

REQUEST FOR PROPOSALS LOCAL PROGRAM ADMINISTRATOR FOR THE EAST SIDE BUILDING FUND

Issue Date: January 17, 2025

Submission Deadline: February 21, 2025, 5:00PM

Contact CRS regarding this RFP: info@centerforregionalstrategies.org



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I. INTRODUCTION

About The Regional Revitalization Partnership

The East Side Building Fund is a program of the Regional Revitalization Partnership (RRP)—a multi-year \$300M collaborative initiative between New York State's Empire State Development (ESD), the Ralph C. Wilson Jr. Foundation (RCWJF), local municipalities and other private philanthropic partners. Building upon and accelerating collaborative, community-driven work that is already underway, this public/private initiative co-invests in three interconnected communities in Western New York (Buffalo's East Side and the cities of Niagara Falls and Rochester) to create a comprehensive community-driven economic development vision to strengthen the regional economy and build pathways to individual wealth.

A combined \$180 million RRP investment on the East Side will scale up East Side Avenues' foundational public and philanthropic investments—driven by the community—that support small business improvements, redevelop key mixed-use properties, promote historic preservation, reinvigorate fundamental East Side anchors, and build capacity for nonprofit partners to implement this critical work.

About the East Side Building Fund

The East Side Building Fund is a joint, consolidated fund that aims to assist in the community-driven revitalization of mixed-use neighborhood commercial districts on Buffalo's East Side by providing ESD capital grant funds for targeted building and associated site improvements such as stabilization measures, façade renovations and interior building upgrades to commercial and mixed-use buildings.

The East Side Building Fund builds upon the work of three former East Side Avenues/ESD programs (East Side Commercials Districts Program, Commercial Building Stabilization Fund and Community-Based Real Estate Development Training Program Fund). The East Side Building Fund takes a more streamlined and holistic approach to capital funding. It considers the overall needs of a particular building and funds those needs through one source—cutting down on confusion and eligibility for multiple funding sources so that resources can move into the community more quickly.

To preserve the intent and the goals of the three aforementioned grant programs, under the new consolidated East Side Building Fund, there will be a strong preference for projects located within the four target commercial districts (Jefferson Avenue, Broadway Fillmore, MLK Park, and Kensington Bailey); stabilization projects for at-risk historic buildings to preserve the community's historic fabric; and for projects on the East Side initiated by graduates of the Community-Based Real Estate Development Training program.

Request Summary

CRS in collaboration with ESD seeks to award a contract of \$125,000/per year for up to three years (contingent on yearly performance and funding availability) to a qualified nonprofit local program administrator (LPA) to assist them with evaluating and selecting activities to be supported by the East Side Building Fund—adhering to strict project selection criteria, project selection processes, and existing design guidelines. They will also be responsible for all aspects of grant administration including: entering into contracts with participating property owners and contractors; managing applicable contracts for Technical Consultants and construction contractors; financial management of all grant funds including contractor payment; assuring compliance with all local, state and federal laws and regulations; and ensuring successful completion of all assisted projects. This assistance ensures CRS and ESD have the technical and administrative expertise necessary to establish a portfolio of solid projects that have the greatest impact on the East Side's commercial corridors. The number of rounds of funding will be determined by applications received and ESD capital funds available.

II. ABOUT THE PROGRAM PARTNERS

Center for Regional Strategies (CRS)

CRS is a 501(c)(3) non-profit organization focusing on planning, developing and implementing economic growth strategies through placemaking, workforce and small business development to build sustainable community wealth, especially in underserved areas. With research partner, University at Buffalo Regional Institute (UBRI), CRS conducts grounded quantitative and qualitative research and analysis to inform decision making. CRS provides services to inform, develop, and write strategic plans with partners to build capacity; and assists with program and project management, problem solving, developing metrics for evaluation and assessing progress over time. CRS works to develop full project portfolios with collaborative, leveraged funding sources to ensure long-term strategies have multi-year implementation opportunities. Through effective storytelling, CRS elevates partner voices and serves to communicate progress and lessons learned.

The LPA will be supported by RRP investments from local philanthropic organizations, administered by CRS through direct grants to support the LPA with staffing and administration resources to manage the program, and through direct capacity building technical assistance by the CRS team.

Empire State Development (ESD)

ESD is New York State's Economic Development Agency with a mission to promote a vigorous and growing state economy, encourage business investment and job creation, and support diverse, prosperous local economies across NYS through the efficient use of loans, grants, tax credits, real estate development, marketing and other forms of assistance. ESD's Western New York Regional Office is responsible for convening the WNY REDC and for facilitating the planning, funding, and implementation of large-scale regional economic development initiatives. These efforts involve strategies to invest in key tradable economic sectors in WNY in a manner that facilitates revitalization of urban core neighborhoods, helps prepare the region's workforce, and advances smart growth sustainability principles.

ESD will provide the capital funding and technical guidance for the East Side Building Fund along with financial resources for the LPA to procure and contract with their own dedicated Technical Consultants such as Construction Management or Architecture and Engineering (A&E) services. ***These services should not be included in the budget for this proposal and will be competitively procured by the chosen LPA immediately after being awarded a contract (see IV Program Administration).***

III. PROGRAM OBJECTIVES

The East Side Building Fund is intended to contribute to the revitalization of mixed-use neighborhood commercial districts by:

- Building on existing planning processes to ensure that capital investments of public funds will enhance the aesthetics and economics of commercial districts;
- Stimulating the economic revitalization of commercial districts by providing financial incentives for the rehabilitation of traditional commercial building stock;
- Fostering small business development, thereby providing economic opportunities and promoting economic activity in neighborhood business locations;
- Fostering the next generation of developers on the East Side to emerge from the community itself;
- Supporting owner-occupied and underrepresented neighborhood-based businesses to improve the overall community's benefit of revitalization;
- Preserving significant and historic buildings and providing an environment that attracts new investment to enable the adaptive reuse of these buildings for new enterprises;

- Preventing further cases of “demolition by neglect” and preserving the existing urban fabric along commercial corridors;
- Addressing existing accessibility, code compliance, environmental, energy efficiency and health and safety issues to return vacant commercial spaces to active use; and
- Creating an incentive for comprehensive and enhanced rehabilitation projects rather than deferred maintenance and repair assistance.

IV. PROGRAM ADMINISTRATION

Through the program, property owners and businesses are eligible to receive grants from the LPA to cover the costs of renovations per building, for stabilization-related activities, exterior facade and storefront renovations, interior renovations, and/or selected site improvements for commercial or mixed-use buildings. Property owners will be required to provide a 10% contribution to the total construction cost of their project, provided directly to the LPA. Property owners must prove ability to contribute owners’ contribution upon applying to the program, which will be delivered to the LPA prior to construction commencement, and documented by the LPA at construction completion/request for final payment.

The selected LPA will receive a direct grant from ESD as outlined in a Grant Disbursement Agreement (GDA), which will define the obligations of the fund’s management. The requirements of the ESD GDA will outline the items including but not limited to: disbursement terms, procurement guidance, environmental and historic preservation requirements, project documentation and file maintenance, and financial reconciliation for each sub-project that is administered by the LPA. The majority of the ESD funds will be used by the LPA to administer capital grants and associated project costs for building improvements for participating property owners and businesses, along with a portion of the ESD grant allocated for contingency to help cover unforeseen issues as they come up on individual projects. In addition, a portion of the ESD grant to the LPA (i.e. above and beyond capital funds to be disbursed to property owners for building improvements) will be allocated to cover the costs of Technical Consultants for Construction Management/Oversight and/or A&E services to offer these services to applicants to help scope, design, bid, and inspect improvements made with grant funds.

Technical Consultant(s)

The LPA will be required to solicit their own Technical Consultant(s) using guidance from ESD on necessary skills/expertise to be available for prospective grantees. The LPA must formally solicit proposals from Technical Consultants in alignment with ESD approved Request for Proposal (RFP) template and by following the ESD procurement guidelines for seeking a minimum of three (3) proposals and demonstrating good faith efforts to reach a contracting/subcontracting goal of 30% of the total contract funds to NYS certified Minority and Women-Owned Business Enterprises (MWBES). The LPA will be responsible for overall management, monitoring and payment of their respective Technical Consultants using ESD dedicated funds. Prior to opening the program for applications, the LPA must procure/secure their Technical Consultants. The Technical Consultants will be available to the LPA on an as-needed, hourly basis through a not-to-exceed contract per round of program funding. The Technical Consultants will be a part of the process from project creation to final payment sign off.

All applicable project design and development, construction monitoring, and construction close out costs will be covered at no cost to participating property owners through each respective LPA-contracted Technical Consultants.

The LPA will be responsible for paying all construction costs, inclusive of the property owner’s 10% contribution, directly to the contractors on behalf of the property owner.

Program grants, contingency, and fees associated with Technical Consultants should not be included in the budget for this proposal.

V. CONTRACT TERM

The term of the contract is anticipated to begin in the second quarter 2025.

VI. EXPERIENCE AND EXPERTISE

CRS invites financially-sound community nonprofit organizations to submit proposals. The organization should have a full range of relevant experience in improving business districts, with a specific skill set in administering grant funds for capital improvements. The following expertise is of particular value:

- Experience administering commercial building repair grant programs including but not limited to ESD's East Side Commercial Districts Program, Commercial Building Stabilization Fund and Community-Based Real Estate Development Training Program Fund, Buffalo Main Streets Initiative program, New York State Main Street program and/or related commercial district program.
- Economic development and planning for business districts.
- Experience working in diverse communities.
- Knowledge of real estate development and construction management, especially involving public financing.
- Experience with the State Environmental Quality Review Act (SEQRA) and historic consultation with the State Historic Preservation Office (SHPO) of the New York State Office of Parks, Recreation and Historic Preservation.

VII. SCOPE OF SERVICES

The LPA is responsible for evaluating and selecting activities to be supported by the East Side Building Fund—adhering to strict project selection criteria, project selection processes, and existing design guidelines. They will also be responsible for all aspects of grant administration including entering into contracts with participating property owners and contractors; managing applicable contracts for Technical Consultants and construction contractors; financial management of all grant funds including contractor payments; assuring compliance with all local, state and federal laws and regulations for construction; and ensuring successful completion of all assisted projects.

Note: Community Engagement Partner (selected through a separate and ongoing solicitation process) will be responsible for outreach to business/building owners and for marketing the program to the community. When necessary, the LPA should be aware of these concurrent efforts and work in coordination with the Community Engagement Partner and/or be able to share information on projects.

- 1. Selected LPA to Complete the ESD Funding and Disbursement Process to Launch the Program**
 - a. Receive approval by the ESD Board of Directors.
 - b. Complete ESD Grant Disbursement Agreement, which will outline the terms and conditions for the disbursement of funds.
 - c. Develop an Administrative Plan that provides an overview of the processes required to administer a program contract.
 - d. Determine how the administration of the program will be integrated into the LPA's existing organizational structure.
 - e. Establish the procedure for requesting and receiving funds.
 - f. Solicit for and retain a Technical Consultant team to provide project support.
- 2. Application & Selection Process for East Side Building Fund Projects**

The Application consists of an Application Form and site visit, followed by the development of a Scope of Work with assistance from the LPA and their Technical Consultants for those applicants accepted into the program.

- a. Once the deadline to submit an Application Form closes, ESD, the LPA with the assistance of their Technical Consultants, CRS, and community members (the Selection Committee) will engage in project review using project selection criteria and establishing a clear project selection process that is publicly available.

3. Development of Projects/Scope of Work

After a property and/or business owner has confirmed its interest and capacity in participating in the program, they will meet with the LPA and its Technical Consultants to develop a Scope of Work.

The LPA and its Technical Consultants are responsible for coordinating work write-ups with local code officials, SHPO consultation, and review by other regulators, as necessary. Additionally, when required, the Technical Consultants will provide required architectural, engineering, and/or environmental services for each project.

If, upon scope completion, a project is not feasible or is not eligible for funds under the program, ESD reserves the right to decide not to award a building funding. Any services provided by the Technical Consultants will be provided at no cost to the property owner even if they are not ultimately awarded funding.

The LPA, with their hired Technical Consultants, will complete the following (as needed):

- a. Building Assessments
 - Meet with identified building owners to discuss desired renovations and budget for renovations.
 - Inspect identified buildings to determine their suitability for reuse and/or rehabilitation.
 - In most cases, perform preliminary building assessments to inform and prioritize capital improvements with building owners.
- b. Work Write-up/Scope of Work
 - Provide an evaluation of each identified building including a general building condition analysis, proposed design concept renderings, scope of work, and order of magnitude cost estimates. The scope of work should include health and safety concerns, correction of code violations, energy conservation measures, and consistency with design standards and historical elements of the building.
- c. Design
 - Consider corridor specific, historic preservation and city-wide (Green Code) design standards while developing a participating building's scope of work.
 - Enforce the design standards throughout the development process.
 - Submit building information and proposed project scopes of work for each participating project to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP or SHPO) for approval through their Cultural Resource Information System (CRIS).

- d. Environmental Screening & SHPO Consultation (as necessary)
 - Assess the need for a project specific review under SEQRA.¹
 - If necessary, prepare individual project (site-specific) SEQRA Environmental Assessment Forms (EAFs), inclusive of documentation, maps, relevant records and findings.
 - For historic properties, consult with SHPO on final scopes/designs through the SHPO's Cultural Resource Information System (CRIS).
 - Complete an Environmental Screening of project site(s), including searches in established NYS databases to determine any past spills or releases of hazardous/contaminated materials in areas of proposed building improvements or sight evaluation of the potential to encounter asbestos-containing materials (ACMs).
 - Based upon Environmental Screening, structure contract documents accordingly to address any potential hazardous/contaminated materials or ACMs as part of the project scope.

4. Contractor Selection Process

Once the scope of work is finalized and has been agreed to by the LPA and property owner, the LPA and its Technical Consultants, are authorized to develop and seek construction bids for the work on behalf of the property owner. The LPA shall proactively solicit and seek participation by NYS-Certified MWBE Contractors to undertake work funded under the program.

- a. The LPA will solicit at least three (3) bids for general contractors for each separate construction project or professional service to establish the reasonableness of project costs.
- b. The LPA is responsible for advertising requests for bids through a minimum of its own website, the *NYS Contract Reporter*, and filing with the Construction Exchange of Buffalo & WNY, at a minimum. The LPA is strongly encouraged to advertise bid opportunities in local/neighborhood-based communications to seek community-based, qualified contractors and may call on the Community Engagement Partners for assistance.
- c. The LPA, with its Technical Consultants, will review the bids and will advise the property owner of acceptability of bids/proposed cost.
- d. Once the final contractor is selected, the LPA and property owner will finalize the award amount to each property owner based on the selected contractor's proposal. In the event that value engineering is required to reduce the scope to stay within the program or property owner's budget, the LPA and its Technical Consultants will work directly with the Contractor in revising the scope to achieve the revised final scope amount.
- e. Once final scope is determined and the contractor is selected, the LPA will be responsible for communicating to the property owner the final amount of East Side Building Fund financial assistance per project as well as determining the owner's 10% contribution to the project.
- f. The property owner and LPA will determine the sources of funds for the property owner's 10% contribution (personal funds, line of credit, additional non-ESD public grant assistance, private grant assistance) during the application process and verify upon their acceptance into the program. These funds will be confirmed and collected by the LPA and

¹ It is anticipated that ESD will undertake a programmatic review under SEQRA, insofar as it is anticipated that the wide majority of capital grants will be made for in-kind building rehabilitation consistent with SHPO requirements, with no significant expansions (i.e., no expansions/additions of greater than 4,000 SF, the threshold for a "Type II Action" under SEQRA, which would not require a detailed environmental review). Projects of greater scale than this would require site-specific reviews under SEQRA.

all proof of owner's contribution will be required upon final payment request by the LPA to ESD.

- g. Once the final scope amount is confirmed and the property owner's 10% has been remitted to the LPA, the LPA can begin the contracting process and construction can commence.
- h. The LPA will exercise appropriate oversight over the entire process to ensure that it is fair, efficient and free of actual and perceived conflicts of interest.

5. Contracting Procedures

- a. The LPA and selected Contractor will sign a Contractor Agreement that outlines that the LPA is responsible for review of and payment of all work to be completed at each project site. The LPA & Contractor Agreement will specify that payments will be made by the LPA directly to the contractor upon proof of an approved invoice and that the final 10% of total contract will be retained by the LPA until proof of project completion.
- b. The property owner will sign a corresponding Property Owner Participation Consent letter certifying property ownership or site control and granting permission for the work to be completed by the Contractor and be paid for by the LPA at the subject property.

6. Construction Management/Quality Control

- a. The LPA, its Technical Consultant (and/or ESD) retain the right to inspect work in progress at any point and will inspect on as needed basis for disbursement of funds. Construction monitoring of renovation activities includes ensuring adherence to design standards.
- b. Before a final payment can be made, a final inspection will be required to be made and signed off by the LPA's Technical Consultants. The LPA, the local code enforcement officer (if applicable), and the property owner will all verify that the work was completed properly and is consistent with the contracted Scope of Work. The LPA must clearly document each site visit and inspection in the project files.

7. Financial Management

- a. The LPA will be solely responsible for full payment to Contractor, including the Property Owner's 10% contribution which will be remitted by the property owner to the LPA and documented as paid in order to request final payment to ESD at construction completion.
- b. In the event additional project costs arise during construction, the LPA will have limited construction contingency funds available for each Program Round to cover additional unforeseen costs.
- c. All additional project costs outside of the original contract amount must be documented and paid in advance of the LPA releasing the final 10% retainage of Program funds to the contractor.
- d. Each individual project's construction must be completed within 12 months from Notice to Proceed, unless otherwise approved by ESD.
- e. The LPA's primary financial officer will be responsible for all financial transactions under the executed GDA between the LPA and ESD. The LPA should have a written policy on internal controls and use the policy to determine the process for review and approval of requests for disbursement of East Side Building Fund funds.
- f. The LPA is responsible for adhering to formalized quarterly reporting requirements to ESD.

8. NYS MWBE Compliance Reporting

The LPA will be responsible for coordination with ESD's Office of Contractor and Supplier Diversity (OCSD) for MWBE utilization reporting. It is anticipated that OCSD will establish a MWBE participation goal for the East Side Building Fund program, equal to 30% of the total ESD funds provided to the selected LPA (i.e. ESD funds provided for both the capital grants and for Technical Consultants). The selected LPA will be required to perform good faith efforts to meet this MWBE contracting/subcontracting goal. Please note that the 30% goal does NOT need to be applied and documented for each and every capital grant and technical consultant contract. Rather, it would be monitored at the overall program level. For example, the selected LPA could meet the MWBE goal through high participation by NYS Certified MWBEs on selected contracts, while other contracts might have lower or no MWBE participation.

MWBE reporting is undertaken via an online platform that is monitored quarterly by ESD staff. ESD's OCSD will direct the selected LPA on registering with the monitoring system and will offer guidance on best practices for undertaking "good faith efforts" to meet the MWBE participation goal.

9. Contract Completion, Closeout and Ongoing Maintenance

- a. At project completion, the LPA will file a Property Maintenance Declaration, in a form approved by ESD, with the Erie County Clerk, on behalf of each property owner receiving East Side Building Funds.
- b. The LPA will ensure that program participants are aware of the maintenance responsibilities and the Declaration requirement early in the process.

VIII. REQUIRED ELEMENTS OF PROPOSAL

Proposals should demonstrate an understanding of the requirements of this RFP and present the following information in the same format as presented below, clearly divided by the following topic areas. Respondents should provide the following information:

1. Cover Letter and/or Executive Summary

- a. Summarize your organization's or team's ability to undertake the work being solicited for in this RFP.
- b. Present the major themes of your proposed approach to the effort—how you will meet the challenge.
- c. Present the main strengths of your skill sets and experience in administering related programs.
- d. Present key abilities of your proposed team and discuss any critical "distinguishers"—why your organization should be selected over others.

2. Qualifications Statement

- a. **Proposed Team:** Respondents should include a profile of the proposed nonprofit organization including organizational history, staff size, and board composition.
- b. **Relevant Past Projects:** Respondents should provide no more than five, one-page experience sheets summarizing the best examples of current and/or past projects

undertaken by the organization and/or members of the team that are most similar and relevant to the process outlined in this RFP (see Section VI Experience and Expertise).

- i. Information with respect to location, size, uses, approximate contract value, and dates of engagement.
- ii. Contact information (i.e. name, phone, and email) for applicable references for each representative contract.

3. Project Team Organization

- a. Include an organizational chart identifying members of the nonprofit organization as well as their respective administrative, management and professional responsibilities.
- b. Submit individual resumes for key team members that will be engaged in the project (no more than one [1] page in length for each staff member), stating registrations and licenses; professional and educational background; and experience relevant to this project.

4. Project Understanding/Overall Approach

- a. Based upon information in this RFP and from individual research, set forth your team's overall understanding of the effort, the key objectives, challenges, and overarching issues associated with realizing these objectives.
- b. Based upon your preliminary understanding of the project context, present your team's overall project approach to the objectives outlined in this RFP.
- c. In particular, explain how through your experience, expertise and approach you can ensure each building will be completed within a 12-month period.
- d. Demonstrate how you will secure MWBE-certified contractors and compliance with NYS OCSD requirements or similar NYS agency MWBE reporting protocols.

5. Project Schedule

- a. Respondents must provide a task-by-task schedule that specifies the time (in days or weeks) that will be required for each task, work part, and all Scope of Service items. Include a linear timetable, with significant milestones, which outlines the sequencing, overlapping, etc., of the individual tasks. The schedule should begin coincident with notice to proceed. The schedule also should indicate the time allocated for team reviews/meetings and approvals. The timeline should be presented in weeks, starting in month one.
- b. In addition, describe the process(s) the prospective organization would employ to maintain strict budgetary and schedule controls on the project.

6. Fee Estimate

- a. Respondents must provide a fee estimate for each task. Compensation for work will be provided on a time and materials basis with a not-to-exceed limit.

7. Demonstration of Organizational Financial Statements & NYS Compliance Required for ESD Approval

- a. W-9
- b. Audited financial statements for the 2021, 2022, and 2023 financial years; unaudited financials for 2024

*If you are selected as LPA, you must be in compliance with the NYS Statewide Financial System (SFS) <https://www.sfs.ny.gov/> by March 10, 2025.

IX. SELECTION PROCESS

The contract will be awarded to the nonprofit organization that submits the most responsive proposal that would provide the “best value” to the sponsors, demonstrating relevant experience and expertise; and which, upon evaluation of all proposals received, best demonstrates its ability to achieve the objectives of this RFP; and which in the judgment of CRS, would best serve the public interest.

CRS reserves the right to reject any and all proposals especially if they are incomplete and incorrect, and solicit a new RFP.

Proposal Procedures & Due Dates

It is anticipated that a contract will be awarded in response to this RFP based in the following schedule:

Date	Milestone
January 17, 2025	RFP Issue
February 21, 2025	Proposals Due
March 5, 2025	Recommendation of an LPA
April 1, 2025	Anticipated Contract Start Date

CRS reserves the right to change any of the dates stated in this RFP. CRS reserves the right to request an interview from respondents.

Questions

Questions about this RFP should be submitted in writing via email to info@centerforregionalstrategies.org with the subject line: RFP East Side Building Fund LPA.

Questions and responses will be posted [here](#).

Proposal Submission

Respondents will not receive compensation or reimbursement of any expenses associated with preparing and/or submitting the proposal.

Respondents are required to upload one electronic copy of their proposal [here](#) by **5:00 P.M., Friday, February 21, 2025. Late proposals will not be reviewed.**

X. EVALUATION CRITERIA

All proposals will be evaluated on criteria that will include the following, provided that the relative value of all financial offers will be evaluated based on a standard term.

1. Experience & Qualifications (55 Points)

- a. Respondent and affiliated partners have successfully completed project(s) similar in size and scope and have developed a team with the skillsets to perform the duties outline in the scope of services.

2. Project Understanding (35 Points)

- a. The respondent demonstrates a clear understanding of the project.
- b. Ability to perform the required scope of services in given timeframe. Demonstrates that the organization has sufficient capabilities, resources and staff to deliver high quality services on a short time frame and within budget.
- c. Quality and Completeness of the Application Proposal: All required documents have been submitted and the project is presented in a clear and concise manner.

3. Fee Estimate (10 Points)

Respondents to the RFP will be evaluated to the RFP will be evaluated on the quality of the overall fee estimate. Elements to be evaluated include but are not limited to:

- a. The use of reasonable and attributable assumptions;
- b. The anticipated level of effort proposed for each task related to descriptions/assumptions included in the Scope of Services;
- c. Reasonableness of in the programming of labor categories/rates for each task based upon experience/skill sets required; and
- d. Overall projected cost of the effort.