REQUEST FOR PROPOSALS (RFP)

to Develop a Regional Freight Mobility Plan for the Appalachian Region of South Carolina

Requesting Party: Appalachian Council of Governments

Submittal Address: Appalachian Council of Governments RFP No. ACOG-2019-5 Attn: Lance Estep, AICP, Project Manager 30 Century Circle Greenville, SC 29607

<u>Submittal Deadline:</u> 5:00 pm EDT on June 3, 2019



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I. INTRODUCTION

The Appalachian Council of Governments (ACOG) is soliciting proposals from qualified consultants to provide professional services in the development of an Appalachian Regional Freight Mobility Plan for the Appalachian Region of South Carolina, which includes the cities of Greenville, Spartanburg and Anderson.

The Appalachian Regional Freight Mobility Plan will address a number of logistical, infrastructure, land use and economic impact issues that have been created due to the area's significant population and industry growth over the past decade. The Appalachian Regional Freight Mobility Plan will:

- Assess the current state of air, truck and rail freight system operations and identify ways to
 effectively prioritize and address future freight congestion issues, key regional bottlenecks,
 infrastructure deficiencies, potential technologies to increase flow and safety, and urban and
 rural land use requirements and policies;
- Identify links that connect mobility of air, truck and rail freight modalities to regional economic development goals and address key opportunities, gaps and barriers to improve and promote economic development and job growth within the region's logistics and manufacturing industries as it relates to transportation and/or transportation planning; and
- Align recommendations and action steps for regional partners based on Fixing America's Surface Transportation (FAST) Act and South Carolina Department of Transportation (SCDOT) requirements, including the development and assignment of qualitative performance measurement strategies that are responsive to federal and state freight mobility and efficiency goals.

The final outcome resulting from the development of an Appalachian Regional Freight Mobility Plan will be a set of strategic recommendations and guidance that outlines decision-making processes and targeted regional actions and policies for priority investments within both urban and rural environments of the Upstate Region. Further, the Appalachian Regional Freight Mobility Plan developed under this project must be in conformance with FAST Act recommendations and guidelines, and planned in accordance for inclusion within the SCDOT Strategic Statewide Freight Plan.

Request for proposal (RFP) responses must satisfy the minimum criteria outlined within the scope of work within this document to be responsive to this solicitation. Any modifications or enhancements proposed beyond the identified scope of work outlined within this document must be clearly and concisely identified. The successful consultant or team must demonstrate previous similar project expertise, technical capabilities of proposed staff, a solid understanding of the proposed scope of work and regional issues in the Upstate of South Carolina, and possess sufficient technical and staff availability to develop the Appalachian Regional Freight Mobility Plan within the expected project timeline.

Responses to this RFP must be received by the designated ACOG Project Manager by **5:00 pm EDT on Friday, April 19, 2019** (no exceptions). Interviews with one or more proposers will be scheduled and conducted at the discretion of the ACOG and its partners in person or by phone and/or Skype. The selected consultant or team will be required to successfully complete the project no later than **December 31, 2020**.

II. BACKGROUND

The Appalachian Council Governments (ACOG) serves as the regional planning organization for the six counties of the Appalachian Region of South Carolina and has a voluntary membership of 43 municipalities and three metropolitan planning organizations. The Appalachian Region of South Carolina includes the counties Anderson, Cherokee, Greenville, Oconee, Pickens, and Spartanburg counties and is home approximately 1.300.000 to people, making it the largest of the 10 Councils of Government in the state of South Carolina. The Appalachian Region is part of the larger 10 county Upstate Region of South Carolina, which includes the aforementioned counties as well as Abbeville, Greenwood, Laurens and Union counties.

of Who We Serve



Since its formation in 1965, the Council has served the dual mission of tackling issues of regional significance and providing services to local governments. Economic and community development, transportation, infrastructure development, resource management, aging services, and workforce development are all issues of regional importance in which the ACOG takes an active role. At the local level, the agency's services include general administration, technical assistance, training, planning, grantsmanship, and information/mapping services.

The need for a comprehensive strategy to address goods movement in the region results from significant growth in both population and industry that has put pressure on existing infrastructure. The addition of Inland Port Greer's 50-acre facility in 2013 has also added significant freight-related traffic to the region's major highways and arterials.

Population in the Appalachian Region has grown by nearly 24 percent since 2000, with current Census Bureau trends projecting the Appalachian Region's 2030 population to be around 1,400,000, an increase of 10 percent from the current population estimate of 1,271,000. The 10-county Upstate Region is experiencing significant growth as well. By 2040, the Upstate Region's population is projected to reach nearly 1,750,000 – an increase of 64 percent since 1990.

Major manufacturing companies such as BMW, Michelin, Fuji, GE Power and others have opened facilities throughout the Upstate Region. Since 2010, there has been more than \$13 billion in capital investment announced and more than 36,928 jobs. In 2016, more than half of the state of South Carolina's announced projects were in the Upstate Region.

Business growth has not come solely from domestic investment. In fact, South Carolina stands out as a top destination for foreign investment, ranking #1 nationwide in attracting jobs through foreign investment for three of the last five years, according to analysis by IBM-Plant Location International (IBM-PLI) in its Global Location Trends: 2016 Annual Report.

According to the Bureau of Economic Analysis, the Greenville-Anderson-Mauldin Metropolitan Area also boasts the largest Metropolitan Gross Domestic Product (GDP) in the state and is ranked #67 among all metropolitan areas in the United States.

Other accolades received by the Upstate Region and the state of South Carolina include:

- 2017 State of the Year, Business Facilities Magazine 2018
- #1 Micro City of the Future, FDi Intelligence in 2016-2015
- #1 Micro City for Economic Potential (Greenville) and #2 for Business Friendliness
- #2 Top States for Doing Business, Area Development 2016
- #3 among Atlantic states on the 2016 State Workforce Development Ranks, Site Selection 2016
- #4 Top 10 Competitive States of 2014, Site Selection 2014
- #5 Pro-Business Regulatory Environment, Forbes
- #1 Destination for foreign direct investment (4 of the last five years), Global Location Trends
- 2015 Best Cities for Export Assistance, Global Trade Magazine
- Top 50 Cities for Global Trade, Global Trade Magazine

Also of note, the 50-acre Inland Port Greer opened in October 2013, extending the Port of Charleston's reach to the Upstate. The Port moves approximately 400 containers per day, and recently set a facility record with 124,817 total rail moves in 2017; nearly 21 percent more moves than its 2016 volume. The South Carolina Ports Authority recently announced that it will invest an additional \$5.3 million to upgrade Inland Port Greer.

As the Region continues to expand and further develop, proper planning is a critical factor in facilitating mobility for people and goods movement within and through the area. Businesses and industry must be able to locate in areas that provide them with uninterrupted logistics, options for delivering and receiving goods, and viable ways in which to access a trained, educated workforce. Without sufficient

mobility and accessibility, the Appalachian Region cannot sustain the forecast demand of economic growth; businesses and manufacturers will be unable to move supplies and employees in and goods out.

III. SCOPE OF WORK

The Appalachian Council of Governments (ACOG) intends to hire a qualified consultant or team to prepare a Regional Freight Mobility Plan that delivers the outcomes expected to result from successful completion of the project.

The successful responder must demonstrate significant freight operational planning expertise, a strong knowledge of federal, state and regional requirements and technical economic development and land use strategic planning capabilities for the preparation of a comprehensive and strategic Regional Freight Mobility Plan. The expected deliverable for this project is a comprehensive regional plan that provides project partners (public and private) with a series of short-term and long-term strategies and guidance for strategic processes and policies to guide future investments to facilitate the mobility of truck and rail freight movements within and through the Appalachian Region.

The Appalachian Regional Freight Plan is an important product that ties together findings from a series of significant regional studies and projects over the past decade. It is expected that the Appalachian Regional Freight Mobility Plan will guide project partners and stakeholders (public and private) in the development of a staged, priority-driven technical process to address future regional freight (primarily truck and rail) processes, policies and investments.

A significant amount of analysis work is expected to be undertaken as part of this process, along with the identification of best practices from other regions around the country with similar logistic, economic and land use attributes and environments. The selected consultant team will play a very important role in aligning previous comprehensive regional planning findings in order to prepare a comprehensive Regional Freight Mobility Plan that is consistent with regional goals and objectives.

The Appalachian Regional Freight Plan must take into account the projected future growth of the Appalachian and Upstate Regions, key economic variables that are driving regional freight land use, job growth and workforce development scenarios, and all applicable Fixing America's Surface Transportation (FAST) Act requirements and Statewide Freight and Multimodal Plans for performance measurement strategies and freight sector investments. The Appalachian Regional Freight Mobility Plan must include a set of strategies to guide state, regional and local agencies in the implementation of the Appalachian Regional Freight Mobility Plan findings and recommendations in both the short (3 to 5 year) and long term (6-25 years).

ACOG staff has performed significant analysis of INRIX data to assist with the identification of existing conditions in the Appalachian Region. The ACOG staff's intent was to provide the consultant team with a head start on the process in the hopes that the consultant can direct time and resources to defining specific issues and forming recommendations. ACOG staff will provide the selected consultant team with all data analysis to be used freely throughout the life of the project.

a. Public Participation in This Study

The ACOG and project stakeholders have identified the need for a significant degree of public participation within the Appalachian Regional Freight Mobility Plan development phase. Responders to this Request for Proposals (RFP) should specifically address how (type of involvement) and when (which tasks and frequency of meetings) they plan to involve various stakeholders within the proposed work plan, including identification of any tasks or activities that require the participation of Project Steering Committee members (Appalachian Region policymakers, elected officials and staff), Advisory Committee members (Key private sector freight, logistics and manufacturing representatives in the region), and the general public. It is anticipated that the consultant will lead and schedule public participation activities as necessary throughout the project with selected direction, support and assistance from ACOG staff and project partners as appropriate. The proposal should identify key engagement strategies for each of the following tasks, where applicable, to ensure we have a robust bottom-up approach to this planning process.

b. Project Scope of Work

PRE-PROJECT PHASE (Tasks are Responsibility of ACOG, Project Partners and the Consultant Team)

June 2019

- Identification/Assignment of Agency, Partners, Budget, Staffing and Resource Requirements
- Project Steering Committee Development (Policymakers, Agencies)
- Project Freight Advisory Committee Development (Private Sector)
- RFP Development and Release/Notice to Public and Interested Parties
- Selection of Preferred Responder and Contract Process
- Contract Approval/Project Kick-Off

PLAN DEVELOPMENT PHASE (Tasks are Responsibility of Consultant Team)

- 1. Analysis of Existing Conditions for Truck and Rail Freight Mobility in Region
 - 1.1. Truck
 - 1.1.1. Truck Freight Bottleneck Analysis-Interstate and Major Regional Routes
 - 1.1.2. Truck Origin/Destination Analysis and Identification of Critical Freight Corridors
 - 1.1.3. Truck Network Identification
 - 1.1.4. Truck Freight Economic Impact Analysis
 - 1.1.5. Truck Parking Facility/Utilization Rate Analysis
 - 1.2. Rail
 - 1.2.1. Overview of Rail Freight System and Identification of Key Corridors and Facilities
 - 1.2.2. Existing Freight Rail System Bottlenecks and Constraints
 - 1.2.3. Existing Commodity Freight Flow and Train Volume Analysis

1.2.4. Rail Freight Economic Impact Analysis

Task 1 activities are focused on a thorough analysis of current conditions and operations related to truck and rail freight commodity flows within and through the Appalachian Region. The consultant team should provide a detailed description of the process they are proposing to conduct the analyses, including national, regional or state data sources or other information that will be used to thoroughly develop the existing conditions assessment. A detailed freight economic impact analysis focused upon regional truck and rail freight activity in both urban and rural areas of the Appalachian Region is the key deliverable under this task.

2. Land Use, Facility, Infrastructure and Regulatory Gap/Future Demand Analysis

- 2.1. Inventory of Existing Regional Freight/Intermodal Land Use
- 2.2. Regional Freight Land Use Policies and Regulations
- 2.3. Intermodal and Truck Parking Facility Capacity
- 2.4. Road Network Corridors (Interstate and Local)
- 2.5. Rail Network Corridors (Dedicated and Shared Use)

The consultant must conduct a gap analysis under **Task 2** that analyzes and evaluates existing and planned freight-related land uses, including facilities and infrastructure, within the Appalachian Region. Recommendations and findings from the gap analysis should be integrated into regional preferred growth scenarios developed and approved through local comprehensive plans and other regionally focused plans completed within the last 2-3 years. The expected outcome resulting from the gap analysis task is a GIS-based map identifying areas and facilities within the region that are critical to ensuring efficient freight flows and mobility in the future.

As part of this task, the consultant will conduct a review of local unit of government development policies and processes that may impact the efficient delivery of goods by truck and rail in both the short and long term. Tools and strategies that assist regional policymakers and agencies in the development of freight land use policies and regulations consistent with future preferred growth and economic development scenarios should be included. In addition, Federal and state regulations that may impact or affect proposed local development policy and process changes should be identified.

3. Best Practices in Freight Mobility Efficiency, Safety and Technology (ITS)

- 3.1. Peer Review of National Freight Mobility Plan 'Best Practices' Models
- 3.2. Future Technology Trends and Applications
- 3.3. Freight Safety and Security Features
- 3.4. Opportunities for Public/Private Partnerships

A peer review of 2-3 similarly-sized regional models of freight mobility best practices in industry and government should be conducted for **Task 3**. This deliverable should identify best practices in the areas of modal technology trends and applications utilized by the private sector to improve freight throughput and increase efficiencies, land use, regulatory and planning practices. For comparative purposes, the review should include regions with similar geographic attributes as the Appalachian Region and focus on practices to attract private industry, improve commodity flow and provide regional economic benefits. In accordance with Fixing American's Surface Transportation (FAST) Act guidance, applicable industry technological improvements in the areas of Intelligent Transportation Systems (ITS), safety and security should also be identified, as well as potential opportunities for public/private partnerships and initiatives within the Appalachian Region based on study findings.

4. Prioritize List of Regional Needs

4.1. Prioritize List of Regional Needs (for inclusion in MPO/COG Transportation Improvement Plans (TIP), MPO/COG Long Range Transportation Plans (LRTP) and Statewide Transportation Improvement Plan (STIP) processes)

The critical regional deliverable resulting from findings in previous tasks of the study is a staged, prioritized list of freight infrastructure, process and policy needs for use by Appalachian Region agencies. A staged, prioritized list of regional freight mobility needs approved by the Project Steering Committee is the expected outcome of this task. The list shall include recommendations for policies and projects (infrastructure, safety improvements, etc.) for inclusion within regional planning processes such as LRTP's and ultimately the South Carolina STIP. Recommended needs should be identified as either a short-term (3-5 year) or long-term (6-25 years) action based on a determination by the consultant gained from study findings, stakeholder inputs and regional assessments.

5. Develop Regional Freight Performance Measures in Accordance with FAST Act Recommendations and South Carolina Strategic Freight Plan Requirements

- 5.1. Determine Quantitative Metrics to Support FAST Act and South Carolina Department of Transportation (SCDOT) Requirements
- 5.2. Define Regional Quantitative Data Collection Processes and Partner Responsibilities

Under **Task 5**, the consultant must develop a targeted, quantitative set of regional freight performance measures and metrics that closely follow federal guidance regarding performance management and which address regional transportation that support regional economic development goals. Based on information collected and analyzed from previous tasks, it is expected that the consultant will identify specific quantitative/metric-gathering processes and assignments that regional partners, public and private, can undertake in the future to ensure that freight performance data collected within the Appalachian Region is responsive to both federal/state requirements and regional economic development goals.

6. Develop Draft and Final Appalachian Regional Freight Mobility Plan Report

- 6.1. Develop Draft Plan/Report with Findings and Recommendations
- 6.2. Present Draft to Project Steering Committee for Review/Comment
- 6.3. Present Draft at Public Meetings for Review/Comment
- 6.4. Submit Final Report incorporating comments to the ACOG

A Draft Regional Freight Plan will be developed that includes a detailed discussion of activities performed during the project, outcomes resulting from the project's tasks and activities, and a thorough analysis of project findings. The Draft Plan document must include recommendations and strategies for short and long term regional priorities to improve truck and rail freight mobility in the Appalachian Region. The consultant will present the Draft Regional Freight Mobility Plan for Project Steering Committee review and approval no later than November 1, 2020. Once the Draft Mobility Plan has been approved by the Project Steering Committee, a Final Appalachian Regional Freight Mobility Plan document must be submitted to the ACOG no later than December 31, 2020.

<u>POST-PROJECT PHASE</u> (Tasks are Responsibility of ACOG and Project Partners with limited participation of consultant as necessary)

November – December 2020

- Plan Formally Presented to Local Government Partners for Endorsement/Approval
- Targeted Individual Briefings As Required
- Project Close-Out
- Incorporation of Approved Plan Elements into Regional/State Plans and Processes

IV. PROPOSAL STRUCTURE

The proposal must address all elements of the scope of work as outlined within the section below. Any modifications or enhancements proposed beyond the identified scope of work outlined within this document must be clearly and concisely identified.

a. Appalachian Freight Mobility Plan Proposal Format

The proposal cannot exceed **20 pages** (either 20 single-sided pages or 10 double-sided pages) in length. The proposal title page is NOT counted within the 20 page limit. Please use 11 or larger point font size for readability. Any text beyond 20 pages will not be reviewed. Appendices are not allowed and will not be reviewed. Proposals should demonstrate that the responder fully understands the intent of the project, the character of the required deliverables and the plan development process. In addition, the level of technical qualifications to supply the required services must be clearly demonstrated. In order to assist in the evaluation process, please include the following requirements in the proposal document:

1. Cover Letter (no more than one page and counts within 20 page limit)

The letter must be signed in ink by an individual with authority to legally represent the proposer to the work proposed by the company or team.

2. Project Approach/Work Plan

This section should include a detailed description of the proposer's understanding of the intent of the project and its objectives, the character of the required deliverables, and overall approach to the project. The proposer should identify the level of assistance required from the ACOG and/or Project Partners to complete each task.

3. A schedule (in Gantt chart form) showing all milestones, critical stakeholder meetings and deliverables to maintain project progress by the project end date.

4. Introduction to the Proposer(s)

Firms shall provide the following information. (The same information must be provided for each sub-consultant or each member of a joint venture):

- Firm name and business address, including telephone number and email contact.
- *History of the firm.*
- Identify the state in which the firm was organized or incorporated.
- Type of ownership, and name and location of parent company and subsidiaries, if any.
- Number of full-time employees. Part-time employees or consultants routinely engaged by the consultant may be included, if clearly identified as such.
- 5. Qualifications and Experience of the Consultant Firm(s)

Please describe recent experience relevant to this project. Include brief project profiles as well as a key project reference with address, phone and email contact information for each profile. Particular emphasis should be placed on projects managed by the key personnel proposed for this project. If the respondent anticipates the use of sub-consultants, the respondent shall identify:

- The role and extent to which these parties will participate in the project.
- The means by which the consultant will oversee the work of these parties.
- The experience and credentials of these parties relevant to this project.
- References: Please submit names, addresses, and phone numbers of at least two references familiar with the sub-consultant's ability, experience, and reliability in the performance and management of projects of a similar nature.
- 6. Qualifications and Experience of Key Staff

Identify key individuals to be assigned to this project and include the function and/or responsibility of each of the identified individuals. Experience summaries of these key individuals

shall be provided, with emphasis on previous experience on similar projects in similar roles. Resumes of these key individuals may be included within the 20 page limit if desired.

NOTE: If any of the above requirements are not met, the responder's proposal may not be considered.

b. Submittal Instructions

Submit five (5) hard copies of the RFP response and one (1) digital copy that exactly matches the hard copies submitted. The digital copies should be saved as Adobe PDF files (reduced size) and e-mailed to <u>lance@scacog.org</u> by the proposal deadline date and time. Number all pages consecutively. Clearly indicate the following on the outside of each proposal submittal package:

- Project name (Appalachian Regional Freight Mobility Plan);
- Project number (ACOG-2019-5)
- Name, address, and email address of the primary consultant.

Submissions must be received by 5:00 pm EDT on June 3, 2019 at:

Appalachian Council of Governments (ACOG) Attn: Lance Estep, AICP, Project Manager 30 Century Circle Greenville, South Carolina 29607

V. PROJECT SCHEDULE

A copy of the Appalachian Council of Governments (ACOG) current draft schedule (subject to change) is included below for planning purposes. Per ACOG's LPA Agreement with SCDOT, any project intending to utilize federal funds for planning activities must obtain notices to proceed from SCDOT prior to consultant selection and project initiation. Delays in the proposed project schedule should be anticipated by all parties involved.

Task	Timeline/Deadline
Request for Proposals Advertised	May 13, 2019
RFP (Written Only) Questions Accepted	May 22, 2019 by 5:00 pm EDT
RFP Answers Posted on the ACOG website	May 29, 2019 by 5:00 pm EDT
Proposal Submittal	June 3, 2019 by 5:00 pm EDT
Review Team Evaluation	Week of June 10, 2019
Consultant Interviews (In-person, conference call, Skype, etc.)	Week of June 24, 2019
Consultant Selection and Notification	Week of June 24, 2019

Post Selection Meeting with Consultant	Week of July 8, 2019
ACOG/Consultant Contract Negotiations	By July 23, 2019
Award of Contract or Letter of Intent	By July 23, 2019
Anticipated Services Begin	August 5, 2019

a. Post Selection Meeting

It is anticipated that the submitted qualifications may not clearly establish all related tasks and respective responsible parties. Therefore, closely following proposer selection, ACOG staff will meet with the selected proposer to revise or amend as necessary the final scope of work, and more precisely define work tasks, responsibilities of parties, deliverable dates (including a consultant-led project kick-off meeting with the Steering and Advisory Committees in attendance), project schedule requirements and final project cost.

VI. CONSULTANT SELECTION PROCESS

The Appalachian Council of Governments (ACOG) evaluation process will involve review of each submitted proposal by deadline date and time by the project selection committee based on the criteria outlined below. A list of responders will be developed in order of preference based on proposal content and, if desired by the selection committee, a check of references may be performed. The proposal evaluation criteria, with corresponding weight factors, consist of the following:

• Freight Planning Experience: 35 percent

Demonstrated experience in creating regional or state freight plans, working with diverse groups of stakeholders and ability to prepare user-friendly planning products (written reports and web-based reports)

• Capability and Qualifications: 25 percent

Qualifications of the firm and personnel (including any subcontractors) to be assigned to this project demonstrating the consultant's capacity to complete requested services, their experience completing similar projects, including experience with data collection and analysis related to the scope of work elements.

• Project Understanding and Method of Approach: 25 percent

Demonstration of overall project understanding and clarity of the proposal and creativity/thoroughness in addressing the project objectives and deliverables outlined in the Request for Proposals (RFP).

• Submittal Completeness: 10 percent

Completeness of submitted proposal with all elements required by the RFP and demonstrated effort to solicit/include Disadvantaged Business Enterprise (DBEs), Minority Business.

• Relevant References: 5 percent

References to previous similar work, including work performed such as regional freight/logistics studies, intermodal or logistics planning, or truck and/or rail planning.

The ACOG reserves the right to seek clarification of any submitted proposal, reject any and all proposals received as a result of this solicitation, to negotiate with any qualified source, to waive any formality and any technicalities or to cancel in part or in its entirety this RFP if it is in the best interests of the ACOG. This solicitation of qualifications in no way obligates the ACOG to award a contract. A short list of qualified consultants will be selected from the submitted proposals for follow-up interviews. The interview format will include an oral presentation from the consultant, to be followed by a question and answer period. Interviews will be scheduled during the week of June 24, 2019 at the ACOG offices in Greenville, SC. Skype or an equivalent platform for interviews may be considered depending upon circumstances.

If in the judgment of the ACOG, changes in the contents of the RFP are required, an addendum will be issued by the ACOG. Any addendum that may be issued will be posted on the ACOG website at <u>www.scacog.org</u> by 5 pm on Wednesday, May 29, 2019. The consultant team will be required to provide a written letter to acknowledge their receipt of the addendum and inclusion as part their submission. This additional letter shall be one page and will not subject to the page limit requirement.

Due to potential conflict of interest, no consultant team or a person representing a consultant team may arrange or meet with the individual members of the ACOG to discuss any items or matters related to this RFP during the period of time between the date of the release of this RFP and the date the ACOG makes the decision selecting the successful consultant team.

VII. ADDITIONAL INFORMATION

The Appalachian Council of Governments (ACOG) reserves the right to award the contract to any qualified responder. Ten percent of total contract cost will be withheld as retainage pending successful project completion. All submittals become the property of the ACOG upon submission. The cost of preparing, submitting and presenting qualifications lies solely with the responder.

All data, databases, reports, designs and materials in digital and hard copy format created under this project shall be transferred to the ACOG upon completion of the project and become the property of the ACOG.

a. Insurance

The consultant shall effect and maintain insurance at its own cost and expense to protect itself and the ACOG from claims under Workers' Compensation Acts; from claims for damages because of bodily injury including sickness, disease, or death of any of its employees or other parties; from claims for damages

because of injury to or destruction of tangible property; and from claims arising out of the performance of professional services caused by errors, omissions, or negligent acts for which it is legally liable, each in the amount of \$1,000,000 or statutory amount as applicable.

b. Funding Notice

Funding for this project will be provided through Federal, State, and local transportation/transit funding sources with the required match provided by the ACOG. Costs incurred prior to notice-to-proceed will be the responsibility of the consultant and will not be reimbursed. All travel expenses prior to notice to proceed shall be at the consultant's expense. This project will be negotiated on a lump sum contract.