

Request for Proposal: Contractor support for Governors' Institute on Community Design ([EPA-OP-OSC-12-01](#))

Summary:

Smart Growth America (SGA) is preparing a grant proposal to be submitted to the Environmental Protection Agency (EPA) to host and implement the Governor's Institute on Community Design (EPA-OP-OSC-12-01). SGA is seeking to augment its team capabilities with contractor (professional consultant) expertise. SGA is accepting proposals from interested consulting firms to be a part of the SGA team that is proposing on the EPA grant. The estimated project period for the grant will begin April 1, 2012. The proposed project period (i.e., the length of the project) may be up to five (5) years.

Proposals under this SGA request are due no later than 5:00 pm Eastern Standard Time on November 4, 2011.

EPA's evaluation of the subject grant proposal will consider, as appropriate and relevant, the qualifications, expertise, and experience of an applicant's named contractor(s), including consultants, identified in the proposal/application if the applicant demonstrates in its proposal/application that the contractor(s) was selected in compliance with the competitive Procurement Standards in 40 CFR Part 30 or 40 CFR 31.36 as appropriate. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper non-competitive sole-source award consistent with the regulations will be made to the contractor(s), that efforts were made to provide small and disadvantaged businesses with opportunities to compete, and that some form of cost or price analysis was conducted.

EPA will not consider the qualifications, experience, and expertise of named subawardees/subgrantees and/or named contractor(s) during the proposal/application evaluation process unless the applicant complies with these requirements.

Accordingly SGA is hereby requesting proposals from contractors in accordance with 40 CFR Part 30 as appropriate for a not-for-profit organization. This request for proposal shall be posted on the SGA web site October 17 through October 28. Contractors who have worked with SGA on similar assignments in the past may also be sent a copy of the request for proposal.

Background:

The Governor's Institute for Community Design will work with Governors, their Cabinet Secretaries, and other high level state officials to provide them with policy options that support smart growth and livable communities—specifically policies that:

1. Provide more transportation choices with strategies that develop safe, reliable, and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.
2. Promote equitable, affordable housing by expanding location- and energy-efficient housing choices that lower the combined cost of housing and transportation by saving fuel and, in turn, reducing air pollution.

3. Enhance economic competitiveness by enabling workers and businesses to accomplish daily activities by driving fewer miles, reducing the environmental impacts of construction and maintenance of major facilities leading to reductions of air and water pollution.
4. Support existing communities by targeting federal funding toward existing communities—through strategies like transit oriented, mixed-use development, and land recycling—to increase community revitalization and the efficiency of public works investments and safeguard rural landscapes.
5. Coordinate and leverage federal policies and investment by aligning federal policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy.
6. Value communities and neighborhoods by enhancing the unique characteristics of communities through investment in healthy, safe, and walkable neighborhoods— rural, urban, or suburban.

The Governor's Institute will work with Governors and high level state officials through two principle mechanisms: 1) workshops with the Governor and high level staff, and 2) follow up to the workshops. These are described below.

Working with a governor's staff and cabinet, the Institute develops workshops tailored to address the specific priorities of a governor and the unique needs of his or her state. Each workshop brings together one governor and his or her cabinet and staff to work with nationally renowned experts and practitioners on specific issues identified by the governor prior to the workshop. Governors' Institute workshops are designed to:

- provide state leaders with practical, action-oriented strategies to create vibrant, economically competitive communities;
- highlight the connections between economic development, transportation, land use, housing, energy and the environment;
- bring together a broad range of decision-makers and create the basis for coordinated action among state agencies; and
- encourage increased cooperation between state and local governments.

The workshops are generally 2 days with presentations and discussion on the first day and a set of verbal recommendations presented on the second day.

The Institute's work does not end when the workshop concludes. A final set of written recommendations is delivered to the governor following the session and additional follow-up assistance and information are made available. Follow may consist of an occasional short phone consultation with the state or may be an extensive 3-6 month engagement to work with the state on implementation of one or more of the policies discussed during the workshop. Examples of follow-up activities include, but are not limited to, evaluation of state programs or policy, policy formulation, and coordination and convening of follow-up workshops and/or meetings.

Contractor services requested:

SGA seeks contractors to act as technical experts at Governors' Institute workshops and to be available to conduct follow-up work with the states. There will be 3-6 workshops per year with follow up work in some or all cases. Workshops require up to one week of preparation and are generally two full days on site. Follow-up varies in level of effort from the preparation of a short memo to a multi-week engagement working directly with state departments on implementation. The successful consultant will:

1. have knowledge of and experience implementing state-level smart growth best practices in some or all of land use, transportation, housing, environmental protection, and/or economic development;
2. have knowledge of and experience improving coordination between state agencies and between state and federal programs; and
3. have knowledge of and experience providing policy advice to Governors and their appointees;

Form and content of proposal:

To be considered complete, all proposals must include:

1. A cover letter. The cover letter that accompanies your proposal must be signed by an official with the authority to commit your organization to the project and should be written on your organization's official letterhead.
2. Statement of your qualifications to act as an expert advisor to Governors and their cabinets on state smart growth implementation policies. This shall not exceed two single spaced pages of 12-point font text with one-inch margins.
3. A budget for acting as an expert in a workshop and for the conduct of follow up work. The budget shall detail the cost of conducting one week of preparatory work and participation in a two day on-site workshop (e.g., personnel, fringe benefits, travel, equipment, supplies, and contractual and indirect costs). The budget shall also provide an hourly rate for follow up work. To the extent possible, the budget should also identify anticipated level of effort and cost for key staff working the project (more than 20 total hours of involvement), and any other major cost categories.
4. Staff profiles and qualifications: The applicant must include short profiles of all principal staff that will have a major role in the project. These staff profiles must specifically address each individual's experience with the issues addressed by this RFP and the EPA RFP.

Submission Dates and Times

The deadline for receipt of all materials is November 4, 2011. Proposal packages, including one copy of the proposal in PDF file format, must be received by Shelly Hazle, via email at shazle@smartgrowthamerica.org by 5:00 p.m. Eastern Time on November 4, 2011. No late proposals will be accepted.

SGA Consultant Review Process and Criteria

SGA has developed the following review process and criteria in conformance with the attached SGA procurement policy.

Review Process

- SGA shall review each proposal for completeness. Only complete proposals shall advance to the next step.
- A proposal review committee shall review each proposal per the criteria listed below.
- SGA will determine which proposals meet its requirements and offer the contractors whose proposals meet SGA requirements a position on the team proposing to EPA. SGA reserves the right to reject any or all proposals as not meeting its requirements.
- Successful proposers will be notified by Nov 11, 2011.

Review Criteria

1. Degree to which the applicant demonstrates expertise and experience in the smart growth and sustainable communities approaches associated with this RFP (up to 60 points).
2. Degree to which the applicant demonstrates experience delivering technical assistance to Governors and their Cabinet members (up to 20 points).
3. Cost effectiveness of applicant's proposal. Degree to which the project budget effectively uses funds as proposed in the EAP RFP (up to 20 points).

Pre-Proposal/Application Assistance and Communication

Any communication regarding this proposal shall be in writing to Shelly Hazle at shazle@smartgrowthamerica.org. SGA requests that applicants not contact other SGA staff.

SGA Procurement Policy and Procedures

It is the policy of Smart Growth America that:

1. No employee, officer, or agent of SGA shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved.
2. All SGA procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition.
3. SGA procurements shall provide for, at a minimum, that paragraphs (1), (2) and (3) of this section apply.
 - (1) SGA shall avoid purchasing unnecessary items.
 - (2) Where appropriate, SGA will make an analysis of lease and purchase alternatives to determine which would be the most economical and practical procurement for the Federal Government.
 - (3) Solicitations by SGA for goods and services provide for all of the following.
 - (i) A clear and accurate description of the technical requirements for the material, product or service to be procured. In competitive procurements, such a description shall not contain features that unduly restrict competition.
 - (ii) Requirements that the bidder/offeror must fulfill and all other factors to be used in evaluating bids or proposals.
 - (iii) A description, whenever practicable, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards.
 - (iv) The specific features of "brand name or equal" descriptions that bidders are required to meet when such items are included in the solicitation.
 - (v) The acceptance, to the extent practicable and economically feasible, of products and services dimensioned in the metric system of measurement.
 - (vi) Preference, to the extent practicable and economically feasible, for products and services that conserve natural resources and protect the environment and are energy efficient.
4. SGA shall determine the type of procuring instruments used (e.g., fixed price contracts, cost reimbursable contracts, purchase orders, and incentive contracts). The type of procuring instrument shall be appropriate for the particular procurement and for promoting the best interest of the program or project involved. The "cost-plus-a-percentage-of-cost" or "percentage of construction cost" methods of contracting shall not be used.
5. SGA shall only make contracts with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources or accessibility to other necessary resources. In certain circumstances, contracts with certain parties are restricted by funding agencies' implementation of Executive Orders 12549 and 12689, "Debarment and Suspension."

6. SGA shall, on request, make available for funding entities, pre-award review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc.
7. Some form of cost or price analysis shall be made and documented in the procurement files in connection with every procurement action. Price analysis may be accomplished in various ways, including the comparison of price quotations submitted, market prices and similar indicia, together with discounts. Cost analysis is the review and evaluation of each element of cost to determine reasonableness, allocability and allowability.
8. SGA procurement records and files for purchases in excess of the small purchase threshold (currently \$100,000) shall include the following at a minimum: Basis for contractor selection; justification for lack of competition when competitive bids or offers are not obtained; and basis for award cost or price.
9. SGA shall include, in addition to provisions to define a sound and complete agreement, the following provisions in all contracts. The following provisions shall also be applied to subcontracts.
 - (a) Contracts in excess of the small purchase threshold shall contain contractual provisions or conditions that allow for administrative, contractual, or legal remedies in instances in which a contractor violates or breaches the contract terms, and provide for such remedial actions as may be appropriate.
 - (b) All contracts in excess of the small purchase threshold shall contain suitable provisions for termination by the recipient, including the manner by which termination shall be effected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.
 - (c) Except as otherwise required by statute, an award that requires the contracting (or subcontracting) for construction or facility improvements shall provide for requirements relating to bid guarantees, performance bonds, and payment bonds unless the construction contract or subcontract exceeds \$100,000.
10. All negotiated contracts (except those for less than the small purchase threshold) awarded by recipients shall include a provision to the effect that the recipient, EPA, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers and records of the contractor which are directly pertinent to a specific program for the purpose of making audits, examinations, excerpts and transcriptions.
11. All contracts, including small purchases, awarded by SGA and SGA contractors shall contain the procurement provisions of the appendix to Circular A-110, as applicable.