

**REQUEST FOR STATEMENT OF QUALIFICATIONS**  
**FOR**  
**PROFESSIONAL ENGINEERING CONSULTING SERVICES**  
**On The**  
**TAXIWAY FOXTROT ("F") PAVEMENT EVALUATION AND SAFETY AREA**  
**IMPROVEMENTS PROJECT**  
**ASSOCIATED WITH**  
**BIRMINGHAM - SHUTTLESWORTH INTERNATIONAL AIRPORT**  
**Issued January 10, 2017**

**I. Introduction**

The Birmingham Airport Authority (the "Authority") is seeking a highly qualified firm or team of firms (each, a "Respondent"), to provide Professional Engineering Consulting Services associated with facilitating a condition assessment, repair, and improvements of the designated taxiway's safety area situated between Runway 6/24 and the Alabama National Guard apron. Existing FAA electrical cabling will need to be lowered to facilitate this work. A new lighted wind cone will be added to Runway 6/24 SW of the Taxiway "F". The distance remaining signs are mounted on concrete pads, and may require some electrical work to complete their installation. All work must comply with the latest FAA Design Standards.

**Purpose of Solicitation**

The purpose of this solicitation is to select a firm or team of firms to plan and facilitate a condition assessment, repair, and improvements of this taxiway's safety area including pavement surface, drainage, utilities, signage, edge light upgrades, as well as other appurtenances at the Birmingham-Shuttlesworth International Airport, Birmingham, Alabama.

**II. Project Description**

The Authority is interested in procurement of services from Engineering Consulting Firms of which should be highly experienced and proficient in similar taxiway projects. The project scope of services shall include all work associated with providing a complete and full range of engineering expertise of which shall require efforts thereof.

The project consists of providing services including design for the rehabilitation a significant and varying size area of this Taxiway Foxtrot (F) including but not limited to the stabilization fill, base, asphalt and/or concrete pavement, drainage, utilities, replacement of distance remaining signage, pavement markings, addition of new lighted wind cones at Runway 6/24 southwest of Taxiway F, and related appurtenances.

Specific project requirements and design features for the project will be developed in accordance to FAA standards. The design services shall include construction phasing plans, an operational plan accommodating runway and taxiway closures, and contingency plans for aircraft operations during construction. The scope of services shall be broken down into three (3) phases. Phase one (1) consists of data gathering, record information review and preparing a Basis of Design report. Upon approval of the Basis of Design, Phase Two (2) shall consist of the consultant generating Schematic Design documents, preliminary cost estimates, and an assessment of constructability. With approval by the Birmingham Airport Authority hence fore referred to as "the Owner", upon completion and approval of the schematic phase, the Consultant will begin Phase Three (3), consisting of Design Development, Construction Documents, bidding assistance, and construction support services.

### **Project Intent**

Consultants responding to this Request for Qualifications (RFQ) understand and agree that any resulting contractual relationship is non-exclusive and the Authority reserves the right to contract with more than one Consultant or seek similar or identical services elsewhere if deemed in the best interest of the Authority.

The issuance of this RFQ constitutes only an invitation to present a Statement of Qualifications (SOQ). The Authority reserves the right to determine, in its sole discretion, whether any aspect of the response satisfactorily meets the criteria established in the RFQ, the right to seek additional information and/or clarification from any firm submitting a response, the right to negotiate with any firms or individuals submitting a response, and the right to reject any or all responses with or without cause. In the event that the RFQ is withdrawn by the Authority for any reason, including but not limited to, the failure of any of those things or events set forth herein to occur, the Authority shall have no liability for any cost or expenses incurred in connections with this RFQ or otherwise.

### **Project Scope**

The scope of work for this project is the completed design including any and all task essential for the assessment and rehabilitation of the Airport's Taxiway F. This includes all Schematic, Design Development, Construction Documents, Construction Administration and Closeout Documentation Phases of the project. The project is contingent upon funding and could be undertaken in phases.

The Birmingham Airport Authority reserves the right to:

1. Select more than one (1) firm to perform services from among the respondents to this RFQ and to award work among selected firms as the Authority sees fit;

2. Competitively procure services for any portion of the project. Neither this RFQ nor any subsequent agreements shall be construed to guarantee any work for the selected firm or firms;
3. Accept or reject any response or proposal. The Authority may, for any reason, deem it in the best interest of the Authority to withdraw from performing any work, to competitively procure these services in another manner consistent with law, or to perform any work in house or with other resources after a response after a response is received from any firm;
4. Make a reasonable objection to the use of any individual, subconsultant, subcontractor or supplier, in which event, the Consultant shall use an alternate individual, sub consultant, subcontractor or supplier reasonably acceptable to the Authority.

In order to be considered, firms must be able to demonstrate significant knowledge and experience in providing the type of consulting services requested, and shall have considerable experience with the design and construction standards for airport taxiways. Interested firms are invited to indicate their interest in providing the requested services by submitting ten (10) hard copies and one(1) electronic copy (CD) of their Statement of Qualifications (SOQ), containing no more than twenty (20) single pages (or 40 pages if double sided pages) or less, on or before 12:00 p.m. local time, Thursday, February 9, 2017, to:

Mr. James Ray, P.E., Director  
c/o Mr. Lowrenzo Taylor, Project Manager  
Birmingham Airport Authority  
Department of Engineering and Development  
5900 Messer-Airport Highway  
Birmingham, Alabama 35212

The Consultant shall provide Basic Services which includes and required Special Services. During the preliminary phase of the project, the consultant shall perform the following:

1. Meet with local, State, and Federal Agencies as required
2. Provide a preliminary evaluation of the elements of the project and the budget requirements.
3. Review with the Authority any alternate approaches to the design and construction of the project.
4. Prepare schematic design documents consisting of drawings and other documents illustrating the scale and relationship of the components of the project.
5. Submit statement of probable construction costs for the project.
6. Based upon the approved schematic design document and any adjustments authorized by the Authority, prepare design development documents to fix and describe the size and character of the entire project.
7. Submit revised statement probable cost.

**During the design development phase of the project, the consultant shall:**

1. Prepare construction documents consisting of drawings and specifications setting forth detailed requirements for the construction of the project.
2. Collect all engineering data, conduct all field investigations, perform all geotechnical work, and perform other studies necessary.
3. Assist the Authority in preparation of necessary bidding information, bidding forms, the Conditions of the Contract, and the form of Agreement between the Authority and the General Contractor.
4. Advise the Authority of any adjustments to previous statements of probable construction cost indicated by changes in requirements or general market conditions.
5. Assist the Authority in connection with the Authority's responsibility for filing documents required for the approval of governmental authorities having jurisdiction over the project.

**During the bidding and negotiation phase of the project, the consultant shall:**

1. Participate in a Pre-Bid Conference, Bid Administration, receive comments, and prepare and distribute addenda to revise plans, specifications, and contract documents.
2. Conduct a bid analysis and make recommendations to the Authority for the award of contracts or rejection of bids.

**During the construction phase of the project, the Consultant shall:**

1. Advise and consult with the Authority during the construction.
2. Participate in a Preconstruction Conference.
3. Assist in the review and certification the Contractor's submittals for progress payments and final payment.
4. The Engineer of record shall visit the site at intervals appropriate to the stage of construction of the individual elements of the program to insure familiarity with the progress and quality of work.
5. Interpret the requirements of the contract documents.
6. Provide design clarification.
7. Provide full time Resident Project Representative Services to inspect and determine that the work of the contractor is performed in accordance with the requirements of the contract documents for the various elements of the project.
8. Prepare change orders for the Authority's approval and execution and order minor changes in the work which does not involve an adjustment in the contract sum or an extension of the construction time and which are not inconsistent with the intent of the contract documents.
9. Perform a final inspection to determine if the individual elements of the project have been completed in accordance with the contract documents. Review and approve pay request from the contractor and submit to the Owner for final approval and payment.
10. Provide reproducible drawings and AutoCAD files of each project's record drawings as corrected to show changes in the work during the construction of the individual project.

Offers in response to the Request for Qualifications, hereinafter referred to as "RFQ" are subject to the requirements in Section III, Submission Requirements are as follows:

### **III. SUBMISSION REQUIREMENTS**

It is the intention of the Authority to execute a contract with one "prime" consultant, hereinafter referred to as "Submitting Firm." The Submitting Firm will be held solely responsible for the execution of the entire project. It is expected that the Submitting Firm may desire or need the services of sub consultants to undertake various elements of the project and to satisfy DBE requirements. In the events that Sub Consultants are anticipated, the RFQ submittal shall identify the proposed Sub Consultants and the specific work elements each will be responsible for completing.

The Submitting Firm shall be required to provide all professional services as may be necessary to accomplish the work.

The Submitting Firm must not only demonstrate its abilities to provide the above services, it must also include in its response the following information:

#### **A. Contacts**

Name, address, telephone number, e-mail, and facsimile number of the company that will bear primary responsibility for the entire project (the "Submitting Firm").

#### **B. Company Description/Background**

A general description of the Submitting Firm and any sub consultants that will profile the company's history, specialties, years of experience, etc. A profile must also be provided for each separate consultant or Sub Consultant.

#### **C. Understanding of the Project**

A statement indicating an understanding of the requirements necessary for the design and construction of the Taxiway Foxtrot improvements.

#### **D. References**

A list of references for the Submitting Firm and any sub consultants involved in the project for similar work performed at other airports.

#### **E. Disadvantaged Business Enterprise (DBE) Participation**

The Submitting Firm shall provide evidence (complete and attach the enclosed DBE Letter of Intent labeled Attachment "1" herein) of its ability to meet the necessary DBE requirements as outlined in Attachment "A".

#### IV. EVALUATION CRITERIA

The evaluation criteria which will be used in the selection of the consultant team are as follows:

##### **Section A. Prior Experience on Similar Projects (0 to 55 Pts.)**

Experience of firm and team having performed similar work within the past five (5) years, or currently performing similar type Taxiway projects for airports of similar size and complexity.

Experience of firm and team having performed similar work within the past five (5) years, or currently performing similar type work on Taxiways at airports of a larger size and complexity.

Experience of firm and team having performed similar work within five (5) years, or currently performing similar type work for municipal, institutional, academic, private, military or federal agencies, companies and/or organizations.

Experience within past five (5) years on similar projects with demonstrated success in coordinating and involving multiple Stakeholders for the project.

Demonstrated experience within five (5) years on similar projects resulting in the success in meeting, factoring in, and complying with all local, state and federal agencies.

Cite experience within past five (5) years of firm and teams success in fulfilling the requirement of this type of RFQ's scope of services in concurrence with all time constraints.

Indicate firm /team's previous experience in the developments of a comprehensive budget model for the project, and the success of such models when utilized by the client.

Firm/team's history of maintaining a stable and dependable Workforce for the duration of the project.

History of firm/team's commitment to keeping contract escalations and modifications to a minimum.

Cite firm and team's history in assembling professional engineering, environmental, and/or a group or team on previous similar type projects.

**Section B. Availability of Key Personnel (0 to 10 pts.)**

Indicate experience of Key personnel in managing similar projects for airport, municipalities, and other institutions and/or organizations for the past five (5) years.

Indicate communications skills and ability to effectively relate and present to a vast complexity of audience.

Indicate the level of knowledge of Key Personnel related to the involvement of multiple Stakeholders (City, County, Federal, Community, Regulatory, and grass roots) in matters related to incorporated and enfranchising ideas and recommendations for the project.

Cite the number of successful projects Key Personnel have been involved in over the past five (5) years.

Commitment of firm and team to maintaining Key Personnel for the duration of the project.

**Section C. Area of Participation of Team (Select One Only) (0 to 5 pts)**

If 50% or more of the work will be performed within the City of Birmingham.

If 30% to 49% of the work will be performed within the Metropolitan area of the City of Birmingham.

If 16 to 29% of the work will be performed within the State of Alabama.

If less than 15% of the work will be performed within the Southern Region of the United States

**Section D. DBE Participation (Select Only One) (0 to 20 pts)**

If 70% or more of the funds will be received by DBE firms for work performed.

If 50 to 69% of the funds will be received by DBE firms for work performed.

If 30% to 49% of the funds to be received by DBE firms for work performed.

If 0 to 29% of the funds will be received by DBE firms for work performed.



**Section E. Previous Working Relationship of Firms (Select Only One)  
(0 to 6 pts)**

Joint Venture on similar projects

Joint Venture on other non-similar projects

Consultant/Sub Consultant on more than one project

Consultant/Sub Consultant one project

Key members of more than one firm have previously worked with a second firm.

**Section F. Computer Capabilities of the Firm/Team (Select Only One)  
(0 to 4 pts)**

For Auto-Cad System with most current Release capability.

For any other CAD System.

The firm selected by the Birmingham Airport Authority to perform these Professional services will enter into a non-exclusive agreement with the Authority, and the Authority shall have the right to contract for all or any portion of the project with the selected firm or team of firms, contingent upon availability of funds.

The Authority intends to certify from those firms or team of firms submitting a response to this solicitation, a list of those firms, which it considers, qualified. The Authority, pursuant to its procedures and consistent with prevailing legal statute, will then select from the list of qualified firms, or team of firms; a shortlist of firms from which the Birmingham Airport Authority will make a final selection.

Under no circumstances, however, is the Authority obligated to award this project to any of the firms or team of firms responding to this Request for Qualifications; and further, the Birmingham Airport Authority reserves the right to reject any and all responses to this solicitation.

## V. PROCEDURES

### Procurement of RFQ Documents

Starting Monday, January 16, 2017 Request for Qualifications (RFQ) package may be accessed or downloaded from the Birmingham Airport Authority's web site address listed below:

[www.flybirmingham.com/about-bhm/birmingham-airport-authority](http://www.flybirmingham.com/about-bhm/birmingham-airport-authority)

"Doing Business at BHM"

### B. **Submission of Qualification Statement**

Submitting Firms must send ten (10) hard copies and one (1) electronic copy (CD) of the Statement of Qualifications containing not more than 20 single pages (40 pages both sides), and bounded with spiral/combs binding. Statements must be submitted in a sealed container(s) labeled "Qualification Statements for Professional Engineering Consulting Services for the Taxiway Foxtrot ("F") Pavement Evaluation and Safety Area Improvements Project"

To:

Mr. James Ray, P.E., Director  
Engineering & Development  
c/o Mr. Lowrenzo Taylor, Project Manager  
Birmingham Airport Authority  
5900 Messer-Airport Highway  
Birmingham, AL 35212

Responses to this solicitation received after **12:00 noon, February 9, 2017** will be returned unopened. The risk of the delivery shall be the sole and absolute responsibility of the proposing entity.

### C. **Proposal**

At the Authority's discretion, an oral presentation may be required, and if so, a fee proposal shall be submitted at the time of oral presentation. The fee proposal shall be broken down into two categories, i.e. Basic Services and Special Services (other firms assisting in the effort). **Price proposals are not to be submitted at this time with SOQ's at this time.**

**D. Contact and Questions**

The principal contact regarding all aspects of this RFQ is Mr. Lowrenzo Taylor, Project Manager, Engineering & Development, at the email address identified below:

ltaylor@flybirmingham.com

Questions, via Email pertaining to this RFQ will be entertained by the Authority until end of business day, **Thursday, February 2, 2017** local time.

All questions or request for clarification will be considered for response at the sole discretion of the Authority. Questions must be submitted via email to the attention of Mr. Lowrenzo Taylor, Project Manager, at the address listed above.

Oral explanations and/or instructions shall not be considered binding on the Authority.

**E. Pre-Submittal Conference**

A pre-submittal conference will be held on **Thursday, January 26, 2017, 2:00 p.m.**, local time in Meeting Room A located on the lower level of the terminal building near the Birmingham Police Department's Substation at the Birmingham-Shuttlesworth International Airport.

Attendance at this conference is **highly encouraged** to any and all firms planning to participate in the submittal process for this project.

The purpose of this meeting is to provide an opportunity for those interested parties to present their questions regarding the Request for Qualifications (RFQ).

**F. Selection Process**

The Authority intends to certify from those Submitting Firms responding to this solicitation, a short list of firms based solely on their statement of qualifications. A review committee will review and evaluate the responses, and submit a list of responsive firms to the Board for oral presentations (may be optional). The presentations will address only specifics of the proposed project. Evaluations shall be based on criteria outlined in Section IV, Evaluation Criteria, and according to the Submitting Firm's compliance with the submission requirements as outlined in Section III, Submission Requirements. The Authority retains the right to waive any absolute discretion.

Proposing entities are encouraged to supplement their proposals with any additional and/or miscellaneous information that they would deem relevant for consideration by the Authority in evaluating the overall quality of their proposal and/or their ability, experience, and background in performing the scope of services as requested herein. Short listed Submitting Firms may also be requested to participate in an oral interview and/or presentation process on the anticipated date identified to be determined via the Authority. Guidelines for this oral interview/presentation process will be provided at a later date.

A Fee Proposal will be submitted at the oral presentation **in a sealed envelope** labeled "Statement of Qualifications for the Professional Engineering Consulting Design Consulting Services for the Taxiway Foxtrot Pavement Condition Assessment and Rehabilitation Project", Birmingham–Shuttlesworth International Airport, with the name of the Submitting Firm or team of firms to:

Mr. James Ray, P.E., Director  
c/o Mr. Lowrenzo Taylor, Project Manager  
Engineering and Development  
Birmingham Airport Authority  
5900 Messer- Airport Highway  
Birmingham, Alabama 35212.

Only proposals of those Short Listed Firms that meet the qualifications will be retained. The envelope will be opened only during negotiations with the successful firm or team of firms. The unsuccessful firms or team of firm's proposal will be returned unopened.

Under no circumstances, however, is the Authority obligated to award the project to any of the firms responding to this Request for Qualifications; and further, the Authority reserves the right to reject any and/or all responses to this solicitation.

## **G. Summary Timetable of RFQ and Related Events**

### Request for Statements of Qualification

Issued	Thursday, January 10, 2017
Pre-Submittal Conference	Thursday, January 26, 2017
Question Submission Deadline	Thursday, February 2, 2017
Submittal Deadline Delivery	Thursday, February 9, 2017
Oral Interviews/Presentations	TBA
Consultant Price Negotiations the Week of	TBA
Award of Contract	TBA

The Authority reserves the right to extend or otherwise modify the above timetable. The Submitting Firms that are participating in the process at the time of a change in the timetable, if it occurs, will be notified in advance of such change, if any.

## **H. Rights and Privileges of the Authority**

This is a Request for Statements of Qualifications. This is not an offer, contract, or an invitation for bids. The submission of a qualification statement in response to this process constitutes an invitation to negotiate with the Authority and is not a bid. The submission of a qualification statement in response to this process does not impose any legal obligations upon either the Authority or the person submitting the statement, nor does it create any contractual or quasi-contractual relationship between them.

The Authority reserves the right to reject or disregard any or all qualification statements, to negotiate with any or all persons submitting statements and/or to enter a contract or contracts with any person or persons for any or all of the services described herein.

The Authority is not obligated to respond to any statement or is it legally bound in any manner whatsoever by the submission of a statement pursuant to this published process.

Any and all Statements as submitted herein are subject to further negotiation at the option of the Authority.

Further, any and all agreements arising out of these statements and negotiations shall not be binding or valid against the Authority,

its departments, officers, employees, or agents unless authorized and signed by at least a majority of the Board of Directors for the Birmingham Airport Authority in accordance with applicable laws.

The RFQ has been prepared solely for information purposes only and does not commit the Authority to pay for any costs incurred in the preparation of a Statement made in response of this RFQ or for any costs incurred prior to the formal ratification of a final and formal agreement.

This RFQ is subject to errors, omissions, modifications, withdrawal, or cancellation without notice.

## VI. SUMMARY

All Statements of Qualifications shall become the property of the Authority. Only those firms responding to this solicitation and having tendered their Statement of Qualifications which meet the requirements herein specified will be considered for the service contemplated regardless of prior contract with the Birmingham Airport Authority, or other agencies, departments or personnel.

By: 

James Ray, P.E., Director  
Engineering & Development  
Birmingham Airport Authority

Date: 1-13-2017

## ATTACHMENT "A"

### Disadvantaged Business Enterprise (DBE) Program

- A. **Policy:** It is the policy of the Birmingham Airport Authority (Authority) that DBEs as defined in 49 CFR Part 26 will have an opportunity to participate in the performance of all Authority projects and the Proposer will take all necessary and reasonable steps to ensure that DBEs have the opportunity to compete for and perform subcontracts. Proposers will demonstrate that they will subcontract with certified DBEs, or clearly demonstrate in a manner acceptable to the Authority its good faith efforts to obtain DBE subcontractors. The successful Proposer's DBE commitment as stated on their Letter(s) of Intent will be incorporated into the contract and will be enforceable under the terms of the contract.

Proposers are encouraged to refer to the Authority's DBE Program and Policy which is posted on the Authority's website: [www.flybirmingham.com](http://www.flybirmingham.com). Proposers should refer to the directory of DBE companies certified and located at [www.flybirmingham.com](http://www.flybirmingham.com). Additional assistance may be obtained by calling the Authority's Properties and Senior DBE Manager at 205-599-0522.

- B. **DBE Obligation:** Each contract the Authority executes with the Proposer and each subcontract the Proposer executes with a subcontractor, must include the following clause:

"The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the *Birmingham Airport Authority* deems appropriate, which may include, but is not limited to: (1) Withholding monthly progress payments; (2) Assessing sanctions; (3) Liquidated damages; and/or (4) Disqualifying the Consultant and/or Contractor from future submittals or bidding as non-responsible".

- C. **Certification of Eligible DBEs:** To ensure the eligibility of DBEs proposed to participate on the contract, all DBEs must be certified by the Authority or another agency within the Alabama Unified Certification Program at the time of the bid opening date. Certification applications may be found on the Authority's website

at [www.flybirmingham.com](http://www.flybirmingham.com), under the DBE information section or at the Authority's office. ***DBEs must be certified with the Authority at the time Proposals are received.***

Any firm having questions regarding its eligibility as a DBE should contact the Properties and Senior DBE Manager regarding certification requirements at 205-599-0522.

- D. **DBE Goals:** DBE Goals are established for each specific prime contract with subcontracting opportunities.

The Proposer will subcontract with DBE's certified by the Authority at least **16%** of the dollar value of the Prime Contract. Only DBEs certified with the Authority will count toward the Contract Goal. In accordance with the Authority's policy, "A recipient may count expenditures of materials and supplies obtained from a DBE Manufacturer at 100% of the cost of the materials or supplies toward DBE Goal." In accordance with the Authority's policy, "A recipient, Consultant, or Contractor may count toward its DBE Goal 60% of its expenditures for materials and supplies required under a Contract and obtained from a DBE regular dealer."

In the event that the Proposer for this solicitation qualifies as an eligible DBE, the Contract Goal will be deemed to have been met, if the Proposer performs at least the prescribed DBE Contract Goal percentage of (16%) the Work with its own forces. The Proposer will be required to submit information concerning those DBEs that will participate in this Contract at the time its Proposal is submitted to the Authority.

The information will include the names and addresses of each DBE, description of the Work to be performed by each named DBE firm, Sub Contract the dollar amount of said Work and percentage of the Contract, written documentation of the Proposer's commitment to use a DBE subcontractor whose participation it submits to meet a contract Goal, and written confirmation from the DBE subcontractor that it will be participating in the Contract provided in the Prime Proposer's Proposal. Failure of the Proposer to submit the required DBE information in its Proposal may render the Proposal non-responsive. If the Proposer fails to achieve the Goal stated herein, the Proposer will be required to provide documentation demonstrating that the Proposer made "Good Faith Efforts" in attempting to do so.



**E. Proposer Efforts to Meet DBE Subcontract Goals:**

1. In all contracts, the successful Proposer will satisfy the Authority that it has made "Good Faith Efforts" to utilize DBEs in meeting the established DBE Goal. "Good Faith Efforts" are those efforts that could reasonably be expected to result in DBE Goal attainment by a Proposer who aggressively and actively seeks to obtain DBE participation. Efforts that are merely "Pro Forma" are not "Good Faith Efforts" to meet DBE Goals.
2. The Authority will require Proposers to submit documents that show that they obtained enough participation from certified DBEs to meet the DBE Goals. Failure to provide such information may render the Proposal non-responsive. However, the Authority reserves the right to require such additional and supplemental information solely for the purpose of clarifying the DBE information submitted by the Proposer. The initial good faith determinations for the Authority will be the Properties and Senior DBE Manager.

**F. Proposer's DBE Assurance:** Each Proposer will submit written assurance of its ability to meet the prescribed Goal in its Proposal. Proposers may be considered non-responsive and may be ineligible for award of Contract if their Proposal does not contain this Assurance. The Proposer agrees to indemnify the Authority from the loss of any funds or other damages that may result from Proposer's failure to achieve the DBE Goal set forth herein or to establish a good faith effort to do so, including attorney's fees and costs associated with said failure by Proposer or good faith investigation by Authority. Failure of Proposer to achieve the DBE Goal as Proposal without showing a "Good Faith Effort" to do so will be considered a material breach of the Contract. The determination of whether Proposer's efforts were made in "Good Faith" will be made by Authority.

# ATTACHMENT 1

\*\*\*\*\* **DBE LETTER OF INTENT** \*\*\*\*\*

Failure to complete this statement may be grounds for rejection of Statement of Qualifications.

Name of Prime Consultant's Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Prime Consultant's Firm Anticipated Contract Percentage or dollar Amount:

\$ \_\_\_\_\_

Percentage of Contract Amount performed by Prime Consultant Firm: \_\_\_\_\_ %

Name of DBE Sub-Consultant Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

DBE Sub Consultant's Anticipated Contract Percentage or Amount:

\$ \_\_\_\_\_

Identity of DBE (e.g. Hispanic, American Indian, Black, Female, etc.) \_\_\_\_\_

Check the appropriate box if the DBE is a material supplier:

Materials and supplies obtained from a DBE Manufacturer (counts as 100% towards goal)

Materials and supplies obtained from a DBE Regular Dealer (counts as 60% towards goal)

Description of work to be performed by DBE firm:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Anticipated Percentage or Amount of Subcontract: \$ \_\_\_\_\_

## COMMITMENT

The Prime Consultant is committed to utilizing the above-named DBE firm for the work described above:

By: Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Authorized Representative)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Name of DBE Firm)

## AFFIRMATION

The above-named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By: Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Authorized DBE Representative)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Name of DBE Firm)

If the Prime Bidder does not receive award of the prime contract, any and all representations in this Letter of Intent will be null and void.