



REQUEST FOR PROPOSALS

for

Consultant Services for the Thayer Street Planning Study

December 21, 2012

Department of Planning and Development

City of Providence, Rhode Island

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminister Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com

Terms and Requirements for Bidding

Item Description: Request for Proposals for Consultant Services for the Thayer Street Planning Study.

Date and Time to be opened: January 28, 2013 at 2:15 PM

Bids may be submitted up to **2:15 P.M.** on the above meeting date at the **Department of the City Clerk, Room 311, City Hall.** At 2:15 P.M. all bids will be publicly opened and read at the Board of Contract Meeting. City Council Chambers, third floor City Hall.

Instructions

1. Vendors must submit sealed bids in the bid envelope provided (or in an envelope clearly labeled with the above captioned item or work). The bid envelope and information relative to the bid must be addressed to:

Board of Contract and Supply
Department of the City Clerk
City Hall, Room 311
25 Dorrance Street
Providence, RI 02903

2. Communications to the Board of Contract and Supply that are not competitive sealed bids (i.e. product information/samples) should have **"NOT A BID"** written on the envelope or wrapper.
3. Bids must meet the attached specifications. Any exceptions or modifications must be noted and fully explained.
4. Bidder's responses must be in ink or typewritten, and all blanks on the bid form should be completed.
5. The price or prices proposed should be stated both in **WRITING** and in **FIGURES**, and any proposal not so stated may be rejected.
6. Bids **SHOULD BE TOTALED**. Do not group items: price each item individually. Awards may be made on the basis of **total** bid or by **individual items**.
7. Each bidder is required to state in his proposal his full name and place of residence; and must state the names of all persons or firms with whom he is submitting a joint bid. All bids **SHOULD BE SIGNED IN INK**.

Notice to Vendors

1. The Board of contract and Supply will make the award to the lowest responsible bidder who submits bid.
2. No proposal will be accepted if made in collusion with any other bidder.
3. A bidder who is an out-of-state corporation shall qualify or register to transact business in this State, in accordance with R.I. General Laws (as amended). Sections 7-1.1-99, 7-1.1-105. 7-1.1-106
4. The Board of Contract and Supply reserves the right to reject any and all bids(s).
5. In determining the lowest responsible bidder, cash discounts for payment less than thirty (30) days will not be considered.
6. Where prices are the same, the Board of Contract and Supply reserves the right to award to one bidder, or to split the award.
7. Competitive prices may be obtained by all bidders attending formal bid opening. After a reasonable lapse of time, tabulation bids may be seen by applying in person at the Department of the City clerk, City Hall, Providence. Telephone or written requests for the above will not be honored.
8. As the City of Providence is exempt from the payment of Federal Excise Taxes and Rhode Island Sales Tax, prices quoted are not to include these taxes.
9. In case of error in the extension of prices quoted, the unit price will govern.
10. The contractor will not be permitted to either assign or underlet the contract, nor assign either legally or equitably any moneys hereunder. Or its claim thereto without the previous written consent of the City Purchasing Director.
11. Delivery dates must be shown in your bid. If no delivery date is specified, it will be assumed that an immediate delivery from stock will be made.
12. A certificate of insurance may be required of a successful vendor.
13. Bids may be submitted on an "equal" in quality basis. We reserve the right to decide equality. Bidders must indicate brand or the make being offered and submit detailed specifications if other than brand requested.
14. For contracts involving construction, alteration and/or repair work, the provisions of State Labor Laws concerning payment of prevailing wage rates apply (See R.I. General Laws Sec. 37-13-1 et seq. As amended)
15. No goods should be delivered or work started without a Purchase Order.
16. **Please submit one original and two copies of your bid to the City Clerk.**
17. Vendor must certify that it does not unlawfully discriminate on the basis of race, color, national origin, gender, sexual orientation and/or religion in its business and hiring practices and that all its employees are lawfully employed under all applicable federal, state and local laws, rules and regulations.

CERTIFICATION OF BIDDER

(Non-Discrimination/Hiring)

Upon behalf of _____
(Bidder's Name)

I, _____,
(Name of Person Making Certification)

being its _____, hereby certify that:
(Title of Person Making Certification)

1. Bidder does not unlawfully discriminate on the basis of race, color, national origin, gender, sexual orientation and/or religion in its business and hiring practices.
2. All of Bidder's employees have been hired in compliance with all applicable federal, state and local laws, rules and regulations.

Witness my hand, duly authorized on behalf of Bidder, on this

_____ day of _____ 20____.

Bidder's Name: _____

By: _____
(Printed Name)

Title: _____

Construction and Service Bid Terms

- ~~1. The Board of Contract and Supply will not consider any bid unless it is accompanied by a CERTIFIED CHECK FOR \$ 0 to be deposited with the City Clerk as a guarantee that the Contract will be signed and delivered by the bidder; OR~~
- ~~2. The Board of Contract and Supply will not consider any bid not accompanied by a bid bond in the amount of 0 per centum (%) of the proposed total price, to be deposited with the City Clerk as a guarantee that the contract will be signed and delivered by the bidder; and in default thereof, the amount of such check or bid bond shall be retained for the use of the City as liquidated damages on account of such default.~~
3. A performance and payment bond with a satisfactory surety company will be posted by the successful bidder in a sum equal to one hundred per centum (100%) of the awarded contract
Required ☐ **Not Required** ☒
4. It is hereby mutually understood and agreed that no payment for extra work shall or will be claimed or made unless ordered in writing by the Board of Contract and Supply.
5. Awards will be made within sixty (60) days of bid opening. All bid prices will be considered firm, unless qualified otherwise. Requests for price increases will not be honored.
6. Failure to deliver within the time quoted or failure to meet specifications may result in default action in accordance with the general specifications. It is agreed that deliveries and/or completion are subject to strikes, lockouts, accidents and Acts of God.
7. Only one shipping charge will be applied in the event of partial deliveries for blanket or term contracts.
8. The successful bidder shall, prior to commencing performance under the contract, attach and submit evidence that they have complied with the provisions of the Rhode Island Worker's Compensation Act Title 28, Chapter 29, Section 1, et seq. (R.I.G.L.). If the successful bidder is exempt from compliance under the Worker's Compensation Act, an officer of the successful bidder shall so state by way of sworn Affidavit, which shall accompany the signed contract.
9. The successful bidder shall prior to commencing performance under the contract attach and submit a certificate of insurance, in a form and in the amount satisfactory to the City by which the successful bidder will indemnify and hold harmless the City during the term of the contract from and against all loss or damages arising from the performance under the contract including all claims for personal injury or damages to property sustained by third persons, or their agents, servants and/or those claimed under them.

Introduction

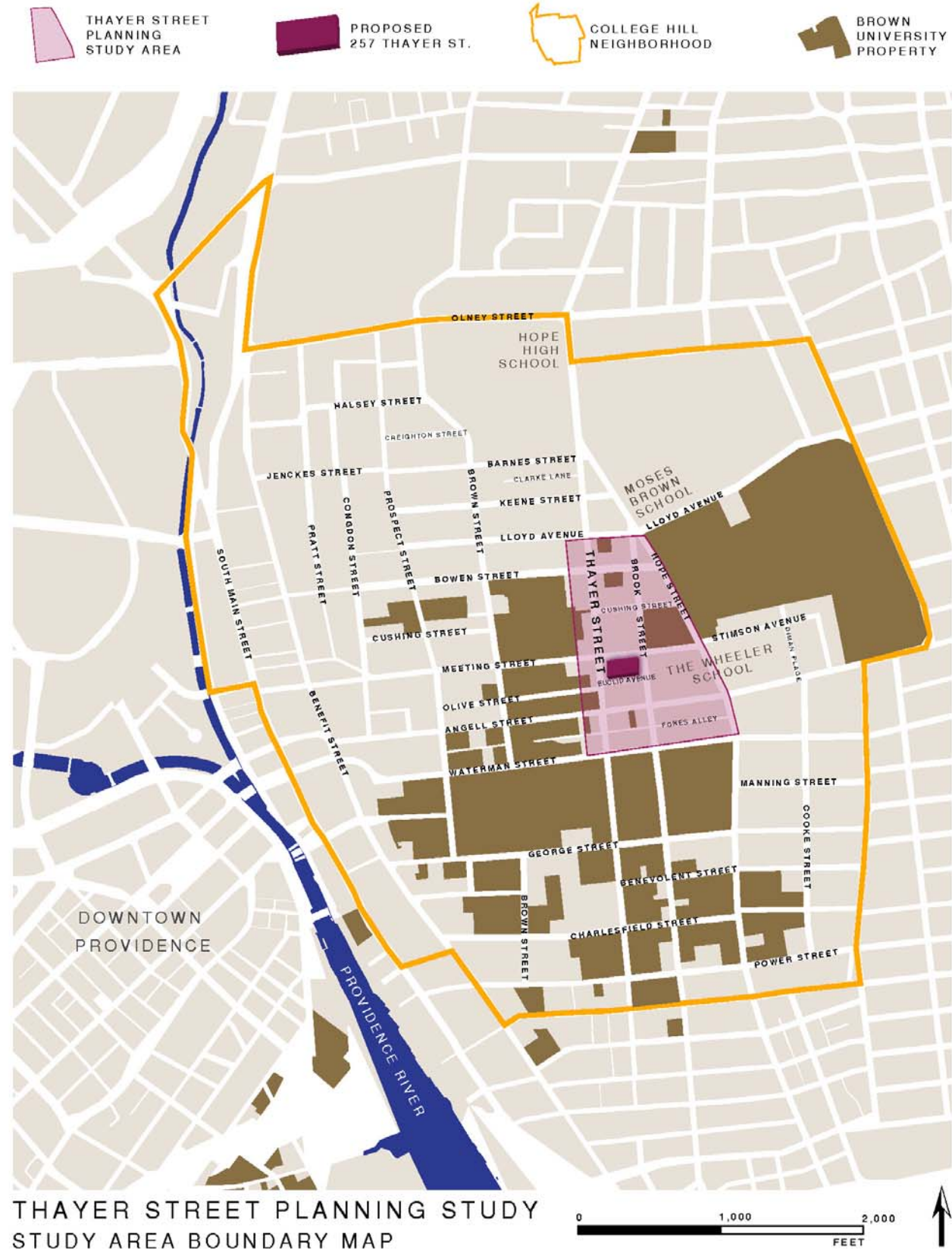
The City of Providence Department of Planning & Development (DPD) seeks to hire a consulting firm/team (Consultant) to prepare a plan for the future development of Thayer Street Planning Study Area, identified as the area bounded by Lloyd Avenue, Hope Street, Waterman Street and the rear lot line of the parcels that face the western side of Thayer Street. The Consultant will produce an urban design concept and guidelines for the Study Area based on comprehensive analyses of the Study Area's development character, regulatory framework, market conditions/potential and transportation network. The DPD is requesting proposals from Consultants that have demonstrated excellence in integrating the disciplines of urban design and planning, economic development and market analysis, historic preservation and multi-modal transportation planning.

The Consultant will work with DPD staff and the public on the Thayer Street Planning Study (the Study). The Consultant will engage and collaborate with a stakeholder committee that has been assembled by DPD and will be actively involved in guiding the planning effort. The Consultant will also work with the Thayer Street District Management Authority to identify strategies for attracting desired development in the Study Area, and the Rhode Island Public Transit Authority (RIPTA) to plan and design amenities for a future streetcar hub in the Study Area.

Three (3) copies of the proposal shall be received by **2:15 PM on January 28, 2013**. Proposals received after the specified date and time will not be accepted for consideration.

Proposals shall be addressed to:

Board of Contract and Supply
Department of the City Clerk
City Hall, Room 311
25 Dorrance Street
Providence, RI 02903



Project Overview

Study Area

The Study Area is bounded by Lloyd Avenue, Hope Street, Waterman Street and the rear lot line of the parcels that face the western side of Thayer Street (collectively, the Study Area).

Project Background & Overview

Thayer Street is the largest commercial street in the City's historic College Hill neighborhood. Businesses along Thayer Street are currently dominated by fast food and small retail establishments which attract a large student population from nearby Brown University (Brown) and the Rhode Island School of Design (RISD), in addition to patrons from other areas of the City.

Brown is the primary landholder of land within the Study Area, as well as of land along the eastern and southern edges of the Study Area boundary. Non-collegiate institutions proximate to the Study Area include Moses Brown School, Hope High School and The Wheeler School; the latter of which is located within the eastern section of the Study Area and is considered the Study Area's secondary landholder.

A current point of some contention among residents in College Hill is 257 Thayer - a 102-unit residential building that has been marketed to Brown students and is proposed for the center of the street's commercial core. Additional expansion of Brown's campus, including commercial and student housing development opportunities within, and immediately east of, the Study Area, have generated the need for this Request for Proposals. Furthermore, Brown recently initiated an update to its *Strategic Framework for Physical Planning* document, which it hopes to coordinate with this planning effort.

Additionally, the City is working in conjunction with the Rhode Island Public Transit Authority (RIPTA) to implement a streetcar project that will have a direct impact on the Study, as a terminus for the proposed streetcar alignment has been identified within the Study Area boundary. The location of and plans for this streetcar hub will be introduced to the public as part of the Study. Planning and design of the amenities associated with this streetcar hub in both the short- and long-terms, such as wayfinding, adequate shelter and route information, safety, and lighting, will be part of the Study. The Consultant will be expected to work with the public to determine the appropriate design scheme for these amenities.

Key Issues & Concerns

The following key issues and concerns have been identified by residents, stakeholders and DPD staff and should be addressed by the Study:

Quality of Life

- What can be done to improve and maintain a high quality of life for area residents in light of concerns relating to nightlife, noise and graffiti?
- How can conflicts between student activity and neighborhood residential life be minimized?

The Built Environment

- What are the desired mixes of commercial uses and the ideal limits of commercial growth?
- What are the optimal commercial and residential densities and appropriate height, scale and massing of buildings?

- How and where can anticipated Brown University growth (particularly dormitory development) best be accommodated and assimilated?
- What can be done to improve edge conditions and transitions between institutions and residential areas?
- What is the role of historic preservation, particularly in the context of evolving urban design?

Traffic, Transportation and Circulation

- What effect will proposed transit expansion (bus, streetcar) have and how can Thayer Street be an effective transit hub?
- What can be done to ease traffic congestion and improve circulation?
- What steps should be taken to improve pedestrian and bicycle circulation and safety?
- How can parking be accommodated, how much is needed, should on-street regulations be amended, how can signage be improved, and how can enforcement be improved?

Streetscape and Aesthetics

- How can sightlines and visual clutter be improved (utilities, signage, etc.)?
- How can sidewalk/paving discontinuity and disrepair be addressed?
- What steps can be taken to reduce visual clutter (signs, placards, utilities, etc.)
- How can the visual impacts, sanitary conditions and odorous impacts of dumpsters and private waste receptacles be minimized?
- How can the appearance of alleys and service areas be improved?
- What can be done to address unsightly and poorly maintained “front yards” (particularly multi-unit residential)?
- What can be done to improve the streetscape, including plantings, trees/tree pits, street furniture, outdoor uses and seating, and amenities?

Programming and Operations

- How can the management of available space be improved with respect to commercial deliveries, processing and waste disposal?
- What are the roles of neighborhood, merchant and district management groups?

It is essential that future development proposed for the Study Area respects the surrounding residential character and quality of life of the College Hill community; preserves and complements historic resources and aesthetics; improves the streetscape, particularly for pedestrian use; and promotes a vibrant mix of uses while accommodating appropriate institutional growth.

Scope & Performance of Services

Qualifications

The successful Consultant must have extensive planning and economic development experience. The Consultant will be required to provide a full range of urban design, transportation, economic and spatial analyses to complete the tasks described in this RFP. The Consultant team must be led by a Project Manager with expertise and practical experience in managing a multi-disciplinary consultant team, leading a successful planning process and producing excellent materials. The Consultant may contract with sub-consultants and vendors that the Consultant deems necessary to complete the Scope of Services, subject to DPD approval. If necessary, the DPD may also direct the Consultant to appropriate subconsultants.

The successful Consultant should have demonstrated experience organizing and conducting successful community outreach and stakeholder engagement processes. The Consultant will be responsible for engaging the stakeholder committee in an advisory capacity, and gathering public input, throughout the planning process. This outreach process will include at least three (3) public/community meetings and five (5) stakeholder committee meetings. The DPD will assist with the public/community meetings for this project.

The successful Consultant will be required to provide statements of insurance acceptable to the DPD, prior to executing contracts, with the DPD listed as an additional insured for general liability and motor vehicle coverage.

Scope of Services

The Scope of Services for this RFP consists of eight (8) tasks and their respective subtasks, as well as deliverables that are to be prepared by the Consultant. The tasks outlined in this Scope of Services are based on the best understanding of DPD staff, though modifications to the Scope of Services are welcome. It is anticipated that the selected Consultant and the DPD will work together to refine/revise the Scope of Services and work plan prior to the contract's execution. The Scope of Services proposed for the Study includes the following tasks:

- TASK 1** *Existing Conditions Analysis*
Review of relevant plans, proposals and historic resource inventories and inventories/mapping of existing regulatory zones (including Institutional), land uses, buildings, streets and alleys, property ownership, streetscape features, and other pertinent data;
- TASK 2** *Character Analysis*
Analysis of current development character, relationships of buildings to the street, land use patterns, Study Area edge conditions and transition areas, open spaces, streetscape treatments, and development opportunity sites;
- TASK 3** *Regulatory Analysis*
Analysis of existing historic, land use and zoning (including Institutional) regulations;
- TASK 4** *Transportation Impact Analysis*
Analysis of existing, and potential future impacts to, multi-modal (vehicular, pedestrian, bicycle and transit) circulation and mobility patterns, points of conflict, connectivity, safety and parking;
- TASK 5** *Economic/Market Analysis*
Analysis to include, but not be limited to, existing and potential future forces driving economic development, property taxes, tax exemptions, etc.;
- TASK 6** *Best Practices Analysis*
Review of comparable mixed-use districts;
- TASK 7** *Public Meetings, Stakeholder Meetings* (a minimum of 8 total);
- TASK 8** *Final Report*
- Detailed development guidelines for creating and maintaining the appropriate character, scale and density of development in the Study Area;
 - Marketing strategies for attracting appropriate types of retail, commercial and residential development desired in the Study Area;

- Streetscape design guidelines for the Study Area;
- Recommendations for appropriate land use and zoning regulations in the Study Area;
- Recommendations for improving vehicular, pedestrian, bicycle and transit circulation, mobility, connectivity, safety and parking in and around the Study Area

Deliverables

Deliverables submitted during the planning process will include, but not be limited to, the following:

- An economic/market analysis
- A transportation impact analysis
- An illustrative land use plan
- A conceptual build-out massing diagram
- A final report, including:
 - Detailed development guidelines for build-out of the Study Area
 - Marketing strategies
 - Streetscape design guidelines
 - Land use and zoning recommendations
 - Circulation, connectivity and parking recommendations

Proposal Requirements

Consultants responding to this RFP are asked to review the Scope of Services outlined above and prepare both written and graphic responses to the RFP that convey their understanding of the Study Area, qualifications, relevant project experience, approach to this effort, and any proposed modifications/alterations to the Scope of Services. Submittals shall include the following information, at a minimum:

Cover Letter

A letter signed by an officer of the firm, binding the firm to all of the commitments made in the proposal.

Project Understanding

The Consultant's understanding of the Study Area, implications/impacts of development within the Study Area on the surrounding residential community, and the diverse interests and concerns surrounding the future of Thayer Street.

Statement of Qualifications & Experience

- a) Company/firm/team history
- b) Name(s), business address, phone number, email addresses of firms and individuals proposed to participate in all work efforts identified and needing to be performed to meet the intent of this project
- c) Background, education, and relevant experience of all firms and team members proposed to participate in all work efforts identified and necessary to meet the intent of the project
- d) Team organization, roles and responsibilities
- e) At least three (3) relevant projects completed by the company/firm/team in the last five (5) years

- f) At least three (3) professional references, including individual names, company names, contact telephone numbers and email addresses

Approach to the Scope of Work

- a) How the firm will conduct each of the tasks outlined in this RFP
- b) How the firm will produce the deliverables outlined in this RFP
- c) How the firm will integrate the stakeholder committee and the public in the planning process
- d) How the firm will collaborate with and utilize DPD planning staff and other stakeholders

Project Schedule

In accordance with the basic requirements of this RFP, the project schedule should be broken out by discrete tasks.

Insurance

Proposers shall indicate their ability to obtain statements of insurance for the following:

- a) General Liability coverage of \$1 million per occurrence and \$2 million in the aggregate
- b) Motor Vehicle liability coverage of \$1 million combined single limit
- c) Proof of workers compensation coverage per State of Rhode Island
- d) Professional errors and omissions coverage of \$1 million

Cost & Manpower Proposal

Although there are many variables and unknowns included in the Scope of Services, the DPD requests that proposers submit an itemized cost and manpower breakdown or “budget estimate” for each proposed work task. All cost assumptions must be clearly documented. Subcontractor and direct cost items should also be identified. For tasks to be performed on a time and expense basis, the Consultant must submit an hourly billing rate sheet that includes anticipated personnel and their involvement in the project.

Resources

The following documents may be helpful in preparing a proposal and may be accessed here:
<ftp://ftp.providenceplanning.org/Planning/ThayerStreetStudy/>

- Providence Tomorrow: the Interim Comprehensive Plan
- College Hill Fox Point Wayland Neighborhood Plan
- Brown University Institutional Master Plan
- 257 Thayer Street proposal
- College Hill Parking Task Force Report
- City of Providence Zoning Ordinance

Selection Process

Evaluation Criteria

All proposals will be evaluated by the DPD’s review team based on the following criteria using a five point per criterion ranking system: a score of one (1) will be given where little or no experience is

demonstrated; a score of five (5) will be given where the proposer clearly demonstrates expertise and extensive experience in the evaluation category:

1. Experience producing comprehensive urban design plans that address economic, transportation and historic preservation issues.
2. Knowledge and application of contemporary zoning, land use, and development regulations.
3. Experience developing streetscape and urban design guidelines.
4. Experience collaborating with institutional, community and business organizations.
5. Demonstrated understanding of the issues and concerns surrounding the Study Area.
6. Responsiveness of proposed approach to DPD's Scope of Services.
7. Quality of responses from directly relevant references.
8. Relevance, brevity, and overall quality of proposal.
9. Value for cost of the contract.

Award of Contract

The DPD review team will meet to discuss and compare the evaluation criteria rankings assigned by each team member. The review team will then present its recommendations to the DPD for contract award. The DPD review team may choose to interview proposers prior to awarding a contract. Consultant selection is expected to be made within 30 days of proposal submittal due date.

General Terms & Conditions

1. The City of Providence reserves the right to reject any or all proposals, waive technicalities, to advertise for new proposals, to negotiate revisions to the scope of work, project schedule and cost proposal, and to make awards as may be deemed to be in the best interest of the City.
2. Reports, illustrations, plans and other materials developed by the successful proposer under a contract that may result from this Request for Proposals (RFP) are considered public information and may not be copyrighted.
3. Proposers must submit complete responses to all of the information requested. Proposers who do not respond to the entire content of the RFP may be disqualified.
4. The successful consultant will assume sole responsibility for the complete project as required in this RFP. The City of Providence will consider only one individual/firm/company as the sole point of contact with regard to contract matters, whether or not subcontractor(s) are used for one or more parts of this project.
5. Proposers who intend to subcontract one or more elements of this project to other firms/individuals shall identify those work elements to be subcontracted and the firm/individual subcontractor. All subcontractors shall be included in the proposer's statement of qualifications. Subcontractors may not be substituted, nor any portions of the contract assigned to other parties after contract award without prior written approval by the City.
6. All contract services undertaken as part of the project will be procured in accordance with Department of Commerce Regulations at 15 CFR Part 14.
7. Any questions or requests for clarification of this Request for Proposals (RFP) may be made via email to:

Bonnie Nickerson, *Deputy Director*
Department of Planning and Development
Email: bnickerson@providenceri.com



MINORITY AND WOMEN'S BUSINESS ENTERPRISE PROGRAM

BIDDER INFORMATION AND FORMS:

Contracting Agency: _____

Contract Number: _____

Contract Title: _____

Pursuant to the City of Providence Code of Ordinances, Chapter 21, Article II, Sec. 21-52 (Minority and Women's Business Enterprise) and Rhode Island General Laws (as amended), Chapter 31-14, et seq. (Minority Business Enterprise), Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE) participation goals apply to the contract.

The MBE goal is _____ 10% of total bid
(20% total applied)

The WBE goal is _____ 10% of total bid

Bid Requirements:

Bid must include a commitment to utilize MBEs and WBEs at a percentage that equals or exceeds the contract goals stated above. Bidder must submit the following completed documents with the bid:

- 1.) MBE and WBE participation Disclosure Forms (**Part B1 and Part B2**)
- 2.) Statement of intent Forms (**Part C**)
- 3.) MBE/WBE Participation Affidavit (**Part D**)
- 4.) MBE/WBE Participation Waiver Request form (**Part E**) & Information on unsuccessful MBE/WBE contract, if applicable.
- 5.) Subcontractor utilization form (**Part F**), if applicable.

Verifying Certification:

Each bidder is responsible for verifying that all MBEs and WBEs that the bidder intends to use on a contract are certified by the Minority Business Enterprise Compliance office. A directory of certified MBEs & WBEs is available online at www.mbe.ri.gov (click "Directory Search" then search by "Produce or Service"). For questions, please call (401) 421-7740 Ext. 397 or Ext. 250.

The current MBE/WBE directory is also available at the State of RI MBE office, One Capitol Hill, 2nd Floor, Providence, RI 02903. Please call (401) 574-8253 to verify certification, expiration dates and services that the MBE/WBE is certified to provide.

(NOTE: Companies identified as Portuguese are not included in the City of Providence MBE/WBE Program)

Contract Requirements:

During the term of the contract, any unjustified failure to comply with the MBE/WBE participation requirements is a material breach of contract. Before a contract is signed, the contractor must submit the Subcontractor Utilization Form with its final payment request. The Subcontractor Utilization Form will include a list of the names of all subcontractors utilized on the contract, both MBE/WBE and non-MBE/WBE, the total amount paid to each subcontractor, and the owner's race/ethnicity and sex.

Note: (If a bidder fails to provide the requested information the bidder will be deemed to be unresponsive.)

Waiver Requests:

If a bidder is unable to comply with a contract goal, the bidder may submit a waiver request with the bid. The waiver request must be made on the MBE/WBE Participation Waiver Request Form. No waiver will be granted unless the waiver request includes documentation that demonstrates that the bidder has made good faith efforts to comply.

Participation of MBE/WBE:

The total dollar value of a contract with a company certified as both MBE and WBE (M/WBE) may be counted towards either MBE or the WBE goal, but not both. The bidder must choose the goal to which the contract value is applied.

Non-affiliation:

A bidder **MAY NOT** use an MBE or WBE to meet a contract goal if:

1. The bidder has a financial interest in the MBE or WBE.
2. The bidder has an interest in the ownership or control of the MBE or WBE.
3. The bidder is significantly involved in the operation of the MBE or WBE.

A bidder that is an MBE or WBE **MAY NOT** use itself to meet a contract goal.

Commercially Useful Function:

The bidder may count toward the contract goals only expenditures to MBEs and WBEs that perform a commercially useful function in the execution of the contract. Commercially useful function means the performance of real and distinct work for which the business enterprise has the skill, expertise, and responsibility to perform manage and supervise.

Subcontracting by MBE or WBE:

A bidder **MAY NOT** count toward its contract goal any agreement with a certified MBE or WBE subcontractor who intends to subcontract more than 10% of the dollar amount of the services to be performed under its agreement with the bidder. This restriction does not apply to an MBE's or WBE's Contracts for the purchase of materials, equipment, or supplies incidental to the performance of services under its agreement with the bidder.

Manufacturers:

A bidder may count toward the contract goal its entire expenditure to a certified MBE or WBE manufacturer.

Supplier:

Manufacturers - A bidder may count towards the contract goal 100% of its expenditure to a certified MBE or WBE supplier who manufactured the goods supplied.

Non-Manufacturers - A bidder may count 100% of its expenditure to a certified MBE or WBE supplier who is a wholesaler warehousing the good supplied or who is a manufacturer's representative. (However, only 10% of each contract goal may be attained by expenditure to MBEs or WBEs that are non-manufacturing suppliers.)

Joint Ventures:

A bidder may count toward the contract goals the portion of its expenditure to a joint venture that is equal to the percentage of the MBE or WBE participation in the joint venture. The MBE or WBE member of the joint venture must have an interest in the control, management and operation of the joint venture commensurate with the member's percentage of ownership. The MBE or WBE that is a member of the joint venture must be responsible for a clearly defined portion of the work to be performed, equal to its share in the ownership, control, and management of the joint venture.

Insurance Companies and Travel Agents:

A bidder may count toward the contract goals only 10% of its expenditure to a MBE or WBE insurance company or travel agent.

Financial Institutions:

A bidder may count towards the contract goals only the fees charged and earned by an MBE or WBE company.



MINORITY AND WOMEN'S BUSINESS ENTERPRISE PROGRAMS

MBE AND WBE PARTICIPATION REQUIRED FORMS

Name of Bidder: _____

Address: _____

Phone Number(s): _____

Contracting Agency: _____

Contract (Project Title): _____

Bid Due Date: _____

Goals: MBE _____ **%** **WBE** _____ **%**

THIS PACKAGE OF MBE AND WBE PARTICIPATION FORMS IS DUE WITH THE BID.

FOR MORE INFORMATION OR ASSISTANCE WITH THESE FORMS, CONTACT:

Mr. Ernesto Figueroa
Purchasing Officer/ MBE/WBE Coordinator,
Purchasing Department
25 Dorrance Street
Providence, Rhode Island 02903
(401) 421-7740 Ext. 663
efigueroa@providenceri.com



Part A:

(See Note on Page 6.)

INSTRUCTIONS:

The instructions clarify the requirements of RIGL §37-14.1. Failure of any Bidder, Contractor or Subcontractor to comply with RIGL §37-14.1 shall be a material breach of contract.

The following Forms are included with this packet:

Part A: Instructions

Part B1: MBE Participation Disclosure Form.

Part B2: WBE Participation Disclosure Form.

Part C: Prime Contractor's Statement of intent Form – This statement shall be completely executed for each and every MBE and WBE named in Part E.

Part D: MBE / WBE Participation Affidavit – to be completed by Bidder.

Part E: MBE / WBE Participation Waiver Request Form. If you are unable to meet the MBE and WBE participation goals for this contract, the law requires you to submit a waiver request with the bid. You must also submit "Information on Unsuccessful MBE/WBE Contact" Form.

Part F: Subcontractor Utilization Form.

ALL FORMS MUST BE INCLUDED AND SUBMITTED ALONG WITH THE BID



Part B1:

MBE PARTICIPATION DISCLOSURE FORM

Use this form to list Minority Business Enterprises that you will use to meet the MBE Participation Goal. Please be reminded that:

- The same Subcontractor may not be used to meet both the MBE and WBE goals.

Prime Contractor's Name: _____

Prime Contractor's Address: _____

Prime Contractor's Phone Number(s): _____

Contract Number & Title: _____

MBE SUBCONTRACTORS

Name:	Project Vendor Number	Expiration Date	\$Amount of Subcontract	% of Total Contract
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Total Dollar Amount of Contract \$-----

Total Dollar Amount of MBE Subcontracts \$-----

TOTAL MBE PERCENTAGE OF ENTIRE CONTRACT _____%

Form Prepared by:

Name & Title	Phone	Date
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Note: Bidders who fail to supply the above information will be considered
Non -Responsive.

Part B2:

WBE PARTICIPATION DISCLOSURE FORM

Use this form to list Minority Business Enterprises that you will use to meet the WBE Participation Goal. Please be reminded that:

- The same Subcontractor may not be used to meet both the MBE and WBE goals.

Prime Contractor's Name: _____

Prime Contractor's Address: _____

Prime Contractor's Phone Number(s): _____

Contract Number & Title: _____

WBE SUBCONTRACTORS

Name:	Project Vendor Number	Expiration Date	\$Amount of Subcontractor	% of Total Contract
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Total Dollar Amount of Contract \$ _____

Total Dollar Amount of WBE Subcontracts \$ _____

TOTAL WBE PERCENTAGE OF ENTIRE CONTRACT _____%

Form Prepared by:

Name & Title	Phone	Date
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Note: Bidders who fail to supply the above information will be considered Non-Responsive.

Part C:

MBE/WBE AND PRIME CONTRACTOR'S STATEMENT OF INTENT

Complete a separate Form for each MBE and WBE identified in Part B.

Contract Name and Number: _____

Name of Prime Contractor: _____

Prime Contractor's Phone Number(s): _____

Name of MBE or WBE: _____

MBE or WBE Certification Number: _____

Work / Service to be performed by MBE or WBE: (ex: Carpentry and Painting) _____ S

Materials / Supplies to be furnished by MBE or WBE:

Subcontract Amount: \$ _____ (If this is a requirements contract, the subcontract dollar amount may be omitted).

Subcontract percentage of total contract: _____ % _____

The undersigned prime contractor and subcontractor agree to enter into a contract for the work / service indicated above for the dollar amount or percentage indicated, subject to the prime contractor's execution of a contract with the City of Providence for the above referenced contract number. The undersigned subcontractor is currently certified as an MBE or WBE with the City of Providence Minority and Women's Business Opportunity Office.

Signature of Prime Contractor (Required) Printed Name Date

Signature of MBE or WBE (Required) Printed Name Date



Part D:

MBE/WBE PARTICIPATION AFFIDAVIT

The undersigned authorized representative of contractor does hereby make the following Affidavit:

Contractor acknowledges the MBE goal of _____ 10% and the WBE goal of _____ 10% for contract No./Title _____ with the City of Providence.

My firm will make best efforts to achieve the MBE and WBE participation goals for this contract. I understand that, if awarded the contract, my company must submit to the Minority and Women's Business Coordinator at MBE/WBE office copies of all executed agreements with the MBE & WBE firm being utilized to achieve the participation goals and other requirements of the RI General Laws. I understand that these documents must be submitted prior to the issuance of a notice to proceed.

I understand that, if awarded the contract, my firm must submit to the MBE/WBE Office canceled checks and any other documentation and reports required by the MBE and WBE Office on a quarterly basis verifying payments to the MBE and WBE finally utilized on the contract.

I understand that if I am awarded this contract and I find that I am unable to utilize the MBEs or WBEs identified in my statements of Intent, I must substitute other certified MBE and WBE firms to meet the participation goals. I understand that I may not make a substitution until I have obtained the written approval of the MBE/WBE Office.

I understand that, if awarded this contract, authorized representatives of the City of Providence may examine, from time to time, the books records and files of my firm to the extent that such material is relevant to a determination of whether my firm is complying with the MBE and WBE participation requirements of this contract.

I do solemnly declare and affirm under the penalty of perjury that the contents of the foregoing affidavit are true and correct to the best of my knowledge, information and belief.

Contractor Company Name

Signature

Address

Print Name and Title

Sworn and subscribed before me this _____ day of _____, in the year _____

Notary Public



Part E:

MBE / WBE PARTICIPATION WAIVER REQUEST FORM

Name of Bidder: _____

Address: _____

Phone Number(s): _____

Contracting Agency: _____

Contract Number: _____ Bid Due Date: _____

Goals on this contract: _____% MBE _____% WBE

I have achieved _____% MBE _____% WBE

I am requesting a waiver of _____% MBE _____% WBE

I have contacted the M/WBE Office for assistance ____Yes ____No **(check one)**

Number of MBE Firms Contacted: _____ (Attach a list of names)

Number of WBE Firms Contacted: _____ (Attach a list of names)

Explain why a waiver is being requested:

Attach documentation of your good faith efforts to contact, negotiate and secure MBEs and WBEs, including:

1. The reasons why your company is unable to secure sufficient MBE/WBE participation to meet the stated goals.
2. The efforts made by your company to select portions of the contract to be performed by MBEs and WBEs.
3. For each MBE or WBE that placed a bid that you consider to be unacceptable, a statement that explains the basis for that conclusion.
4. **Submit this form to the City of Providence MBE/WBE Office for signature and approval by either the MBE/WBE Compliance Officer or the MBE/WBE Coordinator. All requests must be made at least four (4) days prior to the bid opening date.**

Signature of M/WBE Officer or MBE/WBE Coordinator

Date

Printed Name:



Part F:

SUBCONTRACTOR UTILIZATION FORM

THIS FORM MUST BE INCLUDED WITH REQUEST FOR FINAL PAYMENT

Prime Contractor's Name: _____

Contract Title: _____

Contract Number: _____

Total Contract Amount: \$ _____

Provide the following information for EACH AND EVERY Subcontractor, both MBE/WBE and Non-MBE/WBE companies used on this contract. (Duplicate this page, if necessary.)

Name of Subcontractor	Goods or Services Provided on Subcontract
Race / ethnicity and sex of subcontractor's owner	Dollar amount of subcontract
Dollar amount paid to date	If amount paid is less than subcontract dollar amount, explain why.
Name of subcontractor	
Name of subcontractor	

Note: please list the race or gender of MBE/WBE only.



INFORMATION ON UNSUCCESSFUL MBE/WBE CONTACT

Minority Business Enterprise Requirements

Additional copies of this information form shall be prepared by the prime contractor or General Bidder in the quantity necessary to comply with bidding requirements.

ITEM NO. ON REQUEST FOR EXTENSION:

NAME OF MBE or WBE COMPANY CONTACTED:

Address _____

Telephone No. _____

Date of Initial Contact _____

How was contact made? (Check appropriate answer) telephone _____ in person _____

Sub-Contractor work offered to this MBE/WBE Company _____

Result of contact (check appropriate answer) MBE/WBE firm declined job _____
_____ MBE/WBE firm offered to do job at price of \$ _____, which was determined by our company to be too high; MBE/WBE company offered to do job at a price of \$ _____, which was satisfactory, but the MBE/WBE company was judged by our company to be unqualified for the job _

Name and Title of the MBE/WBE company officer who can verify above information as to MBE/WBE Company's response _____

It is certified herewith by the below signed officer of the General Bidder that the above information is accurate and complete.

Date

General Contractor

Authorized Signature

Business Address