

REQUEST FOR PROPOSAL

US-71 RECONNECTING NEIGHBORHOODS PROJECT:
PHASE 1-3: PEL STUDY, CONSENT DECREE & NEPA



CITY OF KANSAS CITY, MISSOURI

RFP Issuance Date: October 6, 2023

RFP Due Date: October 27, 2023

1. Introduction

1.1. Overview and Purpose

The purpose of this Request for Proposals (RFP) is to identify a qualified consultant to undertake a comprehensive planning project for US-71, also known as the Bruce R. Watkins Drive, in Kansas City, Missouri. The study will address critical traffic safety issues, enhance multi-modal connectivity, and mitigate the environmental, economic, and health impacts of the highway corridor on the abutting community. The study will be conducted in close collaboration with the City of Kansas City, Missouri, MoDOT, and key stakeholders in the affected community. The successful bidder will be responsible for conducting a thorough analysis of the corridor, performing extensive public outreach efforts, developing potential solutions, and charting a course forward for a safer, more connected, and more equitable community.

The US 71 Reconnecting Neighborhoods Project will develop a clearly articulated plan and vision for the future through the PEL, Environmental Analysis, and Conceptual Design phases that will put this project on the path to construction in the coming years. It will consist of three phases:

1.1.1. **Phase 1:** Planning and Environmental Linkages (PEL) Study

1.1.2. **Phase 2:** Addressing Consent Decree and Justification for Enhancing the US 71 Corridor

1.1.3. **Phase 3:** Environmental Analysis Process and Conceptual Design

1.2. Addressing Historical Inequities

The area of the city east of Troost has a history of discriminatory policies which has had a lasting impact on residents and the surrounding area. The construction of the US-71 corridor through this community was a traumatic and controversial event that demolished over 2,000 mostly African-American homes and businesses. Based on a 1985 consent decree, the highway corridor brought much traffic and associated light/noise pollution along with dangerous intersections where many pedestrians are hurt and killed. This has led to a need to improve safety, connectivity, and equity along this vital travel route. The US-71 Reconnecting Neighborhoods PEL Study is the city's commitment to addressing these challenges, ensuring better connectivity, and building a safe and equitable environment for all residents.

1.3. Community Involvement

Due to the historical background of the US-71 corridor, community participation and involvement will be crucial to the success of this project. Any proposed improvements will require close collaboration with the community, with those living and commuting along US-71 playing a central role in shaping the future of this important thoroughfare. The project is part of city-wide, regional, and national transportation planning initiatives, aiming to improve both the immediate and long-term viability and safety of the corridor.

1.4. Past and Current Plans

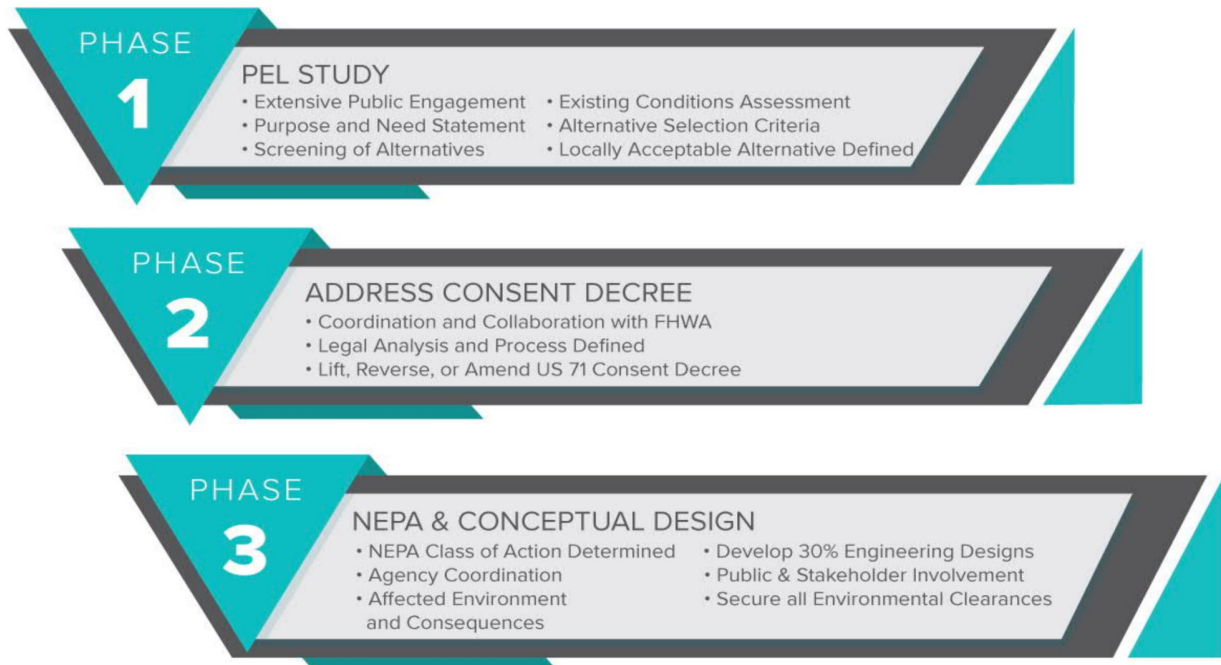
1.4.1. [Swope Area Plan \(2014\)](#)

1.4.2. [Swope-Prospect Connectivity Study \(2019\)](#)

2. Project Scope

2.1. Scope Overview

The US-71 Reconnecting Neighborhoods Project will be completed in several phases that will advance a community-supported, equitable, affordable, and safety-focused preferred alternative that will address the various challenges that impact this area of US-71 and surrounding neighborhoods. This important planning work will build upon the data, input, and recommendations developed in earlier efforts, and then advance a well-scoped and defined project into the next phases of project development.



2.2. Scope Phases

The selected consultant shall be responsible for the management, coordination, and design efforts that will be necessary to complete the project including study coordination, agency coordination, public participation, conceptual designs, environmental and design data collection, and alternative analysis as described in the following section. The consultant will coordinate their analysis and production with guidance from the City and other parties as required on scope, schedule, and technical issues subject to approval by MoDOT. This proposal also assumes that MoDOT will provide all available information to the consultant, including but not limited to existing plans, surveys, reports, etc. (See Appendix for additional details).

2.2.1. Phase 1: Planning and Environmental Linkages (PEL) Study

Phase 1 of the US-71 Reconnecting Neighborhoods Project is a Planning and Environmental Linkages (PEL) study that will collaborate extensively with residents, neighborhood associations, business owners, institutions, and other critical stakeholders in the project area, along with daily commuters using the US-71 corridor. This collaboration will help to arrive at a clear definition of the problems, measurable performance objectives, and desired outcomes that can equitably improve the safety, efficiency, and connectivity of the US-71 corridor and study area. The PEL process will develop detailed objectives of the project that consider environmental, economic, social, and other impacts. The documented impacts will be utilized to streamline later environmental review processes required to advance any transportation capital improvement under the National Environmental Policy Act (NEPA). By utilizing a PEL approach the US-71 RAISE Planning Project can more rapidly advance toward NEPA and consolidate the time needed to attain needed environmental clearances for a preferred project. It is anticipated that the PEL study will take approximately 18 months to complete. Major PEL study activities are likely to include:

2.2.1.1. Holistic Community Development: A "Kit of Parts" Approach

At the outset of our planning journey, the US-71 Reconnecting Neighborhoods Project is more than just about transportation linkages; it envisions a "kit of parts" that encompasses multifaceted community development:

2.2.1.1.1. Land Use: Effective spatial arrangements to maximize utility and environmental sustainability.

2.2.1.1.2. Affordable Housing: Ensuring every resident has access to quality living spaces within their means.

2.2.1.1.3. Economic Development: Fostering local businesses, job creation, and economic opportunities that benefit the community.

2.2.1.1.4. And More: While our immediate focus may be on transportation and the environment, we recognize the importance of weaving in other critical areas like public health, green spaces, and education.

This overarching vision promises a revitalized community where each component harmoniously integrates into the larger whole, setting the tone for a comprehensive development approach.

2.2.1.2. Extensive Public Engagement

Comprehensive public engagement will ensure the alignment of project outcomes with the neighborhood's community needs and aspirations. This engagement approach encompasses a wide range of strategies, from hosting open forums and stakeholder consultations to leveraging digital platforms for broader reach. Recognizing the importance of inclusive decision-making, efforts are made to engage diverse segments of the community. Feedback and insights gathered through these channels will be instrumental in shaping the direction and final recommendations of the PEL study, reaffirming the commitment to building an infrastructure that resonates with and serves the collective interests of the community.

2.2.1.3. Purpose and Need Statement

Building upon the output of the Existing Conditions Assessment, goals and outcomes for multimodal transportation alternatives will be established and vetted with the public. The goals will be critical later in the PEL process as criteria are developed to objectively rank and prioritize alternatives and will also be used to measure overall project success. The PEL will create the Purpose and Need Statement for the project. The Purpose and Need Statement is critical in informing the environmental review process, as detailed in the following phase of the US-71 Reconnecting Neighborhoods Project. The Purpose and Need statement will clearly identify the challenges and issues in the study area and provide justification for why a project is necessary to improve the transportation facilities in the project area.

2.2.1.4. Screening of Alternatives

The PEL study for the US-71 Reconnecting Neighborhoods Project will identify a range of potential strategies and alternatives that would mitigate the negative impacts of the existing facility to traffic flow, surrounding neighborhoods, bicycle/pedestrian connectivity, and safety. Mitigation strategies should include not just engineering solutions, but also include land use changes, affordable housing options, transit improvements, and economic development strategies that complement the highway and improve the surrounding community. Each alternative will be vetted using the criteria developed in the previous step. This element of the PEL study will include the development of high-level engineering design to estimate capital costs, which will be an important consideration for the viability of any alternative advanced. Each of the alternatives developed will be screened using the evaluation criteria to understand if an alternative is viable, and if so, advanced for more refined analysis during the NEPA process. Alternatives not advanced will be documented to demonstrate why they were not appropriate for further consideration.

2.2.1.5. Existing Conditions Assessment

This element of the PEL study would involve field inspection and data

collection from the US-71 corridor and neighborhoods in the study area. Included in this examination are traffic and pedestrian counts, traffic analysis, travel demand modeling, crash data, land use patterns, socio-economic data, multi-modal connectivity, and extensive engagement with the public. This engagement effort will include guidance by a Local Advisory Group composed of community leaders and critical stakeholders, surveys, in-person and public meetings, and digital engagement through a PEL study website. The existing conditions assessment will include review and analysis of current social, environmental, and economic conditions in the study area. This includes Environmental Justice areas, demographics, air quality, noise, traffic impacts, waterways and streams, historic properties, park impacts, land uses, and others.

2.2.1.6. **Alternative Selection Criteria**

Objective and measurable criteria will be developed in this task of the PEL study. Having these high-level, preliminary criteria will allow project leaders, stakeholders, and members of the community to differentiate between multiple transportation improvement alternatives. This step provides transparency necessary for the community and stakeholders to understand how and why alternatives were advanced to the next stage.

2.2.1.7. **Locally Acceptable Alternative Identified**

One of the primary objectives of the PEL study for the US-71 Reconnecting Neighborhoods Project is the development of Locally Acceptable Alternatives for improving safety, access, and equity within the study area and for the operations of US-71. Once completed, these potential community-supported alternatives will proceed into the NEPA phase of development of the project. The completed PEL Questionnaire and final report will be used to collaborate with the Federal Highway Administration on determining the Class of Action for the environmental analysis phase to come next in the process.

2.2.1.8. **Alternative Contracting**

MoDOT will help to optimize solutions by inviting industry leaders to compete for the best ideas to solve the issues that are along this corridor, using any and all tools available to arrive at the best solutions.

2.2.1.9. **State and Local Planning Approvals**

Following the conclusion of the PEL Study and the development of a Locally Acceptable Alternative, the City of Kansas City and MoDOT will coordinate with the Mid-America Regional Council (MARC), the Kansas City region's Metropolitan Planning Organization, to have the resulting project included in the State Transportation Improvement Program (STIP) and Transportation Improvement Program (TIP). As noted previously, the US-71 Highway corridor has been the subject of past plans that have defined it as a safety concern for multimodal travel and a barrier to neighborhood connectivity. The Swope Area Plan and the Connecting Swope plans both included extensive public and stakeholder engagement. Through these engagement efforts residents and commuters express a strong desire for significant

modification and improvement to the highway and adjoining neighborhoods. The US-71 Reconnecting Neighborhoods Project will build upon these planning efforts and advance a project that is equitable and implementable.

2.2.2. Phase 2: Address Consent Decree

The federal consent decree from 1985 dictated how the US-71 (originally known as the South Midtown Freeway) corridor was constructed with three signalized, at-grade crossings remaining in effect. For a new project to move forward that substantially reconfigures the decreed US-71 corridor design, the City of Kansas City and MoDOT will need to retain legal counsel to fully address any legal processes and concerns. The objective of this phase is to ensure the selected consultant team coordinates and provides the necessary information, data, and reports to the legal team as necessary. A copy of the 1985 Consent Decree can be found in Appendix A.

2.2.3. Phase 3: NEPA & Conceptual Design

As the City of Kansas City proceeds with addressing the 1985 Consent Decree progress, the US- 71 Reconnecting Neighborhoods Project will initiate the NEPA process in Phase 3. The following outlines the process and steps Kansas City intends to undertake in its commitment to community, environmental considerations, and infrastructure excellence.

2.2.3.1. NEPA Class of Action Determination

As the City of Kansas City proceeds with addressing the 1985 Consent Decree progress, the US- 71 Reconnecting Neighborhoods Project will initiate the NEPA process in Phase 3. This phase will begin with FHWA coordination on the determination of the NEPA class of action. To be conservative, the project plan assumes that significant alterations to US-71 will require an Environmental Impact Statement (EIS) but could be shifted to an Environmental Assessment (EA). The NEPA process will be made more efficient and streamlined by utilizing the work accomplished in the Phase 1 PEL Study. Phase 3 will develop the Environmental Document that contains the required analyses established in the NEPA process. This phase and the overall US-71 Reconnecting Neighborhoods Project will conclude with a Record of Decision (ROD) or Finding of No Significant Impact (FONSI), depending on the NEPA class of action determination.

2.2.3.2. Agency Coordination

Coordination will be an important part of the NEPA analysis phase of the project. The City of Kansas City and MoDOT will work closely with all agencies that are likely to have impacts from the proposed project including, but not limited to; the Kansas City Public Works, Water Services, and Parks and Recreation Departments, the Missouri Department of Parks, the State Historic Preservation Office (SHPO), Missouri Department of Natural Resources (MDNR), and other stakeholders as identified throughout the project.

2.2.3.3. Affected Environment and Consequences

Due to the initial parkway design of US-71 in the study area there is ample existing right-of-way to allow for proposed improvements with limited impacts to surrounding neighborhoods and proposed improvement should occur

within the existing facility footprint as much as possible. This benefit will limit the environmental impacts of the project.

2.2.3.4. Develop 30% Engineering Designs

Phase 3 of the US-71 Reconnecting Neighborhoods Project will include developing 30% conceptual engineering design plans. The conceptual plans are critical to providing more accurate construction cost estimates, and to provide a clear understanding of the environmental and other impacts and benefits that could arise from the Locally Acceptable Project.

2.2.3.5. Public & Stakeholder Involvement

As with the PEL Phase, the NEPA analysis phase will include extensive community and stakeholder engagement efforts that will utilize in-person, digital, and other innovative outreach methods to gather a wide range of thoughts and involvement in the process. Targeted outreach will be coordinated to engage disadvantaged populations or those that do not typically engage with projects such as this as another way to take the project's engagement to where people are, making participation in the process easy and accessible for people throughout the community.

2.2.3.6. Secure all Environmental Clearances

Near the completion of this project, a Benefit Cost Analysis will be developed that is compliant with most large federal discretionary funding programs such as Infrastructure for Rebuilding America (INFRA). The Benefit Cost Ratio (BCR) output from this early analysis will signal project leaders if the project is a strong candidate to pursue federal funds to construct the developing project.

2.2.4. Coordination with City Staff

The consultant team will coordinate and provide support to City staff on all aspects of the development for the US-71 Reconnecting Neighborhoods Project.

3. Goals & Objectives

3.1. **Holistic Community Development: A "Kit of Parts" Approach**

The US-71 Reconnecting Neighborhoods Project is designed with a comprehensive outlook. Through our "kit of parts" approach, we're addressing more than just transportation. Our strategy covers effective land use, affordable housing provisions, and the promotion of local businesses. Furthermore, public health, green spaces, and education are integrated into our planning. It's essential to note that we're aware of the historical challenges linked to the US-71 corridor, particularly the outcomes from the 1985 federal consent decree. The plan will need to integrate lessons learned from the past to ensure a well-informed holistic approach that will ultimately lead to lasting positive impact.

3.2. **Focusing on the Community**

The US-71 Reconnecting Neighborhoods Project focuses heavily on the community's connectivity, vitality, and safety of all residents. The focus of the PEL study in Phase 1 will develop a diverse array of alternatives focused on prioritizing vulnerable road users and providing a transportation system that delivers on mode choice, equity, economic development, and safety. The planning team will assess the feasibility of incorporating design elements that will add valuable public amenities, improve quality of life, and attract economic development, on top of doing the core job of getting people safely across the highway.

3.3. **Feasibility and Appropriateness of Potential Approaches**

The feasibility and appropriateness of each potential mitigation strategy will be fully assessed during the PEL study, including a robust community engagement process, ensuring the outcome is something that meets the needs of the community and provides an asset to the city. The suite of alternatives would be assessed first via the PEL and then through a full NEPA process, as the project team works its way through the process to a preferred alternative and final design. This project has the potential to reduce accidents along US-71, improve the quality of life for the community, and augment the modal choices along the corridor.

3.4. **Reduction of Serious and Deadly Crashes**

The US-71 Reconnecting Neighborhoods Project will seek to greatly reduce serious and deadly crashes occurring during turning movements, rear-end collisions, and congestion-induced crashes. Cross streets along the project and any new overpasses would be enhanced with infrastructure that prioritizes vulnerable road users such as shared use paths, wide sidewalks, highly visible crosswalks, transit, minor or major separated bike lanes, and cycle tracks where appropriate. The latest and best practices for road treatments, in terms of pedestrian safety, bike safety, and ADA will be included in the design. Additionally, the neighborhood residents, stakeholders, technical experts, and bicycle and pedestrian advocate organizations will be invited to consult on the design, placement, and treatment by facility type.

3.5. **Increasing Mobility and Connectivity for All**

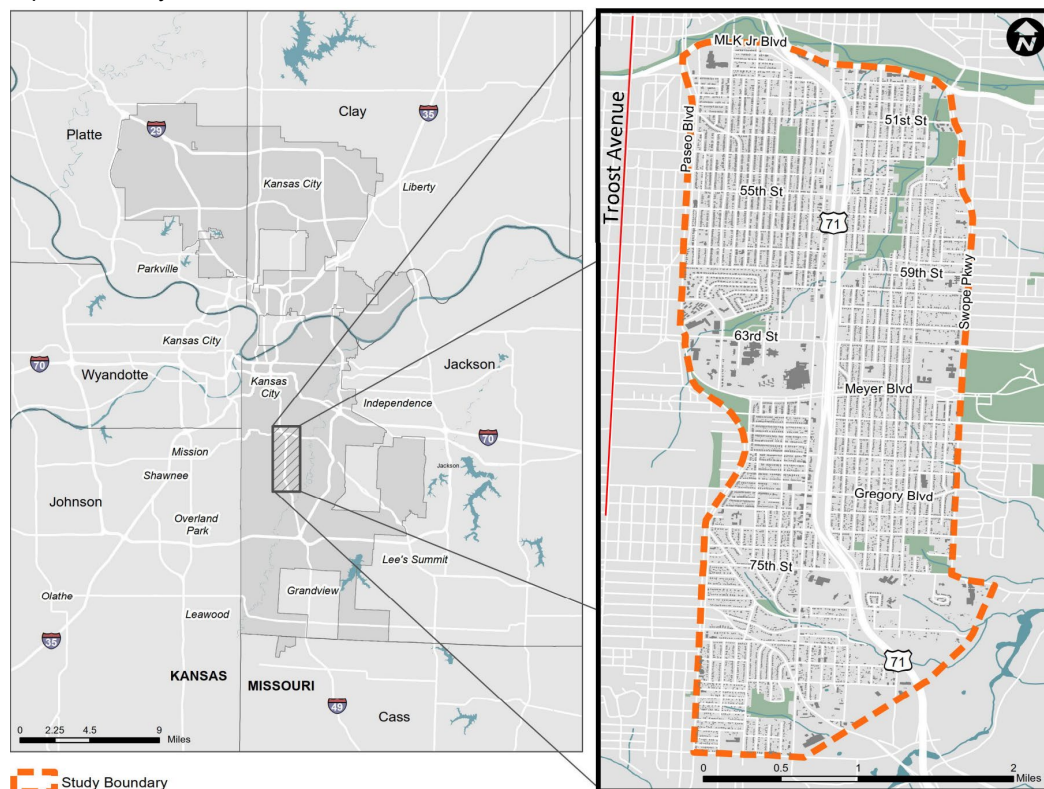
Addressing the safety and comfort of all modes of transportation and utilizing traffic calming techniques to proactively reduce vehicle speeds will create a project that maximizes the reduction in serious crashes and allows for greater mode choice and mobility. Moving this corridor dynamically, from one of the most dangerous corridors in Kansas City to a model for how to best combine the convenience and economic benefits of a freeway with the equity, safety, and community-enhancing benefits of a multi-modal transportation network that works well for all road users and enhances the built environment.

3.6. Successful proposals will include the following:

- 3.6.1.** Develop a viable and community-supported multimodal transportation improvement project that enhances the quality of life and connectivity for surrounding neighborhoods and daily commuters.
- 3.6.2.** Improve safety for all users of the multimodal transportation system of the area, with a focus on the most vulnerable users – pedestrians and cyclists.
- 3.6.3.** Through extensive community engagement, begin to rebuild the trust of the surrounding neighborhoods separated by the construction of US-71.
- 3.6.4.** Develop economic development and affordable housing strategies that complement the infrastructure improvements for the benefit of the community.
- 3.6.5.** Create a well-defined and detailed plan to reconnect neighborhoods severed by US-71.
- 3.6.6.** Develop ‘shovel-worthy’ recommended alternatives project that can advance toward the next stage (NEPA) in this process and ultimately lead to construction.

4. Project Location

The US-71 Reconnecting Neighborhoods Project is located in Kansas City, Missouri, and sits within Kansas City's Urbanized Area (43912). It addresses a segment of US-71 in the Swope Area, approximately 5 miles southeast of Downtown (Figure 7). The local political boundaries include the 3rd and 5th City Council Districts. The national political boundaries include Missouri's 5th Congressional District, currently represented by Emmanuel Cleaver II, and the US District Court of Western Missouri.



5. Submission Dates and Milestones

Please note that these dates and milestones are based on an anticipated schedule and may be revised by the City. Any proposals received after the RFP deadline will not be considered.

5.1. Key dates and deadlines for proposal submission

- 5.1.1. RFP Published: October 6, 2023
- 5.1.2. Non-mandatory Pre-Submission Meeting: October 18, 2023
- 5.1.3. RFP Due Date: October 27, 2023
- 5.1.4. RFP Review: November 10, 2023
- 5.1.5. RFP Interviews: December 7
- 5.1.6. RFP Award: December 20
- 5.1.7. Project Kick-Off: January 8

6. Format and Length of the Proposal

The response should not exceed 20 pages. A page is defined as 8½ by 11 inches, written in 12-point font and printed on one side. Front and back covers, transmittal letters, table of contents, organizational charts, and resumes are not included in the page count.

6.1. Letter of Transmittal

The Letter of transmittal is a brief summary of the key points of the response and approach to accomplish the work. The name and address of the firm, as well as the project manager, should also be included. The transmittal letter shall not be longer than two (2) single-sided pages (not included in twenty [20] page total).

6.2. Table of Contents

If necessary, a table of contents can be provided to reference key items, charts, and tables in the response (not included in twenty [20] page total).

6.3. Management Summary and Conceptual Work Plan

A management summary that states the consultant's understanding of the project to be performed and a conceptual work plan with a detailed description of the methodology and general scope of work.

6.4. Appendix

A one-page organizational chart (up to 11"x17" in size) showing the organizational structure proposed with key staff identified along with their resumes. Resumes should be limited to those key personnel who will be committed to this project and should not include executives of the team who will not be involved in the day-to-day management of the project. Resumes shall be no more than two (2) single-sided, 12-font pages, and the total number of resumes may not exceed twelve (12). No other information is allowed in the Appendix.

7. Changes in the RFP

The City, in its sole discretion, may change everything or anything contained in this RFP at any time including after the Submittal due date. If the change is prior to the Submittal due date, the City reserves the

right, when considered necessary or appropriate, to modify this RFP. If the City shall amend the RFP after the Submittal due date, the City may, in its sole discretion, solicit new Submittals in an amended RFP from anyone or everyone regardless of whether a person submitted information in response to the original RFP.

8. Contact Information

Responders shall submit their Information and any general questions or issues about any aspect of this RFP through Bonfire at <https://kcmo.bonfirehub.com/projects>. The City contact person for this RFI is: Cory Burress, Procurement Manager, (816) 513-0808, cory.burress@kcmo.org.

9. Proposal Requirements

- 9.1. Detailed outline of elements at each phase, methodology, timelines, resources, etc.
- 9.2. Plan of action and implementation strategy.
- 9.3. Safety and the Feasibility and Appropriateness of Potential Approach(es)
- 9.4. Environmental Sustainability
- 9.5. Access to and Availability of Transportation Choices
- 9.6. Quality of Life & Improving Mobility and Community Connectivity
- 9.7. Economic Competitiveness and Opportunity
- 9.8. State of Good Repair
- 9.9. Partnership and Collaboration
- 9.10. Innovative Technologies and Project Delivery

10. Evaluation Criteria (100 points total)

- 10.1. Project Understanding & Innovation (25 Points Max)
- 10.2. Past Record of Performance (25 Points Max)
- 10.3. Qualifications of Personnel Assigned (20 Points Max)
- 10.4. General Experience and Technical Competence of Firm (10 Points Max)
- 10.5. Familiarity, Capacity and Capability (10 Points Max)
- 10.6. Accessibility of Firm & Staff (10 Points Max)

11. Qualifications

The ideal consultant for this study is one who acknowledges the project's rich history, understands its challenges, and demonstrates substantial experience across all three phases, including the development of related travel models and traffic analyses; familiarity with the National Environmental Policy Act, traffic modeling including dynamic traffic assignment (DTA) and simulation modeling and a satisfactory record of performance should also be substantiated. Proposed project staffing and availability should be discussed along with their resumes indicating qualifications, experience, and recent projects, including projects that follow MoDOT's Local Public Agency (LPA) process. The project emphasizes neighborhood improvement and requires a commitment to community engagement, data-driven decision-making, and a clear communication strategy to ensure all stakeholders understand and contribute to the process. At a minimum, this section shall include:

- 11.1. **Technical Capabilities:** Descriptions of recent planning and environmental studies, traffic analysis, and modeling in which key staff presented in this proposal played a significant role, and that demonstrates their capacity to produce the required deliverables for all phases of this project within the proposed time frame.
- 11.2. **On-time Delivery:** Description of major documents that your firm was the prime, that demonstrates your firm's ability to produce work products for a project of this magnitude across all phases of the project.
- 11.3. **Reference Projects:** Examples of projects which were successfully constructed or implemented as a result of recent planning and environmental studies of this nature, including the agencies, i.e. contact name, agency, address, telephone, and e-mail address.
- 11.4. **Team composition:** Identify the proposed team including sub-consultants and their key staff that would be utilized if your firm were selected (including DBE participation). Describe the role of the sub-consultants (examples: DTA modeling, data collection, public engagement, etc.) to accomplish the work of the project and identify their percentage of work to the overall project.
- 11.5. **Workloads and Commitments:** Current workloads and future commitments for the project manager, task managers (i.e. design, environmental, public involvement, traffic), and other key staff.
- 11.6. **Firm Registration Status & Professional Standing:** Provide confirmation of the registration status of your firm and its professional standing, including any pending controversies. If none exist, make a statement to that effect.
- 11.7. **Financial Stability:** Share a statement affirming whether or not the firm is operating on a sound fiscal basis.
- 11.8. **Conflict of Interest:** Declare any potential conflicts of interest that could influence your ability to impartially carry out the work required.
- 11.9. **Risk Management:** Describe how your firm handles risks associated with projects of this nature.
- 11.10. **Quality Assurance Procedures:** Outline your firm's procedures for ensuring the quality of its work.
- 11.11. **Diversity and Inclusion:** Share your firm's commitment to diversity and inclusion, both in your staffing and in your approach to this project.

12. Ensuring Federal Grant Funding Compliance

To safeguard and ensure the continuity of federal funding with FHWA, the following guidelines must be strictly followed:

- 12.1. **Adherence to Environmental Regulations:** Especially the National Environmental Policy Act (NEPA), is of paramount importance.
- 12.2. **Civil Rights Act Adherence:** Uphold and respect Title VI of the Civil Rights Act of 1964.
The DBE Goal is 12% and the DBE firm must be listed in the MRCC Directory.
- 12.3. **Buy America Act:** All procured materials/products should strictly adhere to the Buy America Act.
- 12.4. **Labor Compensation:** All laborers and mechanics working on the project should receive compensation in line with the Davis-Bacon Act.
- 12.5. **Public Involvement:** Ensure meaningful and comprehensive public involvement throughout the project phases.
- 12.6. **Financial Management & Documentation:** Adopt rigorous financial management practices and maintain exhaustive documentation to ascertain transparency and accountability.
- 12.7. **Safety Standards:** Align the project safety norms with those set by the FHWA.
- 12.8. **Alignment with Local Plans:** The project should be in sync with both the State Transportation Improvement Plan (STIP) and local Metropolitan Planning Organization (MPO) strategies.
- 12.9. **Regular Monitoring & Reporting:** Implement consistent tracking mechanisms to report fund usage, project progression, and compliance with all grant conditions.
- 12.10. **Regulatory Compliance:** Contractors should demonstrate unwavering adherence to all federal regulations associated with the grant.
- 12.11. **Immediate Notification:** Any potential deviations or issues that could influence the funding should be communicated to the City without delay.
- 12.12. **Thorough Documentation:** Maintain detailed records encompassing financial transactions, project advancements, and all decision-making processes.
- 12.13. **Personnel Training:** Ensure that everyone engaged in the project is sufficiently trained and thoroughly familiar with the federal grant's distinct mandates.
- 12.14. **Audits:** Be ready to partake in intermittent audits to confirm steadfast compliance with all grant conditions.

13. Brooks Act Considerations

Given that this project may entail services of architects, engineers, and other related professionals, it's essential to align with the Brooks Act's qualifications-based selection procedures.

- 13.1. **Qualifications-Based Selection (QBS):** This RFP emphasizes a qualifications-based selection for the procurement of architectural, engineering, and related professional services in line with the Brooks Act. The selection process prioritizes the professional qualifications, competence, and experience of firms. Consequently, price or financial terms will be discussed only after selecting the most qualified firm.
- 13.2. **Transparent Evaluation Criteria:** The RFP will provide a comprehensive list of criteria for judging qualifications. Potential criteria include past performance, specific expertise related to similar projects, qualifications of key personnel, equipment availability, and overall capacity.
- 13.3. **Negotiation Process:** After identifying the most qualified firm based on the stipulated evaluation criteria, the City will proceed to negotiate the contract terms, including the price. If the City and the firm cannot mutually agree on terms, the City will then approach the next most qualified firm for negotiation.
- 13.4. **Maintaining Records:** To ensure transparency and accountability, all records pertaining to the selection process—including evaluations, rankings, and negotiation details—will be preserved as public records, adhering to the Brooks Act's requirements.
- 13.5. **Selection Emphasis:** It's paramount to underscore that the primary goal is to ensure that the most competent and qualified firms are considered first, and only afterward are price negotiations initiated.

14. Appendix

- 14.1. US-71 Reconnecting Neighborhoods 2022 RAISE Planning Grant Agreement General Terms and Conditions (Article 1).
 - 14.1.1. In this agreement, "General Terms and Conditions" means the content of the document titled "General Terms and Conditions Under the Fiscal Year 2022 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program: FHWA Projects," dated October 18, 2022, which is available at <https://www.transportation.gov/policy-initiatives/raise/raise-grant-agreements>. The General Terms and Conditions reference the information contained in the schedules to this agreement. The General Terms and Conditions are part of this agreement.
 - 14.1.2. The Recipient states that it has knowledge of the General Terms and Conditions.
 - 14.1.3. The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient's non-compliance with the General Terms and Conditions may result in remedial action, terminating of the RAISE Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the USDOT the RAISE Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.
- 14.2. US-71 Consent Decree (attached separately on Bonfire)

15. CONFIDENTIALITY/MISSOURI SUNSHINE LAW

All materials submitted by respondents shall be subject to Sections 610.010 to 610.200, Revised Statutes of Missouri (the "Missouri Sunshine Law"), and any other laws and regulations applicable to the disclosure of documents submitted under this RFP. Section 610.011 of the Missouri Sunshine Law requires that the Missouri Sunshine Law "shall be liberally construed and their exceptions strictly construed to promote" the State's public policy that records of governmental bodies be open to the public. In no event shall the City of Kansas City, Missouri, or any of its agents, representatives, consultants, directors, officers or employees be liable to a respondent for the disclosure of any materials or information submitted in response to this RFP. To the extent allowed by the Missouri Sunshine Law and any other applicable law, all information contained in this RFP will remain confidential; however, Section 610.021(12) of the Missouri Sunshine Law permits sealed proposals and related documents to be closed only until a contract is negotiated or all proposals are rejected. Regardless of any claim by respondent, all responses are subject to disclosure following the award of a contract or rejection of all proposals. If a respondent is submitting materials in response to this RFP that includes information that the respondent believes is exempt from public disclosure under the Missouri Sunshine Law, including but not limited to Section 610.021(14), such specific material of the proposal must be separated, sealed, and clearly marked by the respondent as confidential along with an explanation of what qualifies the specific material to be held as confidential pursuant to the provisions of Section 610.021 of the Missouri Sunshine Law. The respondent's failure to follow this instruction shall result in the City not considering the confidentiality of the documents or treating them as confidential. If the respondent submits to the City the information in accordance with the preceding requirements, the City will determine whether it considers the information confidential and act according to its determination. If a request is made for disclosure of the responses to this RFP prior to the award of the contract or conclusion of the RFP process, the City will notify the respondent and submit a request for advice from the legal counsel prior to disclosing any such documents in accordance with the Missouri Sunshine Law and other applicable law. The respondent shall then have the opportunity to either consent to the disclosure or assert its basis for nondisclosure and claimed exception under the Missouri Sunshine Law or other applicable law to the City within the time period specified in the notice issued by the City (if any) and prior to the deadlines for release set forth in the Missouri Sunshine Law and other applicable law. However, it is the responsibility of the respondent to monitor such proceedings and make timely filings. The City may, but is not obligated to, make filings of its own concerning possible disclosure; however, the City is under no obligation to support the positions of the respondent. By submitting a response to this RFP, the respondent consents to, and expressly waives any right to contest, the provision by the City to legal counsel of all, or representative samples of, the response. The City shall have no responsibility or obligation for a failure of legal counsel to respond or to respond timely to any City request for advice and the City shall not be required to wait if it is required to disclose or otherwise take action under the Missouri Sunshine Law or other applicable law. Under no circumstances will the City be responsible or liable to a respondent or any other party as a result of disclosing any such materials, including materials marked "CONFIDENTIAL," whether the disclosure is deemed required by law or by an order of court or City legal counsel or occurs through inadvertence, mistake or negligence on the part of the City or its officers, employees, contractors or consultants. In the event of any proceeding or litigation concerning the disclosure of any response or portion thereof, the respondent shall be responsible for otherwise prosecuting or defending any action concerning the materials at its sole expense and risk; provided, however, that the City reserves the right, in its sole discretion, to intervene or participate in the litigation or otherwise and in such manner as it deems necessary or desirable. All costs and fees (including attorneys' fees and costs) incurred by the City in connection with any litigation, proceeding, or request for disclosure shall be reimbursed and paid by the respondent whose response is the subject thereof.