

Attached to and forming part of the MASTER AGREEMENT

BETWEEN:

CITY OF MANITOWOC  
(hereinafter called the "CLIENT")

- and -

STANTEC CONSULTING SERVICES INC.  
(hereinafter called "STANTEC")

EFFECTIVE: 11/19/2018

This TASK ORDER is issued under the **MASTER SERVICES AGREEMENT** (dated 12/2/13) between STANTEC CONSULTING SERVICES INC. ("STANTEC") and CITY OF MANITOWOC ("CLIENT") for Services to be provided by STANTEC on the Lower Schuette Park Pedestrian Bridge Feasibility Study project ("Project"), as more fully described below. This Task Order is incorporated into and part of the Master Services Agreement.

The CLIENT's representative shall be: Greg Minikel, Engineering Division Manager

**SERVICES:** STANTEC shall perform the following SERVICES:  
MSA TASK ORDER 6: Lower Schuette Park Pedestrian Bridge Feasibility Study  
Scope of Services is provided in Attachment A.  
(hereinafter called the "SERVICES")

**CONTRACT TIME:** Commencement Date: 11/19/2018  
  
Estimated Completion Date: 4/4/2019  
Task and milestone completion schedule is provided in Attachment A.

**CONTRACT PRICE:** Subject to the terms below, CLIENT will compensate STANTEC as follows:  
Fixed fee: \$44,237  
Fee breakdown for Project phases is provided in Attachment A.

Unless otherwise noted, the fees in this agreement do not include any value added, sales, or other taxes that may be applied by Government on fees for services. Such taxes will be added to all invoices as required.

Where the SERVICES or services conditions change, STANTEC shall submit to the CLIENT in a timely manner, documentation of the revisions to this Task Order adjusting the Contract Services Time and Price as required.

**ADDITIONAL CONDITIONS:** The following additional conditions shall be read in conjunction with and constitute part of this Task Order:  
  
N/A

**ADDITIONAL ATTACHMENTS:** The following additional attachments shall be read in conjunction with and constitute part of this Task Order:  
  
Attachment A: Scope of Services, Schedule, Fee  
Attachment B: City of Manitowoc RFP dated May 18, 2018

# MASTER SERVICES AGREEMENT TASK ORDER

**INSURANCE  
REQUIREMENTS:**

Before any services are provided under this agreement, STANTEC shall procure, and maintain in effect during the term of this agreement, insurance coverage in amounts and on terms not less than set forth below.

**General Liability:** Commercial general liability insurance for personal and bodily injury, including death, and property damage in the amount of \$1,000,000 each occurrence and not less than \$2,000,000 in the aggregate.

**Automobile Liability:** Automobile liability insurance for bodily injury, including death, and property damage in the amount of \$1,000,000 each occurrence.

**Professional Liability:** Professional liability insurance for damages incurred by reason of any negligent act, error or omission committed or alleged to have been committed by STANTEC in the amount of \$1,000,000 per claim and in the aggregate.

**Workers' Compensation:** As prescribed by applicable law.

**Certificates:** Upon request, STANTEC shall provide certificates of insurance evidencing coverage required above. Each certificate shall provide that the coverage therein afforded shall not be cancelled except with thirty (30) days prior written notice to the CLIENT.

**CITY OF MANITOWOC****STANTEC CONSULTING SERVICES INC.**

\_\_\_\_\_  
Print Name and Title  
  
Signature \_\_\_\_\_

Kevin Kimmes  
Senior Associate  
\_\_\_\_\_  
Print Name and Title  
  
Signature Kevin B. Kimmes

\_\_\_\_\_  
Print Name and Title  
  
Signature \_\_\_\_\_

Jan Hansen  
Project Manager  
\_\_\_\_\_  
Print Name and Title  
  
Signature Jan Hansen

\_\_\_\_\_  
Print Name and Title  
  
Signature \_\_\_\_\_

Deadline for submission of emailed questions	June 1, 2018
Proposal Due	June 8, 2018

### 3.0 SCOPE OF WORK

The Scope of Work for the Consultant includes the following:

1. Existing conditions are to be evaluated and recommendations made for overall feasibility of the project. Soil type and conditions are to be evaluated to determine suitability for structure types. In addition, access should also be evaluated for construction activities.
2. Evaluate the existing supporting infrastructure to ensure it is compatible, as well as to determine if it is adequate, with proposed pedestrian bridge facilities. If necessary, develop recommendations for proposed upgrades to this infrastructure.
3. Advising on all permits necessary from all agencies including, but not limited to, the US Army Corps of Engineers and the Wisconsin Department of Natural Resources. Exact permits to be determined as part of the assessment and design processes.
4. Attendance at meetings as deemed necessary.
5. Cost estimates for all aspects of the project.

The Consultant should respond to this RFP with a detailed Scope of Work, project plan, and methodology for completing the project. The Scope of Work should outline the tasks, responsibilities, and deliverables of the Proposer, as well as the expectations of responsibilities of the City.

#### 3.1 Phase I – Existing Conditions Survey

The focus of this phase of the project is the acquisition of base information on the existing conditions of the site, including but not limited to, soil conditions, accessibility, and associated infrastructure. As part of this phase, the Consultant shall research and obtain as much as possible the following:

- Inventory existing drawings, map, and reports. Conduct discussions with individuals who have knowledge of the park's histories and any other existing documents that may be obtained from City of Manitowoc.

*Please describe in your proposal what will be done to satisfy the above requirement.*

**Deliverable:** Report summarizing inventory findings and a list of information obtained (10 copies). The report shall describe all structures, utilities, and other facilities in sufficient detail to perform final project design.

- Initial Site Inspection and Investigations of the site soils, accessibility, and associated infrastructure, that would include, but not be limited to:
  - Installation of soil borings to determine suitability for footings, abutments, etc.
  - Identification and documentation of deficiencies that require correction / repair;
  - Documentation of other items that require attention

**Deliverable:** Field inspection notes, video footage, and photographs. Note: Copies of all photos and videos taken on this project shall be given to, and become the property of, the City of Manitowoc. The City reserves the right to use these videos and photographs as required for future reference or projects.

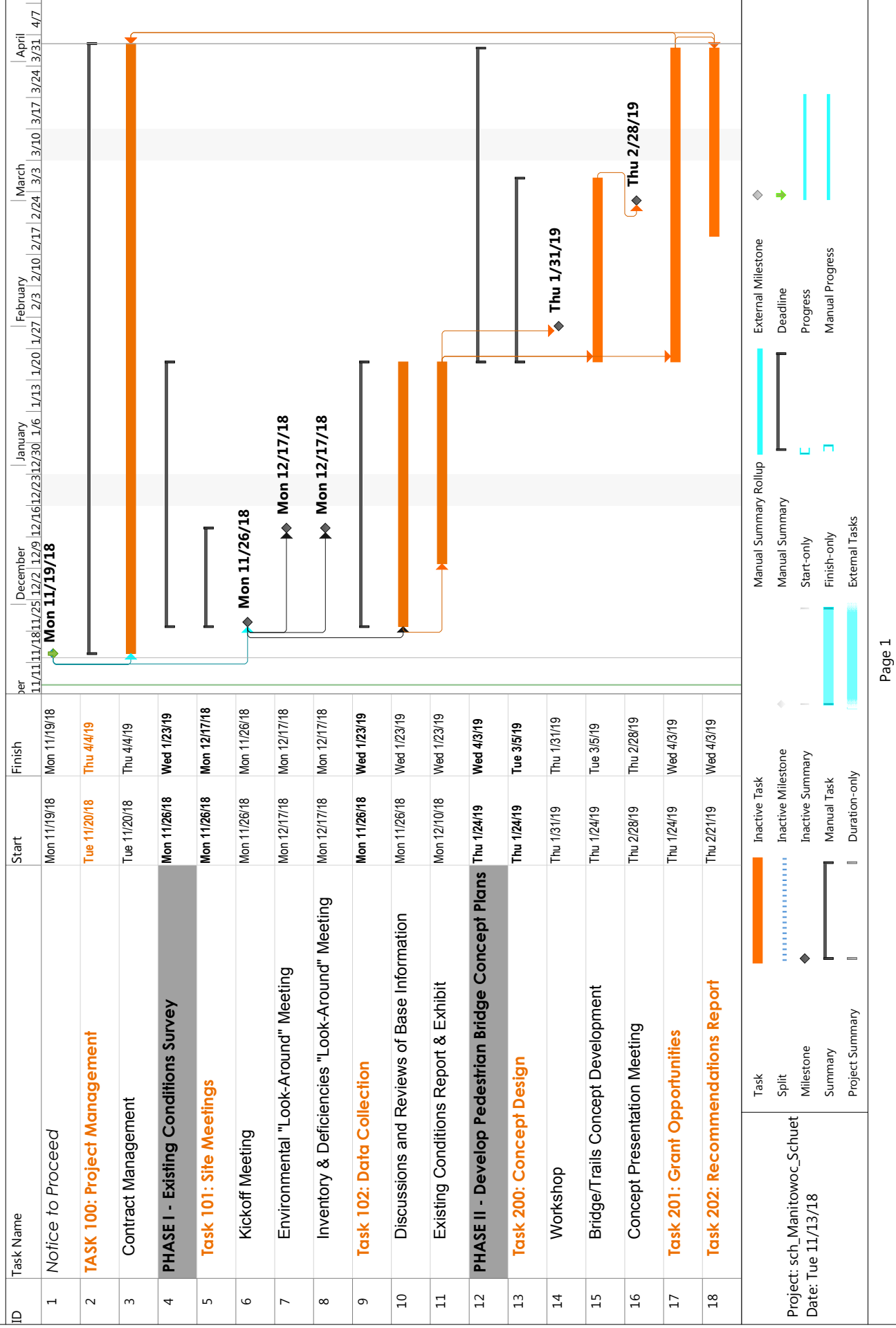
### **3.2 Phase II – Develop Pedestrian Bridge Concept Plans**

Tasks in this Phase shall include, but are not limited to:

- Develop preliminary conceptual requirements and drawings for bridge(s) and all associated infrastructure amenity needs / upgrades
- Develop an implementation plan
- Develop cost estimates
- Develop final recommendations report
- Assist City with securing project funds, by providing detailed cost models, including the identification of any possible grant opportunities

**Deliverables:** Deliverables for Phase II include, but are not limited to: System drawings and maps, renderings and concept drawings, implementation plans, project schedule, and project budget.

A Final Report shall be included that shall include design requirements and assumptions. The report shall also contain site descriptions including subsurface geology and soil conditions, regulatory requirements, hydraulic considerations, permit requirements, basic O&M requirements, and design water surface levels, as applicable.



# Lower Schuette Park Pedestrian Bridge Feasibility Study Fee Proposal

Attachment A



DELIVERABLES												
TECHNICAL ANALYSIS	Project	Principal	Design	Hydraulics	Permitting	Grants	QC	QC				
MEETINGS	Manager	in Charge	Planning	Advisor	Advisor	Advisor	Reviewer	Reviewer				
OPTIONAL	Hansen	Kimmes	McDonald	Volkeneing	Lennie	Caine	Clementi	Krahn	LABOR	EXPENSE	TOTAL	
	Rate>	\$180	\$180	\$137	\$156	\$144	\$144	\$151	\$180			
<b>Task 100 Project Management</b>												
Contract Management		2										
Miscellaneous Project Communication	2											
Internal Project Coordination	2											
Subconsultant Coordination & Management	2											
Quality Management Program	2	2										
Deliverable: Progress reports												
TASK TOTAL: Hours	8	4	0	0	0	0	0	0				12
TASK TOTAL: Budget	\$1,440	\$720	\$0	\$0	\$0	\$0	\$0	\$0	\$ 2,160	\$ -	\$ 2,160	
	Staff>	Hansen	Kimmes	McDonald	Volkeneing	Lennie	Caine	Clementi	Krahn	LABOR	EXPENSE	TOTAL
PHASE I - EXISTING CONDITIONS SURVEY												
<b>Task 101 Site Meetings</b>												
Kickoff Meeting	4		4							\$ 80		
Environmental Look Around Meeting	3				6					\$ 80		
Inventory & Deficiencies Look Around Meeting	3		6							\$ 80		
<b>Task 102 Data Collection</b>												
Discussions and Reviews of Base Information												
Review of Previous Studies	4		4									
Field Reviews	6		8		8					\$ 80		
Data Review	2		5		2							
Geotechnical Investigation										\$ 5,425		
Existing Conditions Report & Exhibit												
Draft Report	2		12		2							
Final Report	2		4									
QAQC							2	2				
Deliverable: Meeting Minutes												
Deliverable: Field Inspection Notes												
Deliverable: Photo/video Inventory of Existing Conditions												
Deliverable: Summary of Soil Types and Conditions												
Deliverable: Existing Conditions Report												
TASK TOTAL: Hours	26	0	43	0	18	0	2	2				99
TASK TOTAL: Budget	\$4,680	\$0	\$5,891	\$0	\$2,592	\$0	\$302	\$360	\$ 14,793	\$ 5,745	\$ 20,538	
	Staff>	Hansen	Kimmes	McDonald	Volkeneing	Lennie	Caine	Clementi	Krahn	LABOR	EXPENSE	TOTAL
PHASE II - DEVELOP PEDESTRIAN BRIDGE CONCEPT PLANS												
<b>Task 200 Concept Design</b>												
Workshop	4		4									
<b>Open Community Meeting</b>												
<b>Bridge/Trails Concept Development</b>												
Base map, from available existing sources			2									
Bridge Hydraulic Considerations				4								
Alternatives Concept Plans (2)			26									
Selection of Recommended Alternative	2		8									
Constructability Requirements	2											
Concept Presentation Meeting	4		4									
QAQC							2	2				
<b>Construction Cost Estimates</b>												
<b>Task 201 Grant Opportunities</b>						6						
<b>Task 202 Draft and Final Recommendations Report</b>												
Draft Recommendations	3		16				1					
Final Report	2		8				2					
Review Meeting and Revisions	2		2									
QA/QC		2										
Deliverable: Drawings & Maps												
Deliverable: Rendering of Preferred Bridge Concept												
Deliverable: Project Schedule												
Deliverable: Project Budget												
Deliverable: Final Report												
TASK TOTAL: Hours	19	2	70	4	0	6	5	2				154
TASK TOTAL: Budget	\$3,420	\$360	\$9,590	\$624	\$0	\$864	\$755	\$360	\$ 21,539	\$ -	\$ 21,539	
	Staff>	Hansen	Kimmes	McDonald	Volkeneing	Lennie	Caine	Clementi	Krahn	LABOR	EXPENSE	TOTAL
PROJECT TOTAL												
PROJECT TOTAL: Hours	53	6	113	4	18	6	7	4				265
PROJECT TOTAL: Budget	\$9,540	\$1,080	\$15,481	\$624	\$2,592	\$864	\$1,057	\$720	\$38,492	\$5,745	\$44,237	



CITY OF MANITOWOC  
MANITOWOC, WI  
REQUEST FOR PROPOSAL  
LOWER SCHUETTE PARK PEDESTRIAN  
BRIDGE  
FEASIBILITY STUDY

May 18, 2018

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## **Due Date, Submission Requirements and Review Timeline**

- 1.1 Proposals will be due no later than 3:00 pm on Friday, June 8, 2018
- 1.2 Proposals in hard copy form must be received at the City Engineer's office by the due date in order to be considered. Proposal shall be identified as ***City of Manitowoc Schuette Park Pedestrian Bridge Feasibility Study Proposal***.

A signed original and five (5) copies of the Proposal shall be sent to:

City of Manitowoc Engineering Office  
900 Quay Street  
Manitowoc, WI 54220

- 1.3 Questions: All questions shall be submitted via email to [gminikel@manitowoc.org](mailto:gminikel@manitowoc.org). Answers to all questions will be emailed to all Proposers. Similar questions may be consolidated for response purposes. An attempt will be made to issue an official consolidated response to questions within 5 business days.

## **2.0 Introduction**

### **2.1 General**

The City of Manitowoc, Wisconsin (City) will be receiving proposals from qualified consulting firms to provide a Feasibility Study involving a proposed pedestrian bridge to be located at Lower Schuette Park. The proposed bridge is desired to span the Manitowoc River in order to connect the Park to Manitou Park, possibly involving a second bridge connecting to an island between to the two parks.

The purpose of the project is to undertake a conceptual planning, design and feasibility study of potential public access improvements between Lower Schuette Park and Manitou Park. This will include examining public infrastructure improvements for both parks to provide the pedestrian bridge, determine how access for construction can be established, and recommend what access improvements should be made.

This is a preliminary planning, design, and feasibility study. The results of this study will guide and inform more detailed engineering studies and analyses leading to final design, engineering, and construction plans to be funded at a later date.

The study will need to address existing conditions, potential opportunities and barriers; trail / bridge alignment (with options and spurs when necessary); identification of properties along the alignments; cost estimates for construction with a proposed phasing plan for implementation; and funding options including available grants.

The Feasibility Study should provide details on whether or not the project is possible given existing site conditions, along with alternative locations for the bridge(s) and bridge type(s). A recommended location and bridge type will be included in the final report. The Consultant will provide a realistic estimated cost for the proposed design and construction work. In addition, the study is to include:

- An evaluation of options for a new pedestrian bridge over the Manitowoc River, including potential “order of magnitude” cost
- Options for trail components, design, location, and connections
- Other related and appropriate infrastructure improvement projects including enhancements to the parks located on either side of the proposed bridge
- Permitting requirements
- Address methods to ensure watercraft usage is not impeded
- Ensure the bridge will not be negatively affected by ice conditions
- Prepare a punch list and timeline of future additional engineering and design work that will be required to construct the bridge and recommended facilities
- Soil borings to determine in situ conditions

Firms should have demonstrated ability in the structural analysis and design of similar structures and experience in marine geotechnical and structural engineering.

## **2.2 Overview of Project**

The primary goal of the Consultant is to conduct a study on the feasibility of constructing a pedestrian bridge connecting Lower Schuette Park and Manitou Park in some fashion. The Consultant should help the City create a phased plan to construct the bridge, if needed. The design should ensure that it is robust enough to withstand maintenance vehicles, Ice Conditions and a major event (wind loads, tornado, major blizzard, etc.).

## **2.3 RFP Schedule**

The anticipated schedule for selecting a Consultant is:

RFP issued by City

May 18, 2018

Deadline for submission of emailed questions	June 1, 2018
Proposal Due	June 8, 2018

### 3.0 SCOPE OF WORK

The Scope of Work for the Consultant includes the following:

1. Existing conditions are to be evaluated and recommendations made for overall feasibility of the project. Soil type and conditions are to be evaluated to determine suitability for structure types. In addition, access should also be evaluated for construction activities.
2. Evaluate the existing supporting infrastructure to ensure it is compatible, as well as to determine if it is adequate, with proposed pedestrian bridge facilities. If necessary, develop recommendations for proposed upgrades to this infrastructure.
3. Advising on all permits necessary from all agencies including, but not limited to, the US Army Corps of Engineers and the Wisconsin Department of Natural Resources. Exact permits to be determined as part of the assessment and design processes.
4. Attendance at meetings as deemed necessary.
5. Cost estimates for all aspects of the project.

The Consultant should respond to this RFP with a detailed Scope of Work, project plan, and methodology for completing the project. The Scope of Work should outline the tasks, responsibilities, and deliverables of the Proposer, as well as the expectations of responsibilities of the City.

#### 3.1 Phase I – Existing Conditions Survey

The focus of this phase of the project is the acquisition of base information on the existing conditions of the site, including but not limited to, soil conditions, accessibility, and associated infrastructure. As part of this phase, the Consultant shall research and obtain as much as possible the following:

- Inventory existing drawings, map, and reports. Conduct discussions with individuals who have knowledge of the park's histories and any other existing documents that may be obtained from City of Manitowoc.

*Please describe in your proposal what will be done to satisfy the above requirement.*

**Deliverable:** Report summarizing inventory findings and a list of information obtained (10 copies). The report shall describe all structures, utilities, and other facilities in sufficient detail to perform final project design.

- Initial Site Inspection and Investigations of the site soils, accessibility, and associated infrastructure, that would include, but not be limited to:
  - Installation of soil borings to determine suitability for footings, abutments, etc.
  - Identification and documentation of deficiencies that require correction / repair;
  - Documentation of other items that require attention

**Deliverable:** Field inspection notes, video footage, and photographs. Note: Copies of all photos and videos taken on this project shall be given to, and become the property of, the City of Manitowoc. The City reserves the right to use these videos and photographs as required for future reference or projects.

### **3.2 Phase II – Develop Pedestrian Bridge Concept Plans**

Tasks in this Phase shall include, but are not limited to:

- Develop preliminary conceptual requirements and drawings for bridge(s) and all associated infrastructure amenity needs / upgrades
- Develop an implementation plan
- Develop cost estimates
- Develop final recommendations report
- Assist City with securing project funds, by providing detailed cost models, including the identification of any possible grant opportunities

**Deliverables:** Deliverables for Phase II include, but are not limited to: System drawings and maps, renderings and concept drawings, implementation plans, project schedule, and project budget.

A Final Report shall be included that shall include design requirements and assumptions. The report shall also contain site descriptions including subsurface geology and soil conditions, regulatory requirements, hydraulic considerations, permit requirements, basic O&M requirements, and design water surface levels, as applicable.

## 4.0 SUBMISSION REQUIREMENTS

### 4.1 Time & Place for Submission of Proposals

Proposals must be received by 3:00 pm, on Friday **June 8, 2018**. Postmarks will not be considered in judging the timeliness of submissions. Proposals are to be delivered in person or mailed to:

City of Manitowoc Engineering Department  
900 Quay Street  
Manitowoc, WI 54220

### 4.2 Format

Proposers shall submit **five (5)** copies of the proposal in a sealed envelope clearly marked ***City of Manitowoc Lower Schuette Park Pedestrian Bridge Feasibility Study Proposal*** to the above address. Proposals that are submitted by fax or email will not be accepted. Late submissions will not be considered.

### 4.3 Content

Firms interested in submitting a Proposal must submit the following information, in the order specified below:

1. Introduction and Executive Summary (up to 3 pages)

Submit a letter of introduction and executive summary of the proposal. The letter must be signed by a person authorized to obligate your firm to perform the commitments contained in the proposal. Submission of the letter will constitute a representation that your firm is willing and able to perform the commitments contained in the proposal.

2. Project Approach (up to 10 pages)

Describe the services and activities that your firm proposes to provide to the City. Include the following information: Overall scope of work tasks; schedule and ability to complete the project within the City's required time frame; and assignment of work within your firm's work team.

Included in this section should be a Study Timeline and Schedule. The Proposer shall provide a best effort schedule that minimally includes: Major Tasks / Phases with start and finish dates, responsibilities, dependencies, and deliverables.

3. Firm Qualifications (up to 5 pages)

Provide information on your firm's background and qualifications which addresses the following: Name, address, telephone number, and email address of a contact

person; a brief description of your firm, as well as for any joint venture or association and how the partnership would be structured. Also include a description of not more than four projects similar in size and scope prepared by your firm including client, reference and telephone numbers, staff members who worked on each project, budget, schedule and project summary. Descriptions should be limited to one page for each project. If joint Proposers or sub-Proposers are proposed, provide the above for each.

4. Team Qualifications (up to 8 pages)

Provide a list identifying: The lead project manager, each key person on the project team, the role each will play in the project, and a written assurance that the key personnel listed and identified will be performing the work and will not be substituted with other individuals, or reassigned to another project without the City's prior approval.

5. References (up to 10 pages)

Provide references for the following members of the proposed team: Lead consulting firm, lead project manager, and all sub-Proposers.

For each reference, include the name, address, and phone number of 4 recent clients (preferably other public agencies).

6. Fee Proposal

The City intends to award this project to the firm that it considers will provide the best overall services. The City reserves the right to accept other than the lowest priced offer, and to reject any proposals that are not responsive to this request, or deemed to be not in the best interests of the City.

A structured fee proposal is included as part of the RFP, and should be completed by the proposers. The fee proposal should include:

- a. The firm fixed price for each Phase, which shall include every charge or cost of any kind related to providing that Phase, including but not limited to: The costs of labor and services, materials, equipment, supplies, tools, plant and other facilities, travel and other expenses, duties, license or other fees, royalties, assessments, insurance costs, taxes (except sales / use taxes), management, supervision, administration, overhead, and profit.
- b. The list of project team members assigned to each phase of the project, and their responsibilities.
- c. Hourly rates for all team members. Hourly rates and itemized costs may be used to negotiate changes in the Scope of Work, if necessary.

## **5.0 EVALUATION AND SELECTION CRITERIA**

### **5.1 Recommended Qualifications**

The Recommended Qualifications for the Consultant to be considered for this project include:

- Five (5) years of experience with a government agency having similar, or larger, size to the City of Manitowoc.
- Five (5) years of experience specifying pedestrian bridges having similar size to that proposed in this RFP.

Any proposal that does not demonstrate that the Consultant meets these minimum requirements by the deadline of the submittal of Proposals will be considered non-responsive and will not be eligible for award of the contract.

### **5.2 Selection Criteria**

The proposals will be evaluated by a selection committee. The City intends to evaluate the proposals generally in accordance with the criteria itemized below:

1. Project Approach (40 Points)
  - a. Understanding the project and the tasks to be performed
  - b. Reasonableness of work schedule and fee proposal
2. Assigned Project Staff (30 Points)
  - a. Recent experience of staff assigned to the project and a description of the tasks to be performed by each staff person
  - b. Professional qualifications and education
  - c. Workload, staff availability and accessibility
3. Experience of Firm and Sub – Proposers (30 Points)
  - a. Expertise of the firm and sub-Proposers in the fields necessary to complete the tasks
  - b. Quality of recently completed projects, including adherence to schedules, deadlines, and budgets
  - c. Experience with similar projects
  - d. Results of reference checks
4. Oral Interview – If deemed necessary (25 Points)

Following the evaluation of the written proposals, the City may select 3 of the top scoring proposers for an oral interview. The interview will consist of standard questions asked of each of the proposers. Proposers will be scored based on their answers to the questions and their general understanding of the project plan and needs.

## **6.0 Contract Award**

The City will select a Consultant with whom City staff shall commence contract negotiations. The selection of any Proposal shall not imply acceptance by the City of all terms of the Proposal, which may be subject to further negotiations and approvals before

the City may be legally bound thereby. If a satisfactory contract cannot be negotiated in a reasonable time, the City, in its sole discretion, may terminate negotiations with the highest ranked proposer and begin contract negotiations with the next highest ranked proposer.

The selected Consultant will be precluded from consideration in any equipment or system procurement that may result from the work done under this agreement.

## **7.0 Terms & Conditions for Receipt of Proposals**

### **7.1 Errors and Omissions in RFP**

Consultants are responsible for reviewing all portions of this RFP. Consultants are to promptly notify the City, in writing, if the Consultant discovers any ambiguity, discrepancy, omission, or other error in the RFP. Any such notification should be directed to the City promptly after discovery, but in no event later than five working days prior to the date for receipt of proposals. Modifications and clarifications will be made by addenda as provided below.

### **7.2 Inquiries & Questions Regarding RFP**

Questions regarding the content or inquiries about the RFP in reference to notifications of intent to request written modification or clarification of the RFP must be directed to:

[gminikel@manitowoc.org](mailto:gminikel@manitowoc.org)

### **7.3 Change Notice**

The City may modify the RFP, prior to the proposal date, by issuing Change Notices, which will be emailed to Consultants. The Consultant shall be responsible for ensuring that their Proposal reflects any and all Change Notices issued by the City prior to the Proposal due date, regardless of when the Proposal is submitted. A signed change notice must be returned with the proposal, or Proposer will be considered nonresponsive.

### **7.4 Term of Proposal**

Submission of a Proposal signifies that the proposed services and prices are valid for 120 calendar days from the Proposal due date, and that the quoted prices are genuine and not the result of collusion, or any other anti – competitive activity.

### **7.5 Revision of Proposal**

A Consultant may revise a Proposal on the Consultants own initiative at any time before the deadline for submission of Proposals. The Consultant must submit the revised Proposal in the same manner as the original. A revised Proposal must be received on or before the Proposal due date.

In no case will a statement of intent to submit a revised Proposal, or commencement of a revision process, extend the Proposal due date for any Consultant.



At any time during the Proposal evaluation process, the City may require a proposer to provide oral or written clarification of its Proposal. The City reserves the right to make an award without further clarifications of Proposals received.

#### **7.6 Errors & Omissions in Proposal**

Failure by the City to object to an error, omission, or deviation in the Proposal will in no way modify the RFP or excuse the Consultant from full compliance with the specifications of the RFP or any contract awarded pursuant to the RFP.

#### **7.7 Financial Responsibility**

The City accepts no financial responsibility for any costs incurred by a firm in responding to this RFP. Submissions of the RFP will become the property of the City and may be used by the City in any way deemed appropriate.

#### **7.8 Reservations of Rights by the City**

The issuance of this RFP does not constitute an agreement by the City that any contract will actually be entered into by the City. The City expressly reserves the right at any time to:

- Waive or correct any defect or informality in any response, Proposal, or Proposal procedure;
- Reject any or all Proposals;
- Reissue a Request for Proposals;
- Prior to submission deadline for proposals, modify all or any portion of the selection procedures, including deadlines for accepting responses, the specifications or requirements for any materials, equipment or services to be provided under this RFP, or the requirements for contents or format of the Proposals;
- Procure any materials, equipment, or services specified by this RFP by any other means; or
- Determine that no project will be pursued.

#### **7.9 No Waiver**

No waiver by the City of any provision of this RFP shall be implied from any failure by the City to recognize or take action on account of any failure by a Proposer to observe any provision of this RFP.