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Project Background

Downtown Raleigh

Raleigh is North Carolina’s capital city and home to several universities and corporate headquarters. The City consistently ranks in the top 20 nationally for business, entrepreneurs, creativity, and a knowledgeable workforce. Raleigh is located in Wake County, one of the fastest-growing counties in the nation with a population estimated to exceed 950,000 by 2020. The City of Raleigh has more than 350,000 residents as of July 2006, reflecting population growth of over 70,000 since the year 2000.



Raleigh is the largest municipality—and has the largest traditional downtown—in the Research Triangle Region, an economic region centered on the Research Triangle Park. The region includes approximately 1.2 million residents and encompasses the communities of Raleigh, Durham, Chapel Hill, and Cary. Universities include North Carolina State University, the University of North Carolina at Chapel Hill, Duke University, NC Central University, Shaw University, Meredith College, St. Augustine’s College and Peace College. The region is a hotbed of technology and research activity. Research Triangle Park (20 miles west) is the home of major facilities for IBM, Northern Telecom, Glaxo-Smith-Kline, US EPA, Cisco Systems and other technology companies. Closer to downtown, North Carolina State University’s Centennial Campus has over the past four years drawn a variety of private sector partners in pharmaceutical research, advanced engineering and software applications.

While the City has been booming with new commercial and residential construction, until recently development in the downtown lagged. Over the past decade, however, downtown has reemerged as a prime location for new residential, office, and entertainment-oriented development. In the last three years a total of over \$2 billion dollars of new investment has been announced, planned or underway in the heart of the city, including 500,000 square feet of office and retail space and 2,500 housing units. When the convention center and Marriott hotel open in 2008, the city can expect more than 1,250,000 patrons and 250,000 hotel guests annually. By 2010 it is estimated that more than 10,000 people will live downtown, up from about 1,500 in 2003. Approximately 30,000 people currently work in Downtown Raleigh. The re-opening of Fayetteville Street on July 29, 2006, after nearly two decades as a pedestrian mall, has set the stage for the latest wave of new investment, keynoted by US Headquarters of the Royal Bank of Canada, which recently broke ground at its Fayetteville Street site, and is set to open in 2009.



More information on Downtown Raleigh, the Livable Streets Plan, current projects underway in both the public and private sectors is available on the Livable Streets Internet Site at <http://www.raleighnc.gov/livablestreets>. More information on demographic characteristics of the market is available on the same web site (Click on “Government”; “About Raleigh”; “Raleigh Demographics”)

Transportation Resources

The Multi-Modal Transportation Center project proposes to connect multiple transportation modes, including existing transportation services as well as proposed services yet to be built. The existing services include the City's local Capital Area Transit (CAT) bus service; TTA regional bus service; long-distance (Carolina Trailways/Greyhound) buses; and Amtrak services. The proposed services include TTA Regional Rail Service; Southeast High Speed Rail; Wake County Coordinated Transportation; and Easttrans commuter rail. Each of these, and its implications for the Multi-Modal Center, is discussed below:

Existing Services

CAT bus service (www.raleighnc.gov/transit)

Capital Area Transit operates local bus service throughout the City of Raleigh, seven days a week. All bus lines currently converge on the Moore Square Transit Station, a special-purpose bus transfer facility located on the ground level of the Moore Square parking garage. The City has considered moving the bus transfer hub to the proposed Multi-Modal Center, or leaving the current hub in place and providing a transit connection to the Multi-Modal Center. Relocating the bus hub from its current location could lead to both a better designed transit center as well as creating prime sites for new development, but impacts to transit service delivery, both in terms of rider convenience and operations, would have to be considered.

TTA regional bus (www.ridetta.org)

The Triangle Transit Authority operates a regional bus system serving Raleigh, Durham and Chapel Hill, as well as the Research Triangle Park and Raleigh-Durham Airport. This service is the only transit-based means of traveling between the major downtown centers in the region, as well as to the airport and major employers in the RTP area. Within downtown Raleigh, TTA stops are found at the Moore Square Transit Station and near the state government offices along Wilmington and Salisbury Streets.

Carolina Trailways/Greyhound Bus Service

The City's long-distance bus terminal is currently located at the corner of Jones and North Harrington Streets in downtown Raleigh. The existing terminal sits across Jones Street from a major mixed-use development project known as the Quorum, which is nearing completion as of the time of this RFP. The L-shaped property is owned by Greyhound Lines, Inc., totals about 1.7 acres in size, and sits adjacent to the proposed Government Center transit stop that would be served by future TTA rail and/or Easttrans (see below under future services). Relocation of this bus terminal would free up land in an area undergoing rapid redevelopment.

Amtrak/NCDOT Rail (www.bytrain.org)

Raleigh's Amtrak station is located on Cabarrus Street between South West and South Harrington Streets. The station is served by the Carolinian Service between New York and Charlotte; the Piedmont Service between Raleigh and Charlotte; and the Silver Star between New York and Florida (the first two are operated through a partnership between Amtrak and NC-DOT). Six trains a day stop at the station. The station building was built by the Southern Railway Company in 1950. The Southern Railway ceased operation in 1967; Amtrak service came to the station in 1984 when Amtrak moved from the Seaboard Station to the north, a move prompted by the relocation of rail service from the old Seaboard line (now the CSX "S Line") to the NCCR "H Line" which travels through Selma and Rocky Mount. The S Line is now the preferred alternative for the Southeast High Speed Rail project (described below).

In the wake of increased ridership, Amtrak and NCDOT are looking for opportunities to expand its existing facilities, particularly parking capacity, which is stressed during times of peak demand. NCDOT is planning the addition of another passenger train between Raleigh and Charlotte in the Spring of 2008.

Proposed Services

Southeast High Speed Rail (www.sehsr.org)

Southeast High Speed Rail is currently under study and environmental analysis by the states of North Carolina, Virginia, and the Federal Highway and Federal Railway Administrations. The proposed service

would extend Acela-style service south of Washington, DC at first to Charlotte, with further extensions to Atlanta contemplated for later phases. A Tier I EIS has been produced, resulting in the selection of a preferred Route utilizing the “S Line” former Seaboard rail line between Petersburg, VA and Raleigh, continuing to Charlotte on the North Carolina Railroad right of way currently utilized by Amtrak and NCDOT for the Piedmont, Carolinian and Silver Star services. The Tier II document, projected for completion in 2008, will provide a detailed analysis on the impacts, including track location, station arrangement and detailed design. Since the current Amtrak station is not located along the proposed route of the Southeast High Speed Rail service, three alternative locations are under study by NCDOT. The first would be located west of the Boylan Wye; this station could serve both existing and proposed passenger rail services. The second would be located north of the Boylan Wye closer to Hillsborough Street. This location would better serve downtown, but would require that separate platforms be maintained for both the existing Amtrak service and future High Speed service. A third is located further to the north, closer to the State Government Center. All three alternatives are under consideration as part of the EIS; therefore, all three must be incorporated into this study. The study can, however, make recommendations as to the preferred platform location.

TTA Regional Rail (www.ridetta.org)

The Triangle Transit Authority has proposed to build and operate a regional commuter rail service utilizing new track on existing rail rights of way, and connecting the downtowns of Raleigh and Durham with Research Triangle Park, as well as communities such as Cary and Morrisville. The proposed TTA service has been planned to traverse the Boylan Wye below grade, running north parallel to the S Line to serve the state government complex (Government Center) and, in a later expansion, North Raleigh. TTA recently withdrew the project from the federal funding process, and is rethinking its options, leaving the status of this service uncertain. The Multi-Modal Center should be capable of accommodating the existing TTA plan, but may also propose alternative means for bringing regional rail to this location.

Eastrans (http://www.ci.knightdale.nc.us/government/documents/other/eastrans_final_report.pdf)

The Eastrans study was completed in 2004, and explored the feasibility of commuter rail service to downtown Raleigh from points east utilizing two potential corridors: the North Carolina Railroad (NCRR, www.ncrr.com) corridor to Goldsboro, and/or the Norfolk Southern corridor to Wilson. Both services propose stations near the Government Center area and the Boylan Wye. Two inbound morning and two outbound trains during commuting hours were proposed, utilizing diesel engines and commuter rail cars.

Planning History

Underpinning the recent development boom in downtown have been a number of plans undertaken for the downtown and adjacent areas. The following is a brief summary of existing plans affecting the study area for the Multi-Modal Transportation Center.

The Livable Streets Plan (www.raleighnc.gov/livablestreets)

The Livable Streets Plan was generated by the Livable Streets Partnership, a multi-dimensional task force of business, neighborhood, institutional, governmental and education leaders who met over the period of a year to generate a new vision for downtown Raleigh. The Plan, approved by the Raleigh City Council in 2003, calls for a “Five in Five” strategy to accomplish 5 major goals in 5 years, each of which has either been accomplished or is substantially under way:

1. Construct a new Convention Center
2. Complete a renaissance for the Fayetteville Street Mall, including opening the former pedestrian mall to vehicular traffic
3. Make dramatic improvements to the pedestrian environment in the downtown, including considering the change from one-way to two-way streets on a number of downtown streets
4. Reform the regulatory climate to ensure facilitation of quality downtown construction projects and renovations
5. Expand downtown management to take a one-stop approach to management and advocacy for downtown interests

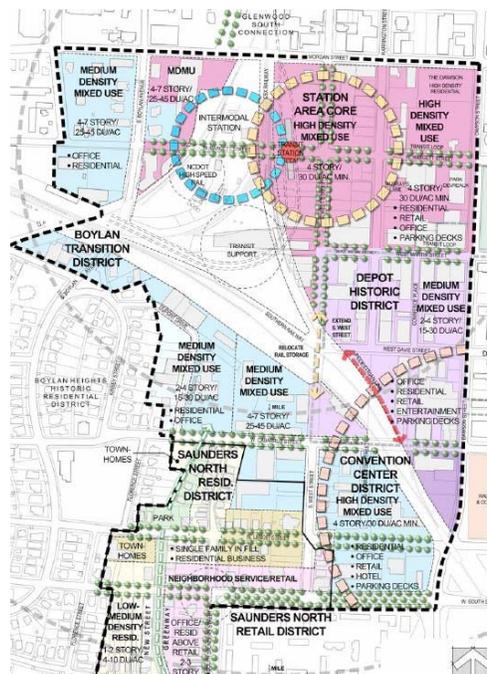


Downtown West Gateway Small Area Plan (www.raleighnc.gov/planning under “Comprehensive Plan-Central District”)

The study area lies within an adopted small area plan (a component of the City’s Comprehensive Plan) that was undertaken following the Livable Streets Plan. The Downtown West Gateway plan was crafted to respond to the dynamic conditions of the Warehouse District and South Saunders neighborhood that lie immediately west of the core of downtown Raleigh. The Plan consists of several elements: a redevelopment plan for the historic but economically depressed neighborhood directly south of the railroad tracks, a land use plan that anticipates the rapid transition of the former industrial area north and east of the tracks into a high rise mixed use neighborhood, and specific guidelines and standards for developing in a manner supportive of a future mass transit system.

Downtown Multi-Modal Transportation Center
(http://www.raleighnc.gov/publications/Planning/Plans_in_Proc_ess/Downtown0..n_Multi-Modal_Transportation_Center_Phase_2.pdf)

The resurgence of downtown development activity, combined with the existing and proposed transportation and transit systems, has increased interest in focusing a number of transportation enhancements and investments on the area known as the Boylan Wye, where several important rail corridors converge. The Boylan Wye is situated at the west end of Martin Street and Hargett Street, east of Boylan Avenue, and south of Morgan Street.



In 1995 the City of Raleigh undertook a study and adopted the finding that there was sufficient travel demand to warrant a Multi-Modal Transportation Center (MTC) and selected the Boylan Wye area as the location to study. Support was confirmed for the MTC with the understanding that by combining the transportation modes into a central facility the city would aid those passengers transferring between modes and provide the efficiency of a single facility to serve a variety of transportation systems. A second study, completed in 2002, and supported by the City of Raleigh, Triangle Transit Authority, and North Carolina Department of Transportation, developed two design scenarios for the MTC: the Wye alternative and the Morgan/Hargett Street alternative. The scenarios accommodate the physical space needs of the intercity rail passenger system and the regional rail transit system, as well as the space needs for freight, intercity bus service, local transit systems, airport and other shuttle systems. The scenarios illustrate how parking, concessions, access (pedestrian, bicycle, local transit, auto and rail), freight storage and handling, office and support space could all be accommodated within the facility.

Several significant changes have occurred since the completion of the 2002 study. First, market conditions are now much more favorable for supporting more intense development in the vicinity of the Boylan Wye, leading to a need to rethink the land use strategy for adjacent lands. Second, the completion of the EastTrans study, with its favorable findings with regards to the feasibility of the proposed service, has added a new potential rail-based transit service to the mix. Third, the uncertainty regarding TTA’s rail project has reopened a regional dialogue regarding the best way to implement rail-based transit within the Triangle region. Lastly, the planning for Southeast High Speed Rail has further advanced. The 2002 study only lightly addresses the proposed SEHSR service. Both SEHSR and East Trans should be significant components of the overall feasibility study for this current effort. As a result, platform locations, track locations, and operational details need to be rethought so that the full range of potential services can be accommodated within the study area. The array of potential services may also be better served by multiple facilities linked through a high-quality pedestrian network, rather than by a single structure.

Project Description

Project Goals

The City of Raleigh is seeking written proposals for professional planning, design, and engineering related services required for the preparation of a feasibility study for two MTC alternatives and a development strategy for properties within and in the vicinity of the MTC location. The MTC design and development strategy are intended to build upon previous study recommendations to accomplish the following goals:

- Update and/or reconceive the Phase II MTC designs to explore and take advantage of new opportunities including EastTrans, Southeast High Speed Rail, the Greyhound/Trailways bus terminal relocation, the Moore Square bus terminal relocation, the TTA Station location, the proposed TTA/Cherokee Investment/Hamilton Merritt Partnership and the expanding downtown real estate market. The MTC plans must address:
 - Rail improvements necessary to accommodate existing and proposed rail passenger services and existing rail freight services within the Boylan Wye area.
 - Linking the various modes and platform locations through pedestrian or other connections.
 - Vehicular parking sufficient to address the existing and projected demand from Amtrak and, as a later phase, projected demand for the TTA station and SEHSR.
 - Benefits and detriments associated with relocating the CAT bus hub to the MTC.

Note that the MTC need not consist of a single structure. Multiple discreet facilities located proximate to each other may provide a better solution, mindful of capital costs, phasing considerations, and joint development opportunities.

- Identify and determine the level of interest and involvement of potential private development partners who own lands adjacent to the proposed MTC.
- Create a framework to guide development patterns and enhance the circulation network within the area surrounding the MTC alternatives through the preparation of a MTC Area Development Strategy that expands upon the recommendations of the Downtown West Gateway Small Area Plan.
- Address the concerns of stakeholders and the City of Raleigh and NCDOT through a public process that includes opportunities for information sharing and comment during the beginning and closing phases of the design work.
- Identify phased construction options, a preliminary cost estimate for construction of the MTC alternatives, and opportunities for public/private partnerships, including joint development opportunities, to fund the construction of the multi-modal facility.

Disciplines Required

Several professional disciplines will be required to achieve the project goals described above. It is recommended that bidding teams include expertise in urban design; rail operations; rail and bus transit operations and facilities planning; traffic engineering; pedestrian networks; land use planning; and development economics. Given the multidisciplinary nature of the study, an architecture/urban design lead is recommended, although not required, to coordinate the overall planning effort.

Scope of Services

The following key work program elements are recommended for completion of the MTC schematic designs and area development strategy. Bidders are free to propose modifications to these elements to best fit the project objectives. The expected time frame for completion of the project is 10 months.

Multi-Modal Transportation Center

- Convene and meet with a stakeholder group consisting of representatives of the City of Raleigh, NCDOT-Public Transportation Division, NCDOT-Rail Division, TTA, and the Raleigh Transit Authority (CAT). Review any existing transit plans and studies provided by stakeholders.
- Compile and update the physical space needs of the MTC occupants including the currently preferred NCDOT-Rail Division intercity service and TTA station platform locations as well as future platforms for Amtrak, Southeast High Speed Rail, and Easttrans; and update other transportation provider operational needs (CAT, TTA regional bus, intercity bus, taxi, car rental agencies, Wake County Coordinated Transportation, and airport transportation).
- Analyze the road network surrounding the MTC bounded by Western Boulevard, St. Marys Street, Hillsborough Street, and Dawson Street to identify roadway capacities and modifications needed to facilitate transit vehicle operations and to support the projected development intensities.
- Facilitate a process that will allow the participation of stakeholders and community members in the preparation of the MTC design and MTC Area Development Strategy.
- Coordinate the MTC design work and transportation connections with the Hargett/Martin Land Use & Streetscape project being prepared by Cooper Carry, Martin/Alexiou/Bryson, and Mulkey to support the two way operation of Hargett and Martin Streets and enhance links with major downtown destinations, including the new Convention Center.
- Identify funding opportunities for construction of the MTC considering changes in the real estate market within the surrounding area and the potential for intensification of development within and surrounding the MTC alternatives, as well as opportunities for State and Federal funds.
- Coordinate with Cherokee Investment Partners, LLC, who have proposed to partner with TTA in managing the development process for properties in and around the downtown regional rail station site.
- Develop a conceptual program and plan for the MTC and all of its components, to include:
 - A rail plan identifying track locations and other improvements/modifications necessary to accommodate all existing and proposed rail services, both passenger and freight.
 - Recommended platform locations, incorporating both locations proposed for Southeast High Speed Rail.
 - Proposed footprints for various MTC elements, recognizing that more than one structure may be proposed.
 - A circulation and access plan for private autos, taxis, buses and pedestrians, including connections to nearby commercial, residential, and destination areas.
 - A parking plan.
 - Identification of potential development sites within the MTC, which may be adjacent to, or even within the air rights of, particular pieces of MTC infrastructure.
- Attend city staff sessions, Planning Commission and City Council meetings, as needed, to present findings and recommendations.

MTC Area Development Strategy

- Review and include recommendations from the Downtown West Gateway Small Area Plan, the Downtown Livable Streets Plan, and other area planning/development initiatives.
- Review and evaluate existing downtown housing market studies assembled by the City of Raleigh planning department.
- Attend and facilitate two meetings with adjacent private property owners identified in the accompanying MTC Area map. Determine any existing plans that property owners may have for their

assets. Determine the level of interest and willingness to participate in a coordinated development strategy for their properties.

- The MTC Area Development Strategy may include but is not limited to:
 - An existing conditions inventory for the MTC Development Strategy Study Area, including land use, zoning, infrastructure elements, environmental conditions, historic resources, demographics, community facilities, open space, proposed private developments, existing and planned public improvements. (The City will provide most of this information.)
 - Conceptual land use configurations for the identified study area.
 - Site specific conceptual development programs for properties within the study area. Including the general mix of uses within the structures, numbers of units, total square footages of uses, number of parking spaces etc.
 - Street hierarchy and circulation concept that identifies major pedestrian and vehicular travel routes and proposes themed streetscape improvement for selected corridors.
 - Implementation options for the MTC Area Development Strategy, including but not limited to; conceptual financial participation models, air right options for over MTC facilities, the method of achieving a mix of uses, necessary infrastructure improvements, and potential development incentives.
- Attend City staff sessions, Planning Commission and City Council meetings, as needed, to present findings and recommendations.

Project Deliverables

- Project deliverables for the MTC element will include a conceptual space program for the facility, site plans of the center area showing proposed footprints, bubble diagrams or other graphics illustrating nearby development scenarios, and other necessary illustrations needed to explain the function and layout of the center/complex, including the vehicular and pedestrian network. These products will be clearly specified with the contract negotiation.
- Project deliverables for the MTC Development Strategy will include a written document that includes maps, illustrations and accompanying text to communicate the items identified above. These products will be clearly specified with the contract negotiation.

City of Raleigh Responsibilities

The City of Raleigh Planning Department will serve as the manager of the process used to update the schematic design for the MTC alternatives and for the preparation of the MTC Area Development Strategy. In this capacity the City will designate staff to perform the following:

- Direct the work of the consultant retained to update the schematic MTC design alternatives and development strategy.
- Manage the consultants work by scheduling meetings, gathering timely review comments on the consultant's work from interested parties and agencies and otherwise facilitating the pace of the work effort.
- Provide to the consultant necessary physical site data as available from the City of Raleigh GIS data base and other currently available data including environmental conditions, land use, zoning, and public infrastructure elements. The information base collected for the TTA Regional Rail EIS and other provided information will form the basis for the environmental analysis.

Proposal Details

Submission Requirements

Please submit (1) paper original of the RFP response document in 8 ½" x 11" format, (1) digital version of the RFP response document on compact disk in a commonly-accepted computer format such as MS Word Document (.doc) or Portable Document Format (.PDF), and (10) paper copies of the RFP response document in 8 ½" x 11" format. If large-format drawings or exhibits are included in the submittal, copies of these exhibits shall be reduced to 8 ½" x 11" format (or folded 11" x 17" format) and shall be included with the (1) original, (1) digital copy and (10) paper copies as noted above. The RFP response document shall address each items noted below.

1. Cover letter identifying all firms proposed for the design team, including the organizational and contractual relationship between the principal(s) and associate firms.
2. Identify certified Disadvantaged Business Enterprise (DBE) firms, if any. A list of DBE's certified in the State of North Carolina can be found on the NC-DOT web site at the following address: <http://apps.dot.state.nc.us/vendor/directory/>. Although no DBE goal has been set for the project, proposers are expected to make a good faith effort to secure DBE participation on their project teams. An overview of the "good faith" policies and requirements can be found at the NC-DOT web site at the following address: <http://www.ncdot.org/business/ocs/goodfaith/>. Additional DBE guidance is provided in Attachment A.
3. A description of the organizational and design approach to the project. This description must be specific and detailed enough to demonstrate that the firm has the knowledge and expertise required to perform the work desired. This description must address each of the items in the Scope of Services of this RFP and it must clearly explain any change that might be proposed by the firm and the reason why such a change will benefit the project and/or the City.
4. Team Organization Chart showing all firms, staff proposed for this project, including their titles. Include resumes of the key staff that will be working on the project.
5. Responsibilities to be fulfilled by each team member assigned to the Project. The description of responsibilities shall include an estimated percentage of the total project that is to be completed by each individual team member.
6. A recommended work schedule assuming a project initiation date of early to mid March, 2007.
7. Rate schedule for all personnel who will work on the Project. Compensation will be negotiated with the selected consultant.
8. Provide a list of 3 recent projects (within the last five years) that demonstrate the ability of the team to accomplish similar project goals, including the name of the project, location, client name, contact name, date of project, budget amount, and a brief description of the project.
9. Explain why you believe your team is the most qualified firm to provide the requested services for this Project.

The City of Raleigh reserves the right to request additional information after submittal as may be necessary to adequately assess each response.

The selected consultant will be required to present evidence of general business liability insurance in the amount of \$1,000,000 and comprehensive liability insurance in the amount of \$300,000; \$100,000 prior to the award of the contract.

Selection Process

The City of Raleigh has established a policy for selecting design consultants. The purpose of this policy is to ensure that design consultants are selected in a fair and uniform manner, that those selected for work are qualified and experienced in designing facilities desired, and to ensure that every qualified design

consultant has the opportunity to be considered for providing professional services for the Project. The process for selection involves three stages:

Stage One: Qualifications

Notification of this RFP is advertised on the City of Raleigh Finance Department web site: <http://www.raleighnc.gov/bidsandrfps>. A Request for Proposals will be sent to all firms that express interest and requests a copy of the Request for Proposals. Upon receipt of the proposal packages from respondents, the Planning Department will review the proposals and select a short list of firms. The Director will forward the short list to the Selection Committee for consideration.

Stage Two: Selection Committee

A Selection Committee composed of Department Directors or designated representatives from various City Departments will review the 'short list' of firms. The Selection Committee will prepare a prioritized 'short list' recommendation that will be forward to City Council. Council will be asked to authorize negotiation with the recommended firm.

Stage Three: Contract Negotiations

Following the City Council's approval to negotiate with the recommended consulting firm, the Planning Department will begin negotiations. In the event negotiations of specific contract terms, conditions and fees prove unsuccessful with this firm, the Planning Department will begin negotiations with the second most qualified firm. The City Council will award a contract based upon successful negotiations.

Evaluation Criteria

The following criteria will be the basis on which consultants will be selected for further consideration (in no particular order):

1. Specialized or appropriate expertise in the type of project.
2. Past performance of the lead consulting firm, subconsultants, and their employees on similar projects.
3. Demonstrated experience in conducting public meetings.
4. Adequate and experienced staff and proposed design team for the project.
5. Level of DBE participation.
6. Recent experience with successfully maintaining project schedules and budgets.
7. Current workload and firm capacity.
8. Proposed design approach for the project(s) and schedule for completion.
9. Understanding of the area where the project is located.
10. Demonstration of a project record free of significant technical problems and litigation resulting from errors or omissions.
11. Rate structure for proposed staff including all subconsultants.
12. Other factors that may be relevant to the Project.

Right to Reject Proposals

The City reserves the right to reject any and all proposals and to negotiate with any firm in a manner deemed appropriate to serve the best interests of the City.

Submittal Schedule

Responses must be sealed and clearly marked with the following: "RFP Response—Downtown Multi-Modal Transportation Center". Submittals must be received no later than 5:00 pm on January 10, 2007, and should be delivered to:

Martin Stankus, AICP
City of Raleigh
Department of City Planning
PO Box 590
One Exchange Plaza, Suite 304
Raleigh, NC 27602-0590

(919) 516-2661
(919) 516-2682 fax
martin.stankus@ci.raleigh.nc.us

Attachment A: Disadvantaged Business Enterprises

The Federal Fiscal Year goal has been set for the grantee of subgrantee in an attempt to match projected procurements with available qualified disadvantaged businesses. The goals for budgeted service contracts, bus parts, and other material and supplies for Disadvantaged Business Enterprises have been established as set forth by the Department of Transportation Regulations 49 C.F.R. Part 26, January 29, 1999, and authorized by:

- a) Titles I, III, V and VI of SAFETEA-LU, or
- b) Federal transit laws in Title 49, U.S. Code, Part 26, and is considered pertinent to any contract resulting from this request for proposal.

If a specific DBE goal is assigned to this contract, it will be clearly stated in the Special Specifications, and if the contractor is found to have failed to exert sufficient, reasonable, and good faith efforts to involve DBE's in the work provided, (name of grantee) may declare the Contractor noncompliant and in breach of contract. If a goal is not stated in the Special Specifications, it will be understood that no specific goal is assigned to this contract.

- c) Policy—It is the policy of the Department of Transportation and the City of Raleigh that Disadvantaged Business Enterprises, as defined in 49 CFR Part 26 shall have the maximum opportunity to participate in the performance of Contract financed in whole or in part with federal funds under this Agreement. Consequently, the DBE requirements of 49 CFR Part 26 apply to this Contract. The Contractor agrees to ensure that DBEs as defined in 49 CFR Part 26 have the maximum opportunity to participate in the whole or in part with federal funds provided under this Agreement. In this regard, the Contractor shall take all necessary and reasonable steps in accordance with the regulations to ensure that DBEs have the maximum opportunity to compete for and perform subcontracts. The Contractor shall not discriminate on the basis of race, color, national origin, religion, sex, age or physical handicap in the award and performance of subcontracts. The grantee or subgrantee shall promote the development and increase the participation of businesses owned and controlled by disadvantaged. DBE involvement in all phases of procurement activities is encouraged.
- d) DBE obligation—The Contractor and its subcontractors agree to ensure that disadvantaged businesses have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under the Agreement. In that regard, all Contractors and subcontractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 as amended, to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts.
- e) Where the Contractor is found to have failed to exert sufficient reasonable and good faith efforts to involve DBEs in the work provided, the grantee or subgrantee may declare the contractor noncompliant and in breach of contract.
- f) The Contractor will keep records and documents for a reasonable time following performance of this contract to indicate compliance with grantee or subgrantee DBE program. These records and documents will be made available at reasonable times and places for inspection by any authorized representative of grantee or subgrantee and will be submitted to grantee or subgrantee upon request.
- g) The grantee or subgrantee will provide affirmative assistance as may be reasonable and necessary to assist the prime contractor in implementing their programs for DBE participation. The assistance may include the following upon request:

- Identification of qualified DBE
- Available listing of Minority Assistance Agencies
- Holding bid conferences to emphasize requirements