



GRAND RIVER • GREAT CITY
La Crosse • Wisconsin
COMMUNITY DEVELOPMENT BLOCK



January 8, 2018

**Amendment 1 to Request for Proposals for An Assessment of Fair Housing
Due January 19, 2018**

On January 5, HUD published a notice in the Federal Register extending the deadline for submission of Assessment of Fair Housing until after October 31, 2020.

In light of this, the City of La Crosse and its partners are still intending to proceed with its Fair Housing Assessment. We are currently waiting to hear more details and clarity from HUD but are operating under the assumption that any assessment completed now would count for any future assessments required. In addition, the City of La Crosse's Analysis of Impediments is out of date and thus compels the City of La Crosse to undergo an assessment now rather than continuing to delay.

However, because of this, the Collaborating Parties are issuing the following Amendment to this RFP and have noted these changes within the RFP itself:

1. Questions on the RFP may be submitted up until January 16, 2018 and all answers to the questions will be posted on our website.
<http://www.cityoflacrosse.org/communitydevelopment/AFFH>
2. The Collaborating Parties are requesting the Respondents provide a price of the cost to conduct an assessment for the La Crosse MSA only (La Crosse County and Houston County), in addition to providing a price for the La Crosse MSA AND Monroe County. This new price assumes the same scope of work for the La Crosse MSA only and no work would be undertaken for Monroe County.
3. We are also requesting the firm include their flexibility in terms of schedule and timeline. Given the recent HUD notification, the schedule of events could be more flexible than anticipated. Please tell us in the RFP how flexible your firm would be in terms of a new timeline, to start at a later date or a have a longer period of time to complete the project and how this might affect price or budget (be specific).
4. We are request presentation of the draft AFH be made to three public bodies, one which will be the La Crosse Common Council and the other two presentations will be determined at a later date (likely La Crosse County Board, Monroe County Board).

In addition, below you will find questions and our answers about the RFP that were asked by a potential Respondent.

1) What role and involvement is desired for the three housing authorities now that the AFH requirement is postponed?

We believe that the three housing authorities still would like to remain involved with the RFP, as long as the City of La Crosse can confirm this assessment will comply with any future requirements. Since we would like to proceed with the RFP, even while HUD issues clarification, please assume the involvement of the Housing Authorities.

2) Are you now seeking a document that can serve as both the AI and a draft AFH for the City of La Crosse?

Our assumption is that the AFH outlined in this document could also serve as the AI as well. We are seeking clarification from HUD on this matter however. For purposes of this RFP, please assume you are conducting analysis following the regulations required by the AFH.

3) Are you still seeking analysis of a 3-county area?

We are seeking an analysis of a 3-county area under the scope of work requested for the "first price". On the second price, we would be asking for your price for a two-county area only.

4) Please clarify the "website" requirement – the City will provide management access to a page that we can maintain, correct?

Yes, we will provide management access or simply ask for content from the Consultant that we will then update with our staff.

5) Please confirm that you are requiring just one public hearing presentation, to the La Crosse City Council.

One public hearing presentation would be to the La Crosse City Council and two other public bodies, to be determined, likely the La Crosse County Board and the Monroe County Board. This is in addition to the four general public meetings required by the RFP and outlined on page 9, item number 7.

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SECTION I – GENERAL INFORMATION

A. Statement Of Intent

The City of La Crosse is currently accepting proposals from qualified firms with expertise in regional assessments of fair housing to lead the process of completing an Assessment of Fair Housing (the Assessment) for a regional Consortium. The City of La Crosse will lead the coordinated approach and will serve as the lead agency for a collaborative Assessment process. The consortium consists of one HUD Community Development Block Grant Entitlement city, La Crosse, and three Public Housing Authorities (PHAs):

1. City of La Crosse (Lead Agency)
2. City of La Crosse Housing Authority
3. La Crosse County Housing Authority
4. Monroe County Housing Authority (Sparta) (Tentative, Pending Approval)

Map of this region is provided in Attachment A. The region that will be examined in this assessment is La Crosse County, WI, Monroe County, WI and Houston County, MN. This assessment must be completed in accordance with the requirements defined in HUD's 2015 Affirmatively Furthering Fair Housing Rule (the Rule), which is located at 24 CFR Part 5: <https://www.hudexchange.info/resources/documents/AFFH-Final-Rule.pdf>.

B. Background

HUD has released a final rule on affirmatively furthering fair housing with the intent of providing HUD grantees and PHAs with clear guidelines to meet their legal obligation to identify and overcome barriers to fair housing under the Fair Housing Act of 1968.¹ This new requirement will replace a previous fair housing planning process called the Analysis of Impediments to Fair Housing Choice (AI). These changes are intended to make the process of compliance with the Fair Housing Act better and more comprehensive, more closely linked to Consolidated Plans.

In 2011, the City of La Crosse hired MSA Professional Services, Inc. to conduct an Analysis of Impediments to Fair Housing. A copy of the current AI is available at https://www.cityoflacrosse.org/filestorage/407/3856/3862/AI_La_Crosse_7-21-11.pdf. It is the

¹ According to HUD, furthering the purposes of fair housing means: “. . . **taking meaningful actions**, in addition to combating discrimination, **that overcome patterns of segregation and foster inclusive communities free from barriers** that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development.”

intent of the Collaborating Parties to complete one regional Assessment, and the participants have designated the City of La Crosse as the lead entity. .

In conjunction with this new rule, HUD is providing its consolidated plan grantees and public housing authorities with an Assessment Tool which includes data and mapping tools to support the development of the Assessment. Links to the new rule and the Assessment Tool can be found here: https://www.huduser.gov/portal/affht_pt.html.

The new Assessment is an assessment of historical and existing fair housing conditions, focusing on looking at the following issues in the “Region”- defined as Houston County, La Crosse County, and Monroe County:

1. Patterns of integration and segregation
2. Racially and ethnically concentrated areas of poverty
3. Disparities in access to opportunity (proficient schools, jobs, transit, and low transportation costs, clean air, low exposure to poverty, high labor market engagement”
4. Disproportionate housing needs

The required planning process includes:

- Ensure community participation
- Assess Fair Housing issues
- Identify Contributing Factors
- Prioritize Contributing Factors
- Set Fair Housing Goals

C. Request for Proposals Process

This solicitation is a Request for Proposals (RFP). Proposals will be issued on November 27, 2017. Responses shall be submitted in complete original form. No faxed proposals will be accepted. The proposal shall be sealed and marked “Regional Assessment of Fair Housing Request for Proposals”. Proposers shall submit eight (8) copies of their RFP in a paper form and one (1) electronic format via e-mail. RFP must be delivered electronically no later than **5:00 p.m., January 19, 2018** and the paper copies must be postmarked by January 19, 2018 to:

CAROLINE GREGERSON
COMMUNITY DEVELOPMENT AND HOUSING
CITY HALL
400 LA CROSSE STREET
LA CROSSE WI 54601

Proposals will be reviewed by the selection committee comprised of Staff from the entitlement city and representatives of the participating PHAs that will evaluate each proposal according to the criteria outlined in the RFP. Interviews may be requested with one or more firms responding to the RFP.

All requests for clarifications or interpretations shall be made in writing and shall be emailed to gregersonc@cityoflacrosse.org. Inquiries shall contain the firms' name, contact person, email address and phone number and be titled Regional Assessment of Fair Housing RFP. Deadline for inquiries is ~~January 4, 2018 at noon CST~~ **January 16, 2018**. Responses to all inquiries will be posted in the form of an addendum with the RFP documents at www.cityoflacrosse.org/communitydevelopment on or before January 9, 2018 at 5:00 p.m. CST.

Proposals will be opened at the date and time specified and each firm responding will be recorded as a respondent. Proposal content, including pricing, will be kept confidential until award of the contract.

The Collaborating Parties may reject any proposal not in compliance with all prescribed public bidding procedures and requirements and may reject any or all proposals. The City reserves the right to waive any requirement or condition of the RFP upon finding that it is in the public's best interest to do so.

Award of this contract, if any, will be to the firm deemed best qualified, in accordance with the selection criteria, to perform the services outlined in the RFP and other services as deemed necessary by the Collaborating Parties. Any award will be contingent upon HUD regulations and requirements in effect at that time. Contract will ultimately have a provision regarding termination of contract if HUD directives make completion of the plan as currently required infeasible/impossible/unnecessary. Notification will be done via email. Pricing, while an important factor, will be only one criterion used to evaluate the responses to the RFP.

SECTION II – SCOPE OF WORK

A. Description

The Consultant must refer to the HUD-provided checklist and worksheet provided in the Guidebook to ensure they have completed the steps required for a complete assessment.

The City of La Crosse and the Collaborating Parties will:

- Provide data and assessment of prior Analysis of Impediments;
- Assist identifying local data and local knowledge for the Assessment area;
- Assist identifying stakeholders for and participate in community meetings;
- Assist collaborating parties in identifying contributing factors, priorities, and development of implementation and approval of goals for fair housing; and
- Review the consultant's data and analyze the findings, recommendations and the final report.

1. Using HUD's AFH User Interface

The Consultant must use HUD's AFH User Interface to retrieve HUD provided data/maps and upload and submit the entire Assessment to HUD for all Collaborating Parties. *Note: the Collaborating Parties will assist the consultant with obtaining access to the HUD AFFH Data and Mapping Tool (<https://egis.hud.gov/Affht/>)

2. Using the Assessment Tool to Complete the Assessment Fair Housing

The Consultant will use HUD's Tool to complete the Assessment and will refer to HUD's Rule Guidebook as a roadmap for this work. The tool is designed to identify fair housing issues, determine the factors that significantly create, contribute to, perpetuate, or increase the severity of one or more of those issues (including what data to use), and set goals to overcome the effects of contributing factors. The Assessment must include:

- Analysis and summary of fair housing issues and capacity; including housing issues pertaining to patterns of integration and segregation; racially or ethnically concentrated areas of poverty; disparities in access to opportunity; and disproportionate housing needs, as well as the contributing factors for those issues;
- Analysis of HUD-provided data, local data, and local knowledge;
- Assessment of fair housing issues and contributing factors; and
- Identification of fair housing priorities and goals, including metrics, milestones for determining what fair housing results will be achieved.

3. Supplementing HUD-Provided Data with Local Data and Local Knowledge

The Consultant will work with the Collaborating Parties to identify and supplement HUD-provided data with local data and local knowledge. This data includes, but is not limited to the information obtained through the community

participation process. The Consultant will develop an initial list of data required prior to beginning in-depth analyses.

4. Analyzing Fair Housing Data

The Consultant will use HUD-provided data and local data/knowledge to assess fair housing issues and contributing factors in order to work with the Collaborating Parties to set fair housing priorities and goals for the geographic areas covered by the Collaborating Parties. Data must provide goals with benchmarks to allow for the measuring of trends and changes over time.

5. Analyzing HUD-Provided Maps & Tables

HUD will provide data through maps and tables that will be available in the User Interface and the AFFH Data and Mapping Tool. The Consultant may provide additional relevant maps for attachment through the AFFH User Interface. The Consultant will analyze HUD-provided maps showing racially and ethnically concentrated areas of poverty, dot density maps showing the geographic dispersion of different racial and ethnic groups, and thematic maps showing disparities in access to opportunity (such as the location of proficient schools) across the jurisdictions, and the borders of the region as defined as the core based statistical area (CBSA). HUD maps provide census tract boundaries, the borders of the jurisdictions. The Consultant will analyze HUD-provided tables and local data as needed.

6. Developing Maps & Gathering Local Data

The Consultant is required to supplement HUD-provided maps with local data and knowledge. Local data refers to metrics, statistics, and other quantified information that is relevant to the Region's geographic areas of analysis that can be found through a reasonable amount of search, are readily available at little or no cost, and are necessary for the completion of the Assessment using the Assessment Tool. Local knowledge refers to information to be provided by the Collaborating Parties that relates to the Region's geographic areas of analysis and is necessary for the completion of the Assessment using the Assessment Tool. Local knowledge includes information that is gathered through the community participation process and by consulting local, state, or regional planning departments, academics, and others with knowledge of the local areas or whose work impacts on housing. The Consultant is required to consult directly with assigned staff from the Collaborating Parties to evaluate public policies that could include:

- Procedures for Federal funding including public housing, Section 8, tenant selection and site selection
- Local policies for zoning, building codes, public transit
- Administrative procedures for processing fair housing complaints,
- Address the needs of immigrants and persons with limited English proficiency
- The composition of appointed boards and commissions.

7. Facilitating a Community Participation Process

The Consultant is required to conduct consultation meetings with organizations, including local fair housing organizations, public and private housing providers, affordable housing advocates, affordable housing developers, community-based organizations, tenant organizations, social service agencies, and realtors.

In addition, the Consultant will be required to gather public input through a variety of formats that could include public meetings, questionnaires, surveys, focus groups, etc. The Collaborating Parties will be included in the development of the tools used to gather input.

Additionally, the Consultant will:

- Make the HUD–provided data and any other data to be included in the Assessment available to residents, public agencies, and other interested parties according to the timeline provided in HUD regulations
- Conduct public meetings in accordance to collaborating parties policies and HUD regulations at 24 CFR Part 91 and 24 CFR Part 903 (for PHA’s). **Four general public meetings will be required (locations to be determined).**
- Provide a summary of each community participation meeting; including the effectiveness of outreach efforts
- Document all comments received, consult with Collaborating Parties on response, and document the response to them per 24 CFR 5.154. Provide for at least one public hearing during the development of the AFH; and
- Provide a period of not less than 30 calendar days to receive comments from residents of the community.

8. AFH Website

The Consultant shall create and maintain a website where all publically available documents and processes can be accessed regarding the Parties’ AFH. The Consultant will be given access to the City of La Crosse’s website platform and asked to keep it updated. All meeting information, flyers, video, draft and final version of the AFH will be posted and kept current.

9. Identifying Fair Housing Contributing Factors

The identification and prioritization of contributing factors is a process intended to inform goal setting, and help identify strategies, actions, and policy responses to fair housing issues. The Consultant must identify fair housing issues and contributing factors, prioritizing those factors that limit or deny fair housing choice of access to opportunity, negatively impact fair housing, or violate civil rights compliance. The prioritization of the contributing factors must be justified.

10. Setting Fair Housing Priorities & Goals

The Consultant is required to draft at least one or more goal(s) to overcome the fair housing issues for which significant contributing factors have been identified and work with the Collaborating Parties in setting goals and priorities based on findings and data. HUD recommends SMART goals – Specific, Measurable, Action-Oriented, Realistic and Time-bound. For each goal, the Consultant must:

- Identify one or more contributing factors that the goal is designed to address;
- Describe how the goal relates to overcoming the identified contributing factor(s) and related fair housing issue(s);
- Identify the metrics and milestones for determining what fair housing results will be achieved, including the timeframes for achieving them; and
- Identify the responsible party for each regional and individual goal.

11. Draft Assessment and Deliverables

The Consultant must ensure the Assessment complies with HUD’s Rule Guidebook. The Assessment Tool outlines the required prompts and questions and includes instructions for the Assessment and includes the following:

- I. Cover Sheet
- II. Executive Summary
- III. Community Participation Process
- IV. Assessment of Past Goals and Actions
- V. Fair Housing Analysis
 - a. Demographic Summary
 - b. General Issues
 - i. Segregation/Integration
 - ii. Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)
 - iii. Disparities in Access to Opportunity
 - iv. Disproportionate Housing Needs
 - v. Publicly Supported Housing Analysis
 - vi. Disability and Access Analysis
 - vii. Fair Housing Enforcement, Outreach Capacity, and Resources
- VI. Fair Housing Contributing Factors
- VII. Fair Housing Goals and Priorities

12. Preparing the Draft Assessment for Review

The Consultant will submit the preliminary draft Assessment to the Collaborating Parties for review and comments. The Consultant will revise the Assessment after reviewing the Collaborating Parties’ comments and submit revisions for the Collaborating Parties to review.

13. Preparing Public Summary for 45 day comment period

Consultant will prepare a summary for public review after the draft is approved by the collaborating parties. *Note: See 24 CFR Part 91 and 24 CFR Part 903 (PHA) for public comment period regulations and timing and will need to work closely with HUD representative on timing for all collaborating parties.

14. Responding to Public Comments

After review and acceptance of the draft report by the Collaborating Parties, the report and supporting data will be released to the public, providing them 45 calendar days to submit their comments.

- a. Provide a period of not less than 45 calendar days to receive comments from residents of the community.
- b. The Consultant will review and address comments received through the public comment period and prepare a revised AFH draft for approval by the Collaborating Parties.

15. Presenting draft assessment at public hearings

The Consultant will be required to attend and present the draft assessments at a public hearing to the La Crosse City Council and two other public bodies (likely the La Crosse County Board and Monroe County Board). ~~before each of the entitlement cities' Councils.~~ The consultant will present the draft Assessment, provide a summary with any findings/recommendations, and discuss the planning process.

16. Submitting Final AFH Plan

After the acceptance of the AFH by the Council/Boards/Commissions of the collaborating parties, the Consultant will submit the Assessment using HUD's online Assessment of Fair Housing User Interface for review and consideration by November 9, 2018 (could be subject to change).

17. Revising and Resubmitting the Assessment

The Consultant will be available for revision and resubmission of the final Assessment if HUD determines the Assessment is inconsistent with fair housing or civil rights requirements or if the Assessment is determined by HUD to be substantially incomplete. The Consultant must also provide assistance to the Collaborating Parties by making the revised Assessment available to the public for a 45-day review and comment period. If HUD deems the revision unacceptable the Consultant will repeat the revision and resubmission process until HUD accepts the Assessment for all collaborating parties.

B. Tentative Schedule

The anticipated schedule of events is as follows. In addition, respondents are to submit a schedule of work that meets these deadlines. **Note in light of HUD's recent guidance, this schedule may be subject to change.**

Issue Request for Proposals	November 27, 2017
Responses Due- Consultant Completes Detailed Project Plan	January 19, 2018
Evaluation/Presentation/Select firm	by February 1, 2018
Finalize contract with firm	February 2018
Contract to Community Development Committee	March 2018
Use of Assessment Tool & AFH Interface- Consultant follows instructions of the assessment tool & uploads all sections of the Parties AFH through User Interface for online submission to HUD	Start date no later than May 2018
Consultation Meetings	May - September 2018
Community Meetings and Public Hearing	May - October 2018
Project Website – Creates and Updates Website	May 2018 - March 2019
Assessment of Past Goals and Actions	May - June 2018
Fair Housing Analysis- local and HUD provided data analysis	May – June 2018
Identifying Fair Housing Contributing Factors	May 2018-August 2018
Draft Presentation and Submission to Consulting Parties	by September 1, 2018
Staff Review	September 2018
45 day Public Comment Period	September 17 – November 1
Respond to Public Comments and Incorporate into Plan	By November 5, 2018
Presentations & acceptance of AFH through City Councils/PHA Boards	November 8, 2018
Submit regional AFH to HUD office(s)	By November 9, 2018
HUD requests for revisions	by January 9, 2019
Response to HUD	By February 23, 2019

SECTION III – REQUEST FOR PROPOSALS PROCEDURE

A. Proposal Evaluations

From the complete proposals received before the deadline, finalists may be selected to present its proposal to the selection committee. Finalists shall be scored on a 100 point scale based on criteria that include:

- Relevant Experience of Project Team and assurances that identified team will actually work on the project (20 pts)
- Relevant prior Experience of Firm (10 pts)
- Proposed Approach and timeline (30 pts)
- Budget and cost (15 pts)
- Clarity of Presentation (10 pts)
- Evaluation of references and previously completed analyses (15 pts)

B. Required Qualifications

The contract will be awarded to a highly qualified and responsible consultant. In order to qualify as responsible, a prospective consultant must meet the following standards as they pertain to this Request for Proposal.

- The successful bidder must have prior experience with development of Analyses of Impediments. Bidders with a significant record of producing Analyses of Impediments that conform to HUD standards or demonstrating experience restoring nonconforming AI to HUD standards will be given favorable considerations. Additional favorable consideration will be given to bidders that demonstrate a working knowledge of the development and implementation of local governments' housing programs, practices, housing and growth policies, strategies, and zoning land use regulations.
- The consultant should be qualified to assist in the preparation of appropriate presentations, able to clearly explain the regional Assessment as part of the public participation process, and successfully guide the public discussion.
- The consultant should be able to demonstrate the ability to build relationships with communities and organizational leadership from diverse communities and effectively partner with community leaders and stakeholders in the community engagement process. Similarly, the consultant should have experience working with racially, ethnically, linguistically, and socio-economically diverse communities, community engagement processes, and incorporating community comments into policy recommendations.
- Consultant must be able to comply with the proposed performance schedule for this project.
- Consultant must not be debarred from receiving federal contracts

SECTION IV – PROPOSAL SUBMISSION REQUIREMENTS

A. Tabbing of Sections

The Consultant should be sure to include all information that it feels will enable the Evaluation Committee and, ultimately, the Collaborating Parties to make a decision. Failure of the Consultant to provide specific, detailed information may result in its proposal being rejected in favor of a sufficiently-detailed proposal. Any necessary exhibits or other information, including information not specifically requested by this RFP but that you feel would be helpful, should be attached to the end of the proposal in the section designated as other information.

1. Cover Letter

2. Qualifications and Experience

- a. Provide a statement of qualifications for your organization, including an organization chart, a statement of the size of firm, a description of services provided by your organization, and a statement of the extent of experience/history providing the services requested by this RFP.
- b. Identify the Project Lead and Project Manager for this project (include contact information)
- c. How many full time employees (FTEs) do you plan to assign to this project if you are selected? Provide resumes or bios for all individuals who will provide services under this contract. Describe each individual's experience and competencies in designed and delivering fair housing analysis, HUD user interface software, GIS mapping technical, meeting facilitation, community engagement tools and processes for targeting underrepresented groups and protected class populations.
- d. How many people in total are employed by your company? Delineate between employees and consultants.
- e. If applicable, list the professional qualifications for each individual that would be assigned to provide services requested by this RFP, including date and educational institutions of any applicable degrees, additional applicable training, and any professional certifications and/or licensing. In lieu of listing this information, you may submit a resume or curriculum vitae for each such individual if the resume/CV includes all the requested information

3. Proposed Approach

This section describes your proposed approach for meeting the services required by the Collaborating Parties, as listed above. Relevant considerations include the quality and feasibility of your approach to meeting these needs, the manner in which you plan to provide adequate staffing (if applicable), and equipment or other resources provided by you (if applicable). Keep these considerations in mind as you respond to the following:

- a. Describe how you will fulfill the needs of the Collaborating Parties identified in this RFP, including a schedule/timeline.
- b. Include basic approach and methodologies to be employed.
- c. Information and documents to be obtained and analyzed
- d. Identification of any additional issues the consultant wishes to address
- e. Given the recent HUD notification, we are also looking for a firm that is open to flexibility in the schedule of events. Please tell us how flexible your firm would be into operating under a different timeline, for example a later start date or a longer period of time to complete the project and how this might affect price or budget.

4. Cost Analysis and Budget for Primary Services

Provide an itemized budget and a detailed explanation for all costs associated with your providing the requested services.

Also, include an additional price (total only) if the scope of work for the project were to only include the La Crosse MSA only (City of La Crosse, Houston County, La Crosse County) and remove any data gathering or meetings in Monroe County. This would still include 4 public meetings that would be conducted but they would only be conducted in the La Crosse MSA.

5. References

List at least three HUD funded Cities/Communities references for which you have recently provided similar services that include the development of an AI or an AFH. Of particular interest are references for regional versions of either of these plans. Include contact names, titles, phone numbers and e-mail addresses for all references provided.

6. Other Information

Any necessary exhibits or other information, including information not specifically requested by this RFP but that you feel would be helpful, should be attached. Include documentation of any Minority Business Enterprises, Minority Business Enterprises, Section 3 Enterprises if appropriate.

Once the Consulting Parties have received qualified response, top ranked respondents may be asked to provide an oral presentation about their responses for clarification. This presentation must be in person by the consultant or a qualified representative of the consultant or firm.

SECTION V – GENERAL TERMS AND CONDITIONS

A. Insurance

A current Certificate of Insurance should be submitted with your proposal showing General Liability, Umbrella Liability, Workmen’s Compensation and Vehicle Liability.

B. Access to Records

Contracting Party, at its sole expense, shall maintain books, records, documents and other evidence pertinent to this Agreement in accordance with accepted applicable professional practices. The City of La Crosse, or any of its duly authorized representatives, shall have access, at no cost to the City of La Crosse, to such books, records, documents, papers or any records, including electronic, of Contracting Party which are pertinent to this Agreement, for the purpose of making audits, examinations, excerpts and transcriptions.

C. PUBLIC RECORDS LAW

Contracting Party understands and acknowledges that La Crosse is subject to the Public Records Law of the State of Wisconsin. As such, Contracting Party agrees to retain all records as defined by Wisconsin Statute § 19.32(2) applicable to this Agreement for a period of not less than seven (7) years after the termination or expiration of this Agreement. Contracting Party agrees to assist La Crosse in complying with any public records request that La Crosse receives pertaining to this Agreement. Additionally, Contracting Party agrees to indemnify and hold harmless La Crosse, its elected and appointed officials, officers, employees, and authorized representatives for any liability, including without limitation, attorney fees related to or in any way arising from Contracting Party’s actions or omissions which contribute to La Crosse’s inability to comply with the Public Records Law. In the event that Contracting Party decides not to retain its records for a period of seven (7) years, then it shall provide written notice to La Crosse whereupon La Crosse shall take custody of said records assuming such records are not already maintained by La Crosse. This provision shall survive the termination of this Agreement.

D. Signature by Responsible Party

All proposals must be signed with the firm name and by a responsible officer or employee authorized to transact business on behalf of the firm, partnership or corporation. No consultant may assign or transfer any legal or equitable interest in his proposal after the date and hour set for the receipt of proposals.

E. Conflict of Interest

The consultant agrees that it presently has no interest, and shall acquire no interest, direct or indirect, that would conflict in any manner or degree with the performance of its services hereunder. The consultant further agrees that, in the performance of the agreement, no person having any such interest shall be employed.

F. Interest of Public Officials

No member, officer or employee of the City of La Crosse during this tenure or for one year thereafter, shall have any interest, direct or indirect, in this proposal or the proceeds thereof.

G. Indemnification

The consultant agrees to protect, defend, indemnify, and hold harmless the City, its elected and appointed officials, agents and employees from and against any and all liability, damages, claims, suits, liens, and judgments, of whatever nature, including claims for contribution and/or indemnification, for injuries to any person or persons, caused by consultant's proposals or subsequent submittals.

H. Consultant's obligation

To protect, defend, indemnify, and hold harmless, as set forth hereinabove, shall include any matter arising out of any actual or alleged infringement of any patent, trademark, copyright or service mark, or any actual or alleged unfair completion, disparagement of product or service, or other business tort of any type whatsoever, or any actual or alleged violation of trade regulations.

I. Changes

The City of La Crosse may, from time to time, request changes in the Request for Proposal issued, to be performed hereunder. Such changes shall be incorporated in written amendments to this Request for Proposals and posted on the City's website:

www.cityoflacrosse.org/communitydevelopment.

J. Non-Discrimination, Diversity, Section 3

The City of La Crosse and Consulting Parties are equal opportunity employers. The Consulting Parties prohibit discrimination in employment on the basis of race, color, religious creed, national ancestry, gender, sexual orientation, disability, or military veteran status. The Consulting Parties are strongly committed to developing and maintaining a diverse workforce. Accordingly, the Consulting Parties requires its contractors and vendors to comply with non-discrimination laws and encourages them to promote diversity within their workplace.

The Consulting Parties are committed to ensuring full participation of diverse businesses in all of its economic opportunities and activities, including the purchases of goods and services. The Consulting Parties encourages contractors and vendors to promote business diversity in all of their business activities by providing Minority and Women Owned Business Enterprises (WBEs/MBEs) with equal opportunity to participate in contracts and provide information regarding their proposed use of MBE/WBE under this contract. In addition, Consultants are encouraged to hire Section 3 Employees or Section 3 Contractors.

K. Reservation of Rights

The City of La Crosse reserves the right to:

- Cancel or withdraw the RFP prior to or after the submission deadline
- Modify or issue clarifications to the RFP prior to the submission deadline
- Reject any submission it deems incomplete or unresponsive to the submission requirements
- Consider a submission that is in non-compliance with the submission requirements
- Reject all submissions that are submitted under the RFP
- Modify the deadline for submissions or other actions
- Reissue the RFP, a modified RFP, or a new RFP whether or not any submissions have been received in response to the initial RFP issuance.

L. Notice of Modification

The City of La Crosse may post on the City's website

www.cityoflacrosse.org/communitydevelopment notices or information regarding cancellations, withdrawals, modifications to deadlines, and other modifications to this RFP. Developers shall have the obligation to check the website for any such notices and information, and the City of La Crosse shall have no duty or obligation to provide direct notices to developers.

M. Ownership and Use of Submissions

All submissions shall be the property of the City of La Crosse and the City of La Crosse may use any and all ideas in any submission, whether the submission is selected or rejected.

N. Further Efforts

The City of La Crosse may request that developers clarify their submissions and/or submit additional information pertaining to their submissions. The City of La Crosse may request best and final submissions from any developer and/or request an oral presentation from any developer.

SECTION VI – ATTACHMENTS

A. Map of service area

Attachment A: Service Area Map

