

REQUEST FOR QUALIFICATIONS (RFQ) # 2023-03-24-A

REQUEST FOR DEVELOPER QUALIFICATIONS AND CONCEPT PROPOSAL FOR TRANSIT ORIENTED COMMUNITY DEVELOPMENT (TOC) CONCEPT FOR MARKET RATE LAND SALE, LEASE, AND OR PUBLIC-PRIVATE PARTNERSHIP SUBJECT TO THE KCATA BOARD OF COMMISSIONERS APPROVAL OF THE TERMS AND CONDITIONS FOR DISPOSITION OF SEVERAL PROPERTIES GENERALLY LOCATED AT 2821 NE VIVION ROAD, KANSAS CITY, MISSOURI 64119.

March 24, 2023

RFQ Contact:
RideKC Development Corporation
1106 E 30th Street, Suite M/2nd Floor
Kansas City, MO 64109

Telephone: (816) 346-0828

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March 24, 2023

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The RIDEKC DEVELOPMENT CORPORATION (RKCDC), is the non-profit arm of the Kansas City Area Transportation Authority (KCATA), commissioned to direct Transit Oriented Community development (TOC) and Transit Oriented Development (TOD), and is a wholly owned subsidiary of the Kansas City Area Transportation Authority (KCATA). RKCDC issues this RFQ to solicit both Development Teams and Development Concepts for Transit Oriented Community proposals for the approximate 16.4-acre site owned by KCATA, located south of Vivion Road and between Antioch Road and Chouteau Trafficway in Kansas City, Missouri, 2821 NE Vivion Road.

A Pre-Proposal conference will be held **CORRECTED: April 20, 2023**, from 11:00 am-1:00 pm, CST at the offices of Northland Neighborhoods, Inc, 5340 N Chouteau Trafficway, Kansas City, Missouri 64119. While a zoom invitation is planned, RKCDC and KCATA strongly encourage proposing Developers attend in person. The host pre-proposal conference meeting location is located in Antioch Crossings Shopping Center, across the street from the site subject of this RFQ. Attending the Pre-Proposal conference in person is HIGHLY encouraged for proposing firms.

Questions (technical, contractual, or administrative) must be directed in writing via email to Brien Starner at bstarner@ridekcdc.org. Written questions and requests for information are subject to public access and all proposing teams will have access to questions and replies, which must be received by 4:00 pm on **CORRECTED: April 13, 2023**. If required, KCATA/RKCDC's response to these submissions will be an Addendum.

Proposals must be received with all required submittals as stated in the RFQ no later than 4:00 p.m. CST on **CORRECTED: May 18, 2023**, and submitted to:

RideKC Development Corporation
Attn: Brien Starner, President
1106 East 30th Street, Suite M/2nd Floor
Kansas City, Missouri 64109

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

Proposals received after the specified time will not be considered for review and or award. Proposals are encouraged to be dually submit: One original-unbound copy, and six (6) printed hard copies, and a copy of the complete proposal on a Flash drive in a readable format. Proposals not meeting specified delivery, time and date, and method of submittal will not be opened nor considered responsive. Submission of a proposal shall constitute a firm proposal to the KCATA/RKCDC for one hundred twenty (120) days from the date of RFQ closing (as hereinafter defined).

No person or entity submitting a proposal in response to this RFQ, nor any officer, employee, agent, representative, relative or consultant representing such a person (or entity) may communicate about this RFQ 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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ATTACHMENTS Listed Alpha-numerically: GOOGLE DRIVE LINK:
https://drive.google.com/drive/folders/1MuAPnHArBe-YnH-ymM-9xZm6Lv7x6Xdd?usp=share_link

Attachment	TOD RFQ	
Attachment A	KCATA Transit-Oriented Development Policy	
Attachment A-1	KCATA Transit Oriented Community (TOC) Menu by Specific TOC Category	
Attachment B-1	Site Alta Survey (AND see page 31 of this RFQ for TOC)	
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Attachment B-5	Vivion Road Streetscape Plan	
Attachment B-6	Briarcliff - Winwood Area Plan	
Attachment B-7	KCMO TOD Policy Document	
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NO PROPOSAL REPLY FORM

PROPOSAL RFQ # 2023-03-24-A

**DEVELOPER AND CONCEPT PROPOSALS FOR RFQ OF KCATA PROPERTY AT 2821 Vivion Road,
generally located between Antioch Road and Chouteau Trafficway, Kansas City, MO**

To assist RKCDC/KCATA in obtaining good competition on its RFQ, 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: Central Standard Time (CST)

RFQ Issued.....March 24, 2023

Pre-Proposal Conference On-Site.....April 20, 2023, 11:00 am – 1:00 pm CST

RKCDC/KCATA – Developer In-Person Attendance is HIGHLY Encouraged and Zoom Invitation is provided below.
LOCATION:

Northland Neighborhoods, Inc
5340 NE Chouteau Trafficway,
KCMO 64119

Zoom Meeting: RideKC Development Corporation/KCATA Kmart RFQ Pre-Proposal Zoom Meeting
Time: April 20, 2023 11:00 AM-1:00 PM Central Time (US and Canada)

Hello Guest,

You are invited to a Zoom webinar.

When: Apr 20, 2023 11:00 AM Central Time (US and Canada)

Topic: RKCDC/KCATA Webinar For: Transit Oriented Community Development RFQ Pre-Proposal Conference

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_eTnij36LSl2-u22Yskuk5Q

After registering, you will receive a confirmation email containing information about joining the webinar.

Questions, Comments and Requests for Clarifications Due in writing via email to KCATA/RKCDCApril 13, 2023
(send questions to: bstarner@ridekcdc.org)..... 4:00 p.m. CDT

RKCDC/KCATA’s Response to Questions, Comments, and Requests for Clarification (if required)April 27, 2023

RFQ Proposal ClosingMay 18, 2023
..... 4:00 p.m. CDT

RFQ Responses of All Candidates Complete and Notices to All of Shortlist Selection..... June 8, 2023
..... 4:00 p.m. CDT

Interviews with RFQ Shortlist Candidates.....June 22, 2023

Selection of “Preferred Development Team and Concept Proposal” Candidate for Negotiation
(9 Week Hold with possible extension)July 13, 2023
(ALL Shortlist candidates will remain pending consideration subject to the successful negotiation with
The Preferred Development Team and Concept Proposal)

Target Date for Preferred Developer Funding AgreementAugust 24, 2023

SECTION 2 SCOPE OF WORK

2.1 Introduction

- A. This Request for Qualification (RFQ) is made by RideKC Development Corporation (RKCDC), a non-profit development corporation, wholly owned subsidiary of the Kansas City Area Transportation Authority (KCATA), on behalf of KCATA for their site located at 2821 NE Vivion Road located between Antioch Road and Chouteau Trafficway, to advance and support Transportation-Oriented Community (TOC) development for KCATA. KCATA is 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 a political entity and instrumentality of the States of Kansas and Missouri, with certain property tax exemptions and other transit-related benefits that create value for KCATA, the public and the developers of TOC development. RKCDC's mission includes soliciting and advancing TOC facility proposals and initiatives for KCATA reviewing and negotiating contract terms and conditions for such projects for consideration of the KCATA Board of Commissioners, with whom all contract rights will be subject to their approval.
- B. This RFQ seeks qualified and experienced development team and TOC development concept proposals for the site at: 2821 NE Vivion Road in the Northland of Kansas City, Missouri. The site is located south of Vivion Road across from Antioch Crossings Shopping Center and between Antioch Road and Chouteau Trafficway. The site has multiple points of ingress and egress easements to Antioch and Vivion Roads and Chouteau Trafficway, located in the Sherwood Estates, within the service boundaries of Northland Neighborhood Inc (NNI), whose mission is “to improve the quality of life in the Northland by collaborating with residents, businesses and institutions to empower neighborhoods to build and maintain their own healthy communities”.

The RFQ reference material attachments are hosted on a RKCDC Google Drive link and include: Alta Site Survey; Phase I & II Environmental Assessments; KCATA and KCMO TOD Policies, Vivion Road Stakeholder's Report; and IFF Childcare Assessment Study, among many documents. The RKCDC/KCATA solicitation seeks a development team and concept proposal from a team demonstrating qualifications, experience, and performance in the same or similar Transit Oriented Community (TOC) mixed-use developments, reflecting a history of successful public engagement with the development & design process, experience incorporating improved access to transit, mobility, walkability, greenspace & green design, and incorporating vital public/civic space. The successful team will also prioritize the inclusion of Multi-Family Housing and a childcare facility compatible with the overall development's goal to support residents and KCATA transit riders using this location to access jobs and services.

The TOC design and development outcomes should support proposed the TOC development to improve long-term transit ridership and public access to KCATA's 4 Pillars of Access: Housing, Jobs, Education and Healthcare. The development should account for all forms of transportation, mobility and transit services for KCATA's stakeholders such as fixed route transit, workforce service shuttles for residents and riders, transit on demand, trails, walk-ways, and electric bikes. The proposals should incorporate Stakeholder Input associated with Attachments, and plan for collaboration with RKCDC, KCATA, NNI and Focus Vivion Road Stakeholder Steering Committee, the City of Kansas City, and area neighborhoods.

KCATA/RKCDC expects the successful proposal to account for market rate land sale, land lease that includes TOC outcomes and facilities meeting redevelopment and transportation objectives of KCATA/RKCDC. The TOC Facility proposal will also be expected to incorporate and promote transportation, transit, walkability, mobility, green space, civic space, and a variety of transit services and forms that reduce and or provide alternatives to personal vehicle ownership, use, and vehicle parking.

- C. RKCDC is a potential party to the city of Kansas City's EPA application for redevelopment assistance with clean-up of the unoccupied site. The grant if awarded to the City would be available potentially for environmental cleanup for remediation priorities of some portion of the projected costs associated with the former automotive area lifts used in the Kmart building and building inspection performed in November 2022

identified cleanup related to asbestos duct lining removal through illegal access to the long-vacant building. Associated reports and engineering estimates are attached. If one or more grants are awarded the market valuation of the site's readiness for development will be the subject of negotiation.

- D. RKCDC/KCATA will work with the RFQ Evaluation Committee comprising representatives of KCATA, RKCDC, NNI, KCMO and Key Stakeholders that will review, evaluate, shortlist and ultimately select the preferred development team and concept proposal, or reject all proposals, and or decide to not proceed due to the absence of the response(s) received, and may reissue the RFQ process to lead to RFP for TOC Development.
- E. The TOC proposal should emphasize local conditions, neighborhood scaled density, and mixed uses that support transit goals and create economic value, revenues and benefits for the developer and KCATA, KCMO, NNI, and adjoining business and neighborhood districts. Proposers are strongly encouraged to think beyond traditional mixed-use apartment development. Creative proposals should seek a unique and impactful TOC Model with 4-sided architecture scaling to the site and neighborhood, with local input including KCATA/RKCDC for goals to job/workforce access to nearby services and employment centers.
- F. This RFQ will examine and evaluate each proposer and their concept proposal more fully outlined in section 4.2. Elements of evaluation will generally consider: development team composition and experience with similar developments; concept and design; mixed-use development massing & density; green design & space for public use access; and the overall connectivity in and between the site to the surrounding neighborhoods and development. The Attachments supporting this RFQ are intended to provide guidance for the proposals made, and used to ensure the successful balance of redevelopment outcomes for the site such as:
 - a. Incorporation of transit and mobility; multi-family residential; non-fast food restaurant; scaled retail and or commercial space; childcare facility; walkways and trails; civic space; greening of the overall site; connectivity to surrounding properties including Antioch Crossings Shopping Center.
 - b. KCATA's goals cited throughout this RFQ may include KCATA's use of a Transportation Development District and or Community Improvement District in support Transit Oriented Community development purposes. The development team is encouraged to explore how these tools will help achieve TOC outcomes.

Proposals should emphasize creative approaches to: parking solutions, existing and new KCATA transit services and funding sources for the same; workforce mobility examples like vans to shuttle residents and workforce from on-site to nearby locations; scalable and rentable vehicles; and electric bicycles and stations with the site's development suited to walkability and mobility choices. Proposals should summarize how the development will benefit: KCATA/RKCDC objectives; Key Stakeholders including NNI and KCMO, transit riders, and area neighborhoods.

2.2 RFQ Overview

The property at 2821 NE Vivion Road in the Northland of Kansas City Missouri provides 16.44 acres with approximately 4,300 square feet of an existing commercial building currently leased with two tenants with short-term leases, a third vacant space available for lease. The KCATA/RKCDC expects that redevelopment of the site will include a mixture of uses in one and or two phases for this RFQ. The KCATA has an existing park and ride at Antioch Crossing Shopping Center, which will be relocate and sized to be part of the site's redevelopment.

- A. RKCDC recognizes the site is transitioning from a vacant former Kmart building and attached theater to a mixed-use development. The successful development team and conceptual development proposal will need to be site and concept specific detailing potential transit and transportation uses for: Antioch Crossing Shopping Center; workforce/job access to employment centers, education centers, and services for residents of and to/through the site while scaling to surrounding neighborhoods and provide for public access mobility and walkability. The successful proposal will outline the conceptual development use(s) and density will enhance and support transit and mobility services. Proposing developers are strongly encouraged to consider the following:

- Promote vertical 4-sided architectural development/density, scaled to the site and location; creating a street-level and rooftop public access when feasible, Walkability, creation of mixed-uses for commercial/retail/residential uses; and location/neighborhood-specific uses and 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/rental vehicles for residents and workers, service and workforce shuttles to nearby employment centers, and linkages to the surrounding neighborhoods and commercial districts.
- Integration of a childcare center within the development, comparable in layout and size to KCATA's existing Metro Center at 39th and Troost (16K sq. ft.), ages from infant through school age.

B. If a final or preferred development proposal selection is made, RKCDC/KCATA may recommend entering into negotiations with the preferred developer(s), or return to shortlisted development proposals, or reject all proposals. This solicitation is open to all interested parties, and notices will be submitted to local and national media, recent developer lists for TOC and TOD RFQ/RFPs, and the KCATA/ RKCDC websites.

2.3 Proposed Development Location – 2821 NE Vivion Road, Kansas City, MO 64119

- A. This site and location is in in the Northland of Kansas City, Missouri located at 2821 NE Vivion south of Antioch Crossing Shopping Center and located adjacent to Sherwood Estates Neighborhood.
- B. **Existing Conditions.** The project area is referenced in several public and private plans that potential developers should consider in their responses. These plans include, but are not limited to the below that can be found at the below **Google Drive Link:** (see below link)

[https://drive.google.com/drive/folders/1MuAPnHArBe-YnH-ymM-9xZm6Lv7x6Xdd?usp=share link](https://drive.google.com/drive/folders/1MuAPnHArBe-YnH-ymM-9xZm6Lv7x6Xdd?usp=share_link)

- TOC RFQ
- KCATA Transit-Oriented Development Policy
- KCATA Transit Oriented Community (TOC) Menu by Specific TOC Category
- Site Alta Survey
- Environmental Phase I & II Limited Reports
- Environmental Site Assessment, Cleanup and Demolition Reports
- Vivion & Antioch Redevelopment-Stakeholder Engagement Report: December 2022
- Vivion Road Streetscape Plan
- Briarcliff - Winwood Area Plan
- KCMO TOD Policy Document
- IFF Childcare Need Assessment Around KCATA Potential Transit Hubs...Ex Summary 09.2022
- TOD203.....Concepts and Uses Guide

2.4 Response to this RFQ

- A. RKCDC/KCATA seeks interested development teams with concepts that are market feasible and supported by studies, creative in an approach that improve transit, mobility, connectivity, investment in development and result in improvement in the overall quality of life in the area.
- B. RKCDC/KCATA is open to a variety of site development and disposition considerations that may include:
- a. Market rate land sale or market rate land lease conditioned on successful negotiation and TOC Defined Outcomes being feasible and likely.
 - b. Childcare Center integration within the site's redevelopment resulting in meeting market study needs and conditions through the IFF Childcare Assessment Study: 10/2022.
 - c. Consider a commercial building to support a Northland Career/and or Workforce Training Center.
 - d. Multi-family residential that is area and site integrated.
 - e. Proposals will be expected to consider varied transit uses supported by compatible design extending beyond

bus transit, focus responsiveness to the KCATA's 4 Pillars of Access to: Housing, Jobs, Healthcare and Education; scaled density.

- C. RKCDC will be looking for proposals that incorporate Transit Oriented Community design, construction and mixed uses, greenspace, civic space, trails, pedestrian friendly, environmental sustainability and scaled integration into neighborhoods and surrounding roadways and development.
- D. RKCDC seeks proposing firms that have demonstrated qualifications for creative mixed-use development achievable in the marketplace, avoiding site speculation, and development team history, experience, performance with the ability to bring equity and financing, types of proposed incentives and uses.
- E. KCATA & RKCDC with the Development Advisory Committee will evaluate each proposing team and concept for a variety of criteria stated throughout this solicitation for TOC Development Attributes. RKCDC may choose to select a shortlist of proposing teams, enter into negotiation with a team, reject some or all of the proposing teams subject to a detailed review of submitted proposals. The final recommendation by RKCDC/KCATA for advancing a preferred team proposal is at the RFQ solicitor's sole discretion.

SECTION 3

PROPOSAL INSTRUCTIONS

3.1 General Information

- A. The terms "solicitation" and "Request for Qualifications (RFQ)" 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 their team proposal until the 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 US mail/Special Package Delivery should include a flash drive with the full proposal contents. Other forms of transmittal are not acceptable and will not be considered.

Proposals must be delivered to RideKC Development Corporation (or the Multi-tenant building manager's office: BrickKC) located at 1106 E. 30th Street, 2nd Floor Ste M, Kansas City, MO 64109.

- C. In cases where communication is required between RFQ respondents and RKCDC/KCATA, such as requests for information, instruction, and clarification will be forwarded ONLY in writing directly to Brien Starner, President, RKCDC at: bstarner@ridekcdc.org by the indicated deadline. The subject line of electronic communications (email) must reference the RFQ number and title.
- D. RKCDC/KCATA is not responsible for any cost or expense that the Proposer may incur before submittal of their proposal for the RFQ, shortlist or the execution of a contract, including costs associated with preparing a proposal or interviews.

3.2 Reservations

RKCDC/KCATA reserves the right to waive informalities or irregularities in proposals, to accept or reject any or all proposals, to cancel this RFQ in part or in its entirety, and to re-advertise for proposals if it is in the best interest of the Corporation and KCATA. RKCDC/KCATA shall be the final judge of what is in its best interest with respect to this RFQ, with input as needed from our stakeholders, leading to a recommendation(s) by RKCDC/KCATA on responses.

3.3 Proposer's Responsibilities

- A. Information contained within this RFQ is presented as "to the best of our knowledge." Development teams 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 RFQ and the proposal is made in accordance with the RFQ requirements and instructions;
2. The Proposer possesses the capabilities, resources, and personnel necessary to enter a development team 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 and identify one primary point of contact for 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 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 a pre-development agreement is executed pursuant to this RFQ, 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/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 KCATA/RKCDC reserves the right to release any documents if determined that such information is a public record pursuant to the Missouri Sunshine Law.

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

- A. It is the policy of RKCDC/KCATA 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 this TOC development. It is also the policy of RKCDC/KCATA to follow the KCATA’s standards for measurable outcomes for DBE/MBE/WBE participation:
1. Ensure nondiscrimination in the award and administration of locally funded contracts;
 2. Create a level playing field on which MBEs/WBEs can compete fairly for locally funded contracts;
 3. Ensure that the MBE/WBE 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 MBEs/WBEs;
 5. Help remove barriers to the participation of MBEs/WBEs in locally funded contracts;
 6. To promote the use of MBEs/WBEs in all types of locally funded contracts and procurement activities; and
 7. Assist in developing firms that can compete successfully in the marketplace outside the MBE/WBE program.
- B. Certified DBE’s, MBE’s, WBE’s, and SBE’s are encouraged to submit proposals as prime or subcontractors whether a goal is set or not.
- C. **Non-discrimination.** Proposers shall not discriminate based on 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 locally funded 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.** MBE/WBE firms may participate as prime contractors, subcontractors, or suppliers. KCATA will only recognize firms that are certified as MBEs/WBEs under the MBE/WBE Criteria based on 49 C.F.R. (Code of Federal Regulations) Part 26, Subpart D Firms (§26.61 through §26.73) where applicable, and Subpart E (§26.81 through §26.87) where applicable. Only firms certified with **KCATA, City of Kansas City, MO, State of Missouri Office of Equal Opportunity, or Kansas Department of Commerce** will be considered eligible to meet KCATA’s MBE/WBE project goals. Each firm’s signed MBE or WBE certificate will need to be included in their bid package to be considered for MBE or WBE goal participation. A list of certified firms from each agency is listed below:
- A. KCATA Certified Vendors <https://kcata.diversitycompliance.com/>
 - B. City of Kansas City, MO Certified Vendors <https://kcmohrd.mwdbe.com/>
 - C. Missouri Office of Equal Opportunity Certified Vendors <https://apps1.mo.gov/MWBCertifiedFirms/>
 - D. Kansas Department of Commerce Certified Vendors <http://mwbds.kansascommerce.com/>

E. MBE/WBE Participation Credit. MBE/WBE firms may participate as Prime Contractors, Subcontractors or Suppliers.

Goals shall be established for individual contracts by the DBE/MBE/WBE Liaison Officer in conjunction with the Procurement Department. Goals are not required for contracts that are not competitively awarded, are awarded to a nonprofit entity, or those contracts funded by the FTA. Goals shall be applied to the total dollar value of the contract.

Individual contract goals shall be flexible and are to be determined on a contract-by-contract basis. In determining whether goals should be established for an individual contract or in setting the specific goal for an individual contract, the following shall be considered:

- The scope of work;
- The number and types of qualified MBEs and WBEs available to perform such work, or portions of it;
- Goals will not be assigned to work scopes that have 3 or fewer certified firms within the scope;
- Whether the contract can be structured to create potential opportunities for qualified MBEs and WBEs to participate as subcontractors, service providers and/or suppliers; and
- The level of participation of certified MBEs and WBEs in similar contracts awarded by other local agencies, and on local projects awarded by the state and federal governments in the previous and current fiscal years.

When goals are established for a contract, such goals shall be stated in any Invitation for Bids (IFB) or Request for Proposals (RFP). No IFB or RFP shall be released until a goal has been established. The following shall be credited towards achieving the goals, except as provided herein:

1. The total contract dollar amount that a qualified MBE/WBE Prime Contractor earns for that portion of work on the contract that is performed by its own workforce, is performed in a category in which the MBE-WBE is currently certified and is a commercially useful function as defined by the Program. **KCATA's MBE/WBE Program requires that an MBE/WBE prime contractor must perform at least 30 percent of the contract value with its own workforces.**
2. The total contract dollar amount that a Prime Contractor has paid or is obligated to pay to a subcontractor that is a qualified MBE/WBE; and
3. Subcontractor participation with a lower tier MBE/WBE subcontractor; and
4. Sixty percent (60%) of the total dollar amount paid or to be paid by a Prime Contractor to obtain supplies or goods from a supplier who is not a manufacturer and who is a qualified MBE/WBE. If the MBE/WBE is a manufacturer of the supplies, then one hundred percent (100%) may be credited, to be determined on a case-by-case basis.
5. NO CREDIT, however, will be given for the following:
 - a. Participation in a contract by an MBE/WBE that does not perform a commercially useful function as defined by the Program; and
 - b. Any portion of the value of the contract that an MBE/WBE Subcontractor subcontracts back to the prime contractor or any other contractor who is not a qualified MBE/WBE; and
 - c. Materials and supplies used on the contract unless the MBE/WBE is responsible for negotiating the price, determining quality and quantity, ordering the materials and installing (where applicable) and paying for material itself; and

- d. Work performed by an MBE/WBE in a scope of work other than that in which the MBE/WBE is currently certified.

F. Good Faith Efforts. Failure to meet the contracted MBE/WBE participation commitment without documented evidence of good faith efforts may result in the termination of the contract.

1. In evaluating good faith efforts, KCATA will consider whether the Proposer has performed the following, along with any other relevant factors:
 - (a) Soliciting through all reasonable and available means (e.g., attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified MBEs/WBEs who have the capability to perform the work of the contract. The bidder must solicit this interest within a sufficient time to allow the MBEs/WBEs to respond to the solicitation. The bidder must determine with certainty if the MBEs/WBEs are interested in taking appropriate steps to follow up on initial solicitations. Copies of the solicitation efforts (dated facsimiles, advertisements, emails) must be submitted.
 - (b) Selecting portions of the work to be performed by MBEs/WBEs in order to increase the likelihood that the MBE/WBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MBE/WBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.
 - (c) Providing interested MBEs/WBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
 - (d) Negotiating in good faith with interested MBEs/WBEs.
2. It is the bidder's responsibility to make a portion of the work available to MBE/WBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available MBE/WBE subcontractors and suppliers, so as to facilitate MBE/WBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of MBEs/WBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for MBEs/WBEs to perform the work.
3. A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including MBE/WBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using MBEs/WBEs is not in itself a sufficient reason for a bidder's failure to meet the contract MBE/WBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good-faith efforts. Prime contractors are not, however, required to accept higher quotes from MBEs/WBEs if the price difference is excessive or unreasonable.
4. Not rejecting MBEs/WBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the contractor's efforts to meet the project goal.
5. Making efforts to assist interested MBEs/WBEs in obtaining bonding, lines of credit, or insurance as required by the KCATA or contractor.
6. Making efforts to assist interested MBEs/WBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.

7. Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of MBEs/WBEs. Please go to <https://www.kcmo.gov/city-hall/departments/human-relations/minority-and-women-organizations> for a list of minority/women community organizations.
8. In determining if the Contractor did use good faith efforts in securing MBE/WBE Participation, KCATA may request copies of each MBE/WBE and non-MBE or non-WBE subcontractor quote in the event a non-MBE or non-WBE subcontractor was selected over a MBE/WBE for work on the contract.
9. ALL bidders must submit MBE/WBE Commitments/Good Faith Efforts with a sealed bid, as a matter of responsiveness. There will be not be an extension beyond five days if an apparent low bidder does not meet the goal or document GFEs.

G. **Request for Modification, Replacement or Termination of Minority Business Enterprise (MBE)/Women Business Enterprise (WBE) Project Participation**. Contractor is responsible for meeting or exceeding the MBE/WBE commitment it has proposed for the project and as amended by any previously approved Request for MBE/WBE Modification/Substitution. Any Change Orders or amendment modifying the amount Contractor is to be compensated will impact the amount of compensation due to MBEs/WBEs for purposes of meeting or exceeding the Proposer commitment. Contractor shall consider the effect of a Change Order or amendment and submit a **Request for Modification/Substitution Form** if the MBE/WBE commitment changes.

1. **Termination Only for Cause - *Once the contract has been awarded; the Contractor may not terminate an MBE/WBE subcontractor without KCATA's prior written consent.*** This includes, but is not limited to, instances in which a Contractor seeks to perform work originally designated for an MBE/WBE subcontractor with its own forces or those of an affiliate, a non-MBE or non-WBE firm, or with another MBE/WBE firm.

a. **Good Cause** - Good cause includes the following circumstances:

- 1) The listed MBE/WBE subcontractor fails or refuses to execute a written contract; or
- 2) The listed MBE/WBE subcontractor fails or refuses to perform the work of its normal industry standards. Provided, however, that the good cause does not exist if the failure or refusal of the MBE/WBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the Prime Contractor; or
- 3) The listed MBE/WBE subcontractor fails or refuses to meet the Prime Contractor's reasonable, nondiscriminatory bond requirements; or
- 4) The listed MBE/WBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness; or
- 5) The listed MBE/WBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant to 2 CFR Parts 180, 215 and 1200 or applicable state law; or
- 6) The MBE/WBE subcontractor is not a responsible contractor; or
- 7) The listed MBE/WBE subcontractor voluntarily withdraws from the project and provides the Prime Contractor written notice of its withdrawal;
- 8) The listed MBE/WBE is ineligible to receive MBE/WBE credit for the scope of work required;

- 9) An MBE/WBE owner dies or becomes disabled with the result that the listed MBE/WBE contractor is unable to complete its work on the contract;
 - 10) Other documented good cause that compels KCATA to terminate the MBE/WBE subcontractor. Provided the good cause does not exist if the Prime contractor seeks to terminate an MBE/WBE it relied upon to obtain the contract so that the Prime Contractor can self-perform the work for which the MBE/WBE contractor was engaged or so that the Prime Contractor can substitute another MBE/WBE or non-MBE/non-WBE contractor.
- b. Before submitting its request to terminate or substitute an MBE/WBE subcontractor, the Prime Contractor must give notice in writing to the MBE/WBE subcontractor, with a copy to KCATA, of its intent to request to terminate and/or substitute, and the reason for the request.
 - c. The Prime Contractor must give the MBE/WBE five days to respond to the Prime Contractor's notice and advise the KCATA and the Contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why KCATA should not approve the Prime Contractor's action. If required in a particular case as a matter of public necessity (e.g., safety), the response period may be shortened.

H. MBE/WBE Job-Site Review Commercially Useful Function (CUF) Determination. KCATA will be conducting on-site interviews with all MBE/WBE contractors. The number of interviews will be based on the MBE's/WBE's projected scope of work. KCATA staff will work closely with the Prime Contractor on the project schedule to determine when MBE/WBE subcontractors will be on the project.

3.9 Proposal Format/Content

Proposers are asked to submit one original, three (3) copies of their proposal, and a digital flash drive.

- A. The Original shall be unbound. The copies may be bound, and all copies and originals shall have the RFQ 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 50 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 an 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 reasonable determination as to whether the proposal will meet RKCDC/KCATA 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 RFQ 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 with TOC and transit-focused development is desirable.
 - 6) Financial capability and administrative capacity to undertake the project.
 - 7) Proposed development concept timeline and milestones, pending acceptance of the 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 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 RFQ.

- e. The offeror shall demonstrate past performance related to the scope of the proposal. The offeror shall provide at minimum three (3) development references for themselves and for any development partners (if applicable) to enable RKCDC/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's agency or commercial customer;
- 2) Contract type;
- 3) Contract value;
- 4) Name, telephone number, and e-mail address of the individual able to provide information about the offeror's past performance.

4. Key Proposal Components Including Concept

- a. The developer should describe how the potential Transit Oriented Community mixed-use development concept will benefit KCATA and create TOC outcomes, and connect with the surrounding community, identify how the proposal will create significant impact and benefits beyond the site, including KCATA/RKCDC transportation (transit) goals and asset uses associated with the site.
- b. Understand the site and its ability with the proposed development team and concept to generate and support KCATA ridership goals, achieve neighborhood scaled development, utilize structured and surface parking and alternate parking approaches throughout the development, incorporate sources of revenue generation from the site's sale, development fee/land lease opportunities for KCATA/RKCDC.
- c. What is being asked of RKCDC/KCATA's participation in the proposed development.
- d. Proposed development timeline and phases.
- e. Projected development budget for the proposed concept, including budget by phase of the development concept(s).
- f. Describe potential to integrate the development with KCATA/RKCDC facilities (e.g. Childcare Center Building).

5. General Project Budget Overview

- a. Project proposals will broadly outline and explain the estimated budget of the proposer's development concept, plan, projected cost, and likely finance sources for the projects, including breakout for developer equity, bank and conventional debt financing, bond financing, other financing tools, and consideration regarding RKCDC/KCATA's role if any. Please provide a list of financial institutions with reference letters detailing the principal's ability for 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 site. 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, mobility, and walkability benefits to the development.

6. 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.

7. 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.

8. 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 which 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. Debarment

- a. The Proposer 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 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/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.

3.10 Submittal Instructions

- E. Proposals must be submitted in accordance with the instructions contained 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.
- F. Proposals submitted must be addressed and delivered to KCATA/RKCDC at the following address. This is also the address to be used for all communication in connection with this RFQ:

RideKC Development Corporation
Attn: Brien Starner – President
1106 E. 30th Street, Suite M/2nd Floor
Kansas City, Missouri 64109

- G. **The outside of each package shall be clearly marked, # RFQ 2023-03-23**
- H. Proposals should be sent via overnight carrier.
- I. 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.
- J. Development Team Concept proposal submission shall constitute a formal proposal (for up to one hundred twenty (120) days from the date of the RFQ close) to have the development team and TOC concept evaluated and potentially selected, rejected or held until through to selection of a preferred development team and concept has been, the process may require.

SECTION 4.

4.1 Basis for Selection for Negotiation

RKCDC/KCATA will select one or more development teams or reject all proposals on the basis of qualifications, experience, and TOC concept among other identified criteria for a shortlist, and reserves the right to negotiate based with a proposing development team(s) that is determined to best meet the goals expressed in this RFQ being most advantageous to RKCDC/KCATA.

4.2 Proposal Evaluation Criteria

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

- A. The proposed development team’s qualifications, experience, and successful history with similar developments.
- B. The TOC development concept and design elements to include; incorporation of transportation and mobility uses/center; scaled massing/density of development, and public space and access suited to the location; land use; integration of the development concept/mix and scale to the site and area.
- C. Concept incorporation and connectivity of greenspace, pedestrian civic space, trails and walkways, location, and use of parking.
- D. Inclusion of concept uses that incorporate a site-specific scaled transit center supporting uses for: multi-family residential, non-fast food sit-down restaurant, commercial, retail, interest in a potential childcare center, and or job/career workforce center.
- E. Development concept mix for quality, creativity, financial feasibility, timeline for the proposed development concept, benefit to serve residents and works on site and KCATA’s ridership, key stakeholders, and create KCATA revenue.
- F. Consideration and inclusion of local site, neighborhood, and area input to inform the development.
- G. Ability to reasonably demonstrate access to developer equity and financing sources for the proposed concept scale and mix of the proposed TOC development.

- H. Development team capacity to plan, execute and implement the TOC development, and undertake community engagement commitment, which will include the feasibility of the proposed mixed-use development.
- I. Concept's integration of transit-oriented community development features that maximize the use of transit-centered options including: fixed route services, workforce shuttles, transit on demand, other supported mobility options, and the overall approach to parking creating benefits for the residents/employees using the site including appropriate use for tools like a Transportation Development District, Community Improvement District.

4.3 Presentations/Interviews/Written Responses

Proposers submitting responsive and responsible proposals may be invited to interview with the evaluation committee which will be 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 an interview will be notified. RKCDC/KCATA 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 criteria the Evaluation Committee will assist and inform and make recommendations to KCATA/RKCDC to help determine the selection of the preferred development team(s) and concepts for the site that represent the ability to achieve the goals and objectives for TOC development concepts best addressing KCATA's transit, development, stakeholder, ridership, and revenue goals.
- B. RKCDC/KCATA has the option to proceed to a shortlist of one or more proposals, select a preferred proposal, and enter into contract negotiations with the chosen firm or firms.
- C. RKCDC/KCATA reserves the right to reject all proposals.

ATTACHMENT A.
KANSAS CITY AREA
TRANSPORTATION AUTHORITY
TRANSIT-ORIENTED COMMUNITY
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 policies to support strategic Transit-Oriented Community development (TOC/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 TOC opportunities development of enabling policies, goals and measurements are needed to guide the 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 TOC 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 TOC or transit development opportunities.

TRANSIT-ORIENTED COMMUNITY DEFINITION

As suggested by the name TOC is anchored by some form and or combination of public transportation, walkability, mobility, fixed route transit corridors, and other modes of public transit. It has been widely accepted as a vital planning paradigm for creating attractive, livable, walkable and sustainable urban environments. The purpose of TOC is to concentrate higher density housing, commercial and mixed-use development close to existing transit infrastructure, thereby providing alternatives to automobile utilization. Traditionally, TOC development radiates roughly a half mile or less than 15 minutes walking distance from its anchoring transit station.

Often, TOC consists of the following mix of design characteristics:

- A mix of commercial, multi-family, single-family residential and compatible land uses
- Moderate-to-high residential densities, mixed income and housing supporting area workers.
- High-quality pedestrian environments, greenspace, sidewalks, and connected walking trails emphasizing access and mobility options
- Supports various forms of public and private transit and transportation
- Builds or improves public transit connections between and with KCATA's 4 Pillars of Access to: Housing, Jobs, Healthcare and Education.

A mix of compatible land uses are highly desirable in TOC 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 mixes of incomes and rates, retail and office use. Increased density is a critical aspect of successful TOC that includes, business, workforce, residential, and other uses.

In TOC developments, most structures are designed at medium-to-high unit density scaled to the surrounding neighborhood and environment. 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 TOC. 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 TOC 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, automobile parking, and access are also significant design factors to consider in TOC developments.

TOC 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 community 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 TOC 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 TOC/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 TOC/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, and priorities for removing development barriers. Examples of development, project and transit initiatives that may emerge include: mixed-use development; residential and multi-family, 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 Community 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, and President/CEO will review, advise and recommend for KCATA/RKCDC approval of the use of land, financing and budget specific to any TOC/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 source, 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 Community 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 support transit goals and objectives.
- RKCDC and or KCATA may acquire, assemble, use eminent domain, finance or issue debt, and sell or lease property to assist the 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, 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 TOC/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 if required.

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 weigh 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 TOC?
- Is the development adjacent to or near an existing KCATA transit corridor?
- Is the development located at an identified or proposed TOC development 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 the 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 reporting 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 TOC 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 adopted 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 TOC development 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 TOC development. The development of transit-oriented facilities 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 TOC development design concepts. TOC development can have an overall positive impact on 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 TOC and more sustainable development practices. Regardless of what TOC development 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 C-1
AFFIDAVIT OF PRIMARY PARTICIPANTS
COMPLIANCE WITH SECTION 285.500 RSMO, ET SEQ.
REGARDING EMPLOYEE ELIGIBILITY VERIFICATION

STATE OF _____

COUNTY OF _____

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

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

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

I hereby additionally swear or affirm that the business entity is enrolled in an electronic verification of 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 _____, 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 C-2
AFFIDAVIT OF LOWER-TIER PARTICIPANTS
COMPLIANCE WITH SECTION 285.500 RSMO, ET SEQ.
REGARDING EMPLOYEE ELIGIBILITY VERIFICATION**

STATE OF _____

COUNTY OF _____

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

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

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

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

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

Affiant's signature

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

My Commission expires: _____

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

**ATTACHMENT D-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 D-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

