)
  - Environmental and Soil Borings (pending)

## 2.4 **Response to this RFP**

- A. RKCDC and KCATA are interested in development concepts backed with market supported feasibility reports, and a creative approach to improve transit, connectivity, investment in development and quality of life in the area.
- B. RKCDC/KCATA are open to a variety of site disposition considerations that include:
1. Site sale conditioned on TOD Defined Outcomes being met.
  2. Development of a Singular Regional Transit Authority Headquarters of approximately 30,000 square feet including activated ground level commercial space.
  3. Development of 2-3 additional floors for office, retail, or other uses.



4. Other structured development proposals that include the Regional Transit Headquarters with, for example, a condominium ownership structure or vertical air rights for TOD supported development.
  5. Proposals will be expected to consider overall transit intensive use and design that extend beyond bus and streetcar for all commercial, residential, workforce, and / or space uses emphasizing density.
- C. RKCDC would like to see proposals that incorporate not only components of TOD but design, construction and use intent including environmental sustainability.
- D. RKCDC encourages development creativity in proposal submission reasonably achievable in the marketplace and avoiding site speculation of future unsubstantiated market tenants and uses. Developer history, performance, and equity will be closely examined along with feasibility of financing, and identification of likely proposed incentives. RKCDC will evaluate each proposal for a variety of criteria stated throughout this solicitation including the Exhibit for TOD Development Attributes. RKCDC may choose to enter negotiations, reject some or all of the proposals, or shortlist proposals for more detailed project review. Final recommendation by RKCDC to KCATA for advancing a proposal is at our sole discretion.

## **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 submittal deadline 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 RideKC Development Corporation at 1106 E. 30<sup>th</sup> Street, 2<sup>nd</sup> Floor Ste M, Kansas City, MO 64109.
- C. In cases where communication is necessary between bidders and RKCDC, such as requests for information, instruction, and clarification shall be forwarded in writing directly to Brien Starner, President, at [bstarner@ridekcdc.org](mailto:bstarner@ridekcdc.org) by the indicated deadline. The subject line of electronic communications must reference the RFP number and title.
- D. RKCDC 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**

RKCDC 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 Corporation and KCATA, our client. RKCDC shall be the sole judge of what is in its best interest with respect to this RFP, with input as needed from our client, leading to a recommendation(s) by RKCDC to KCATA.

### **3.3 Proposer’s Responsibilities**

- A. Information contained within this RFP is presented as “to the best of our knowledge.” Developers 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 a development relationship with RKCDC and 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 RKCDC 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 RKCDC 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 RKCDC, in writing and addressed to RKCDC’s Vice President, Frank White, 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 making an award and is received after receipt of proposals but before award of a contract. Post-submittal protests must be received by the RKCDC, in writing and addressed to the RKCDC’s Vice President, no later than five (5) days after the bid closing date.
  - 3. **Post-Award.** Post-Award protests must be received by the RKCDC, in writing and addressed to RKCDC’s Vice President, no later than five (5) days after the date of the Notice of Intent to Award.
- B. RKCDC’s Vice President 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 Vice President, the protester may appeal in writing to RKCDC’s President and CEO within five (5) days from the date of the RKCDC’s Vice President’s response.
- C. The RKCDC President & CEO will decide if the protest and the appeal (if any) have been given fair and reasonable consideration, or if additional consideration is warranted. The President’s response

will be provided within ten (10) days after receipt of the request. The President's decision is final and no further action on the protest shall be taken by the RKCDC.

- D. By written notice to all parties, RKCDC's President 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.

### **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;" and
  - 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 RKCDC 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 RKCDC reserves the right to release any documents if the RKCDC 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 RKCDC to require that proposals provide the maximum opportunity for participation of Minority-Owned Businesses (MBEs), Women-Owned Businesses (WBEs) and Disadvantaged Business Enterprises (DBEs).
- B. If construction of the Project is assisted by the Federal Transit Administration (FTA), the Project will be subject to the FTA's requirements on Disadvantaged Business Enterprise. The Developer would also have to comply with other applicable requirements in 49 CFR Part 26.
- C. Proposers shall not discriminate based on race, color, national origin, or sex in the development of the Project.
- D. The KCATA/RKCDC reserves the right to require that the Developer comply with the City of Kansas City's MBE/WBE and workforce ordinances and policies.

### 3.10 Proposal Format/Content

- A. Proposers are asked to submit one original of their proposal in .pdf format. The proposals are to be submitted to a secure, FTP site as follows:

Site URL: <https://kcata.sharepoint.com/sites/FTP/pro/todo/SitePages/Home.aspx>

Bidder Email: Bid\_G21-8021-59B@kcata.org ([Bid\\_G21-8021-549B@kcata.org](mailto:Bid_G21-8021-549B@kcata.org))

Password: **FDvXN4&SZn** (FOXTROT - DELTA - victor - X-RAY - NOVEMBER - Four - Ampersand - SIERRA - ZULU - november)

- This site is not compatible with Firefox or Safari.
  - You may click on the hyperlink for the Site URL, but you must type in the “Bidder Email” (not your own) including underscore -- you cannot cut and paste.
  - The Password consists of the **highlighted** characters only.
- B. Each document should be labeled with the Proposer’s Name and RFP number (21-8021-59B). If submitting more than one document, please include a document identifier of “X of Y” to indicate the total number of documents submitted.
- C. The proposal page limit is 30 pages. Proposers are asked to number all pages. If a Proposer submits a proposal exceeding this limit, RKCDC 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 the proposal will meet RKCDC 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 the contact person, telephone number(s), email address, facsimile number, and date.

2. Letter of Transmittal

The letter should be addressed to Brien Starner, President, 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 the 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. Experience and Qualifications of Firm and Key Personnel

- a. This section should demonstrate the Proposer's experience, skills, and qualifications of the firm and key personnel in real estate development.
- b. 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.
- c. Provide a summary of qualifications to include:
  - 1) Overall quality of the development team as shown by their previous experience, as well as that of their principals and participants.
  - 2) Expertise in developing high-quality projects of similar scope and scale.
  - 3) Caliber of the proposed design professionals and concept design proposal.
  - 4) Successfully structuring and implementing innovative public/private partnerships.
  - 5) Experience with development emphasizing transit-oriented development is desirable.
  - 6) Financial capability and administrative capacity to undertake the project.
  - 7) Proposed development timeline and milestones, pending acceptance of proposal and satisfactory approval of a negotiated contract.

- 8) Participation of minority and women-owned business in this project, as well as previous and current projects.
- d. 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 as personal experience on similar projects requested in this RFP.
- e. The offeror shall demonstrate past performance related to the scope of the proposal. The offeror shall provide at minimum three (3) references both for itself and for any development partners (if applicable) to enable RKCDC and KCATA to assess the quality of the Proposer's past performance. The following information shall be included for each reference:
  - 1) Name and address of contracting entity, state or local government agency or commercial customer;
  - 2) Development project description;
  - 3) Development project costs;
  - 4) Name, telephone number, and e-mail address of individual able to provide information about offeror's past performance.

#### 4. Key Proposal Components

- a. The developer should describe the relationship of the potential development KCATA and TOD, to the surrounding community, identify how the proposal will create significant impact and benefit beyond the site, including KCATA/RKCDC transit goals and assets associated with the site.
- b. Understand and cite ridership generation and minimization of structured parking and alternate approaches through the proposed development, including addressing revenue generation and or development fee/lease opportunities for RKCDC and or KCATA.
- c. What the developer is asking of RKCDC and/or KCATA's participation in the proposed development.
- d. Proposed development timeline and phases
- e. Projected costs for the development including phases of the development concept(s).
- f. Describe potential to integrate the development with KCATA/RKCDC and KC Streetcar operations or facilities, while also outlining steps to lessen the impact on transit and streetcar operations during construction.

#### 5. General Project Financing Overview

- a. Project proposals will broadly outline and explain the estimated budget of the proposer's development concept, plan, projected cost, likely finance sources for the project including breakout for developer equity (requests of RKCDC and or KCATA), bank and conventional or

bond financing, other financing tools, and consideration regarding RKCDC and or KCATA's role as a development/equity partner. Please provide a list of financial institutions with reference letters detailing the principal's ability on recent projects to secure development financing.

- b. RKCDC (KCATA) is interested in working with the development team to explore bringing multiple forms of transit service to the development that may include imbedded annual transit passes for residents and workers located on the site(s), and other relevant business users of the development. The developer is encouraged to be creative in exploring ways for the development to stimulate revenue to help provide unique and beneficial transit services beyond fixed bus routes and BRT, mobility, and walkability benefits to the development.
6. Financial Condition of the Firm. 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 RKCDC and 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.
7. Exceptions, and Omissions
  - a. The proposal should clearly identify any exceptions to the requirements set forth in this RFP.
  - b. 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.
8. 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, current status, and, if applicable, the disposition.
  - b. Proposer must provide information regarding any adjudicated violations, penalties paid, or licenses revoked that was a result of a violation of any professional licensing laws, regulations, codes, and ordinances of any governmental agency.
9. 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 B).



- 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.
- 10. Other FTA Requirements. If the selected project is assisted by the FTA, its development will require compliance with federal regulations that may include, among others:
  - a. The Developer must certify (Attachment C) 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 Developer 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 Developer agrees to provide KCATA/RKCDC 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.
  - d. The Developer must comply with other requirements that include, for example, limitations on lobbying, wage, and employment.

### **3.11 Submittal Instructions**

- A. Proposals must be submitted in accordance with the instructions contained herein at the date and time specified in Section 1, “Proposal Calendar.” 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.
- B. All communication in connection with this RFP:
 

RideKC Development Corporation  
 Attn: Brien Starner – President  
 1106 E. 30<sup>th</sup> Street, Suite M/2<sup>nd</sup> Floor  
 Kansas City, Missouri 64109
- C. 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.
- D. Submission of a proposal shall constitute a firm offer to the RKCDC for one hundred twenty (120) days from the date of RFP closing.

## **SECTION 4.**

### **PROPOSAL EVALUATION AND SELECTION**

#### **4.1 Basis for Selection for Negotiation**

RKCDC will select one or more developers for negotiations based on how well the proposed development(s) meet the goals expressed in this RFP being most advantageous to RKCDC and KCATA.

#### **4.2 Proposal Evaluation Criteria**

Proposals will be evaluated by the evaluation committee based on the following criteria:

- A. The proposed concept and design; massing/density and public access land use; appropriateness of the development concept and scale to this site and this area.
- B. Concept proposal for greenspace including the fountain.
- C. Quality, creativity, financial viability and timeline of proposed development concept and impact (qualitative and fiscal) to the site, for KCATA's ridership, key stakeholders, and alternative revenues.
- D. Ability to feasibly accommodate KCATA space needs.
- E. Proposed financing plan and development structure.
- F. The proposals demonstrated and documented financial commitments.
- G. Developer qualifications and experience.
- H. Capacity to plan, execute, provide equity, finance, and implement the TOD project with tenants and or evidence of tenancy in the near-term(s).
- I. Development concept's inclusion of transit-oriented development features and how to maximize usage of transit options and approach to parking.

#### **4.3 Presentations/Interviews/Written Responses**

Proposers submitting acceptable 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. RKCDC reserves the right to recommend for award a contract(s) without the benefit of additional interviews or evaluations.

#### **4.4 Developer Selection and Negotiation**

- A. Based on the evaluation process described above, the Evaluation Committee will determine the developer and development projects with the capacity to plan, execute, finance, bring equity, and implement the project(s), and identify and deliver proposed development concepts that best address KCATA's transit, development, stakeholder, ridership, and revenue goals.
- B. RKCDC and/or KCATA will proceed to enter into contract negotiations with the selected firm or firms.

If negotiations are not successful, RKCDC and or KCATA may negotiate with the next highest ranked developer proposal(s).

- C. RKCDC and KCATA reserve the right to reject and may reject all proposals.

**ATTACHMENT A.**

**KANSAS CITY AREA  
TRANSPORTATION AUTHORITY**

**TRANSIT-ORIENTED DEVELOPMENT  
POLICY GUIDELINES**

**Table of Contents**

- I. Introduction
- II. Transit-Oriented Development Definition
- III. Kansas City Area Transportation Authority Purpose/Mission
- IV. Kansas City Area Transportation Authority Goals
- V. Policy Guidelines
  - 1) Capital Investments
  - 2) Project Process
  - 3) Project Evaluation/Measurement
  - 4) Implementation
  - 5) Additional Policy Considerations
  - 6) Conclusion

## INTRODUCTION

The Kansas City Area Transportation Authority (KCATA) and the RideKC Development Corporation (RKCDC) have focused policy to support strategic Transit-Oriented Development (TOD) projects and consider that future transit development opportunities are beneficial to the vision, mission, values, and stakeholders of RKCDC and KCATA. To help consider future transit development or TOD opportunities development of enabling policies, goals and measurements are needed to guide decision to review and when appropriate participate in transit opportunities, projects corridors that support transit ridership, stakeholders, and revenue. These policies help RKCDC and KCATA to define what TOD and transit development opportunities best serve the goals of the Corporation and KCATA, how much and what type of capital investment might be considered, what the project development process will look like, how the RKCDC and KCATA will evaluate projects to support and measure the types of outcomes and results for a project that addresses TOD or transit development opportunities.

## TRANSIT-ORIENTED DEVELOPMENT DEFINITION

As suggested by the name TOD is anchored by some form and or combination of public transportation, KC Streetcar, rail, and fixed route Bus Rapid Transit (BRT) corridors and other modes of public transit. It has been widely accepted as an important planning paradigm to create attractive, livable, walkable, and sustainable urban environments. The purpose of TOD is to concentrate higher density housing, commercial and mixed-use development close to existing transit infrastructure, thereby providing alternatives to automobile utilization. Traditionally, TOD development radiates roughly a half mile or less than 10 minutes walking distance from its anchoring transit station.

Most often TOD consists of the following mix of design characteristics:

- Mix of commercial, residential and office land uses
- Moderate-to-high residential densities, mixed income, and workforce housing
- High-quality pedestrian environments emphasizing access and mobility options
- Supports various forms of public and private transit and transportation
- Builds or improves public transit connections between and with workforce, residential, industrial/commercial, retail and entertainment.

A mix of compatible land uses is the most desirable in TOD developments allowing for denser developments that are walkable, accessible by the public and decreasing dependency on the automobile. Typical land uses include multi-family residential which should emphasize mixed income and rates, retail, and office use. Increased density is a critical aspect of successful TOD that includes, business, workforce, residential and other uses.

In TOD developments, most structures are designed at medium-to-high unit density. Residential density thresholds are often necessary to guarantee a certain population in the area to create economic benefits that include supporting area businesses. This is measured by the number of housing units per acre. For non-residential uses such as offices, planning guidelines such as Floor Area Ratio (FAR), lot coverage, and building massing are used to control and maintain the density.

Creating a high-quality pedestrian environment is the most important aspect of TOD. Ensuring easy and nearby access and walking routes which are comfortable and safe, enjoyable streetscapes and vibrant and interactive public spaces that stand out and encourage people to utilize transit over automobiles. Those characteristics of TOD are achieved through good urban planning and landscape design. Design elements include wide sidewalks,

aesthetically pleasing building façades, buildings with street frontage and more. Bicycle, scooter and automobile parking and access are also significant design factors to consider in TOD developments.

TOD developments will look different in a downtown setting than they will at a site more removed from the central business district. Consideration should be given to the surrounding area to determine what level of density, building height, land uses, and business types to encourage in each respective development, project area, and integration into surrounding neighborhoods.

## **PURPOSE/MISSION**

Purpose: “To identify and prioritize transit development opportunities and transit-oriented development that has the potential to create economic value through enhanced ridership, new revenues, and benefit key stakeholders with KCATA/RKCDC services and programs.”

Mission: “To identify TOD development and investment strategies that build customer value for KCATA/RKCDC ridership, stakeholders and new revenue sources while leading, supporting and assisting Transit-Oriented Development.”

## **GOALS**

The KCATA/RKCDC has several economic development goals relating to TOD, with RideKC Development Corporation created and tasked with advancing the below goals for KCATA/RKCDC:

- Growing “transit” riders which create economic benefits for nearby neighborhoods and businesses, including more transit choices.
- Generate new revenues and revenue sources associated with transit-oriented development while supporting riders through development opportunities, projects, and corridors.
- Improve quality of life through transit-related investments:
- Access to employment opportunities, new investments, reduce crime, decrease vehicular traffic, congestion, and environmental impact, cost savings and other benefits for transit riders.
- Support increased residential and commercial activity, including density which benefits from public transit ridership and investment.
- Emphasize and encourage public-private partnerships to better extend and leverage KCATA/RKCDC capital, while engaging and supporting the private sector to undertake development, investment and job creation associated with transit development projects and TOD.
- The types of development, projects, and initiatives that are expected to come forward for Board of Commissioner consideration where “TRANSIT” is a key component are expected to be driven by stakeholder, market demand and development responses to marketplace needs, priorities and removing development barriers. Examples of development, project and transit initiatives that may emerge include mixed-use development; residential and multi-family and senior development, retail, commercial and industrial development, and tools and resources to support these examples located in our major: growth, transit locations, and transit corridors.
- After a short ramp-up period to build a “book” of economic development projects, future revenues generated from all transit development projects will be placed in a separate Economic Development Fund to help build budget capacity for Transit-Oriented Development opportunities and growth that create value for ridership, stakeholders through RKCDC and KCATA.

All policies adopted by RKCDC and KCATA should ensure they are in alignment with the mission and goals set forth by each agency.

## **POLICY GUIDELINES**

### **Board Approval/Budget for Capital Investment**

The KCATA Board of Commissioners will give full consideration to Transit Oriented Development Opportunities that support and promote transit, development, value, and benefits for riders and stakeholders, especially along existing transit corridors and when present in areas creating new transit demand and development opportunities. Following recommendations by RKCDC, the KCATA's Board of Commissioners, President & CEO will review, advise and recommend for KCA KCATA/RKCDC TA's approval the use of land, financing, and budget specific to any TOD development project or economic development initiative determined to support the goals of KCATA, and RideKC Development Corporation.

When seeking a return on its investment, RKCDC and KCATA will consider and determine what amount of return it expects to receive including market appraisals, response on negotiation options, investment, financing and or deferred financial return on land and investment of capital and resources, or to be budgeted, based upon the merits of each development project reviewed by RKCDC and or KCATA, including the development impact projected to surrounding community and project area that support broader stakeholder goals.

General Actions and Activities by the Corporation Board and Board of Commissioners may also include:

- KCATA/RKCDC may consider capital, financing and revenue generation and their sources, and tools beyond the annual capital and operating budget of KCATA/RKCDC. RKCDC and KCATA will also work with and alongside its stakeholders, local, state, and federal partners, and private or non-profit development partners working with both organizations in pursuit of providing development tools and resources to support transit through economic development.
- All Projects or Developments seeking and considered by RKCDC and KCATA must be reviewed by staff, possibly the Development Advisory Committee and Corporation Board for process, compliance, goals and objectives and feasibility; determine if the project is financially and market viable; clearly recognized to support Transit-Oriented Development goals; project team members possess good history, experience and financial resources through partners, agencies, equity and financing, and a successful track record of experience and involving MBE/WBE and local participation.
- RKCDC and or KCATA may consider providing financial capital or consideration to a development, project, or initiative if it is deemed necessary, vital and or impactful to supporting and creating transit benefits, new revenues and overall supportive of transit goals and objectives.
- RKCDC and or KCATA may acquire, assemble, use eminent domain, finance, or issue debt, sell or lease property to assist in development of a project, development, or transit corridor, including entering into Public/Private Partnerships.
- Infrastructure investments, demolition and or eminent domain made by KCATA that support transit development and projects may be considered as a necessary investment and step for development or a project to reach full and successful implementation.
- RKCDC and or KCATA may consider the use of new "development tools" when funding sources have been identified that support low-interest rate (or "patient capital") loan programs available to qualified developers and small business borrowers whose work directly aids transit through encouraging development along prioritized transit corridors and at TOD nodes.
- All projects and development investments reviewed and approved by the Corporation Board, and or recommended to and approved by the KCATA Board of Commissioners if approved, will be examined for

some “reasonable level” of equity participation by the developer, project partner(s) and participating entity to ensure capital and development risk is not solely born by KCATA.

- RKCDC and or KCATA may consider deferring or setting aside returns on its investment(s) based on development or project’s merit, including impact to transit and development. Organization considerations may extend to advancing capital or financing, negotiating, deferring, or setting aside development fees, bond issuance fees, project administration fees until project market stabilization in support of the project’s “Return on Investment” to achieve mission and goals for transit-related development and projects.

## **Project Process**

Projects seeking RKCDC and or KCATA participation will be subject to budget and funding availability and authorization from the Corporation Board and Board of Commissioners. A Project Application with supporting materials will be submitted to RKCDC staff and Development Advisory Committee for review, discussion and addressing project and team questions. After staff’s review of the application, it is ready for submittal and recommendation to the Development Advisory Committee (DAC), including assessments and recommendations by internal and external parties engaged by KCATA/RKCDC to help evaluate the project’s investment and development merit and negotiation for desirable terms.

The DAC will review and evaluate projects and consider the recommendations of the RKCDC staff. Upon a project’s review by the DAC, staff will provide the RKCDC Board a summarized executive review and recommendation for action, which if approved will advance to the KCATA Board of Commissioners (BOC) for Board consideration and actions.

The BOC will review and evaluate projects considering the recommendations of staff, DAC, and Corporation Board in making the final decision on KCATA/RKCDC’s level and terms of and conditions of participation in the proposed development project.

## **Project Evaluation/Measurement**

The RKCDC Development Advisory Committee will evaluate each TOD project on the below criteria to evaluate and weight the proposed development project, and for use in making a favorable or rejected recommendation to the RKCDC Board, and possibly the KCATA Board of Commissioners.

- Exhibit: TOD Qualitative and Quantitative Criteria
- Does the development and or project achieve the RKCDC and or KCATA’s overall vision, mission, and goals specific to Transit Development or TOD?
- Is the development adjacent to or near an existing KCATA transit corridor?
- Is the development located at an identified or proposed TOD node?
- Will the development produce a positive return and or other identified benefits for the investment made by RKCDC and or KCATA during the first five to ten years, regardless of the type of investment, and if so, quantify the projected return? How much?
- Does the development or project support riders, key stakeholders and public or private development partners?
- Will the development or project create long-term economic value including jobs and increase the tax base?
- How many potential new jobs, residents and riders will be created and how many new businesses will be attracted to the development area?
- Are development partners utilizing MBE/WBE and local contractors and vendors?



- Will the development assist in the reduction of crime in the project area?
- Will the development increase surrounding property values?
- Is the project likely to help stimulate further development and investment in surrounding properties, intersections, corridors, and developments?
- Will the project address one or more development priorities for key stakeholders?
- Will the project or development increase ridership for the KCATA/RKCDC?
- Will the development increase revenue for the RKCDC and or KCATA? What are the projected returns over time?
- Is the development likely to lead to an influx of new business and job creation?
- Is the proposed development consistent with approved area plans, and if deviating account for the proposed changes?
- Does the development or project increase ridership and benefits for riders at the development site?
- What major economic, neighborhood groups, organizations, and community or local government priorities are being addressed by this development request. Would this development or project likely happen without the participation of RKCDC and or KCATA?
- What groups are on record supporting this project, and what groups or individuals are opposed. What has been done to address local concerns?
- Does local government support the project?

To gain the support of the RKCDC and KCATA, the evaluation and measurement criteria must meet the satisfactory evaluation goals of staff, the DAC, and Corporation Board.

## **Implementation**

Following review and recommendations to decline and or advance, development projects will review RKCDC and KCATA Board approvals, enabling the project to advance per contract into an implementation phase. Specific considerations must be given to projects in the implementation phase to assist in making the process smoother for all interested parties.

- Work with local, state, and federal jurisdictions to determine what applications, permits, and approvals will be required.
- Sign agreement with all project partners clearly outlining the role of each partner and its respective responsibilities.
- The development group seeking RKCDC and or KCATA assistance agrees to provide reasonable reports of progress periodically, including documentation to address measurable outcomes agreed to by all parties. RKCDC and KCATA will set specific investment goals and terms or terms for deferral or waiver. The development team benefiting from RKCDC and KCATA's participation will help track the project's milestones including investments during and following project implementation to determine if both organization's goals have been met.

## **Additional Policy Considerations**

A regional approach to transportation will help make the region and thus RKCDC and KCATA more successful in providing high-quality transit service, including transit informed development. Furthermore, zoning, land use, development incentives, parking requirements and other policy decisions which are beyond the control of the RKCDC and KCATA will have a significant impact on the ultimate success of any TOD development or project pursued by either organization.

The RKCDC and KCATA should encourage and support policies enacted by area political subdivisions which support transit and TOD development. Specifically, both organizations should support and encourage policies which promote transit plans for developments and employers and public places that account for density near transit stops, reduce minimum parking requirements, enhance the pedestrian experience, encourage a mix of land uses, promote business and job creation.

The City of Kansas City, Missouri has drafted a TOD policy providing guidance on this development approach. The KCATA should work collaboratively with the City of Kansas City to ensure that the policies it, and other municipalities for that matter, enact will help support the mission and goals of the RKCDC and KCATA.

## **Conclusion**

RideKC Development Corporation and the Kansas City Area Transportation Authority's TOD projects will be carefully evaluated. Great consideration must be given to the overall mission and goals of the organization and those specific to Transit Development and TOD. The development of transit-oriented developments can assist both organizations, and KCATA in increasing ridership, building stakeholder value, and creating new revenues or revenue neutral impact while helping stakeholders and riders by following TOD design concepts. TOD development can have an overall positive impact in the communities where they are developed, and the Kansas City region as a whole. The promotion and support of policies enacted by area agencies and municipalities will help the region develop a robust transit system geared towards TOD and more sustainable development practices. Regardless of what TOD projects RKCDC and KCATA decide to undertake, they will ensure that it continues to provide high-quality service which serves the needs of riders.

**ATTACHMENT B-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 \_\_\_\_\_, 2021, 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 the 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 \_\_\_\_\_, 2021

\_\_\_\_\_  
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-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 \_\_\_\_\_, 2021, 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 \_\_\_\_\_, 2021

\_\_\_\_\_  
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 C-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 C-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 D-1 ALTA SURVEY OF 10<sup>TH</sup> AND MAIN STREET (JUNE 2021)

