

A REQUEST FOR PROPOSALS (RFP)

**ASSESSMENT OF RTD'S
2010 FASTRACKS FINANCIAL PLAN**

OCTOBER 28, 2009

**DENVER REGIONAL COUNCIL OF GOVERNMENTS
1290 Broadway, Suite 700
Denver, Colorado 80203-5606**

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I. INSTRUCTIONS FOR SUBMITTAL OF PROPOSALS

A. Summary

The Denver Regional Council of Governments (DRCOG) is soliciting proposals from individuals with experience in project cost estimating and transit financial analysis.

B. RFP Schedule

Consideration of the responses will be governed by the following schedule:

Milestone	Details	Date
Distribution	Requests for Proposals will be forwarded to consultants and firms who have indicated an interest in participating in this project and/or who have displayed evidence of expertise in the engineering project cost estimating and financial analysis field. The RFP will also be posted on DRCOG's website at www.drcog.org .	10/28/2009
Questions and Inquiries	Please use the DRCOG Q&A Web page to submit questions: http://www.drcog.org/bids/faq/dsp_addQuestion.cfm?code=TPO11 Questions can also be emailed to Sharon Terranova at sterranova@drcog.org . All questions and answers will be posted on this Web page for all interested parties to view. Questions must be submitted by this date.	11/03/2009
Question Responses	DRCOG will only respond to questions and inquiries via the DRCOG Q&A web page to ensure that all candidate individuals and firms have the same information: http://www.drcog.org/bids/faq/dsp_viewFAQs.cfm?code=TP O11 Responses to the final questions and inquiries will be posted by this date.	11/06/2009
Submittals due	Responses to this request must be received at the following address no later than 5:00 PM Mountain time: Denver Regional Council of Governments Attention: Sharon Terranova 1290 Broadway, Suite 700 Denver, Colorado 80203-5606 Proposals shall be submitted in bound form, with 8 identical copies each.	11/11/2009
Interviews (optional)	Interviews, if required, will be held on or before this date. Notification of selection for an interview will be given on or before 11/13/2009.	11/16/2009

Recommendation and Authorization	Following review of responses, DRCOG staff to prepare recommendation to proceed to contract with one (or more) of the responding vendors. DRCOG staff to seek approval from DRCOG's Administrative Committee to proceed to contract with selected vendor(s)	11/18/2009
Contract Execution	DRCOG staff to begin contract negotiations with selected vendor(s). DRCOG may contract with one or more vendors to complete the entire scope of work.	12/02/2009

C. General Instructions

- 1. Inquiries**– Inquiries regarding this RFP should be submitted by the date listed above via the DRCOG Q&A Web page:
http://www.drcog.org/bids/faq/dsp_addQuestion.cfm?code=TPO11

Or e-mailed directly to:

Sharon Terranova
E-mail: sterranova@drcog.org
Phone: 303-480-6751

- 2. Project Direction** – Sharon Terranova will be responsible for providing direction to the selected vendor(s).
- 3. Signatory Requirements** – Responses must be signed by a duly authorized official of the respondent. Consortiums, joint ventures, or teams submitting responses will not be considered responsive unless it is established that all contractual responsibility rests solely with one contractor or legal entity, which shall not be a subsidiary or affiliate with limited resources. Each response should indicate the entity responsible for execution on behalf of the team.

D. Required Elements in Response/Response Format

Consulting firms, teams, or individuals responding to this RFP shall provide the following information in their proposals in the order listed herein.

- 1. Cover Letter** - Respondents should submit a cover letter expressing their interest in the project. The letter should contain, at a minimum, the following information:
 - Statement of interest referencing Assessment of RTD's 2010 FasTracks Financial Plan.
 - Certification that the information and data submitted is true and complete to the best knowledge of the individual signing the letter.
 - The Firm name, Firm's address, telephone number, fax number and e-mail address of the individual to contact regarding the submittal.
 - An authorized principal or partner of the firm shall sign the letter.

- 2. Qualifications and Experience of the Respondent (s)** - Respondents shall describe projects and experience of the past three years relevant to the draft scope of services described in Section II below. Respondents should place particular emphasis on projects which key staff to be assigned to this project have worked. If subcontractors are to be used, the means by which these firms will participate should be specified and their experience and credentials presented in this section.
- 3. Qualifications and Experience of Key Staff** - Respondents shall identify the key individuals to be assigned to this project (by name and position) and describe the work tasks assigned to each individual. The respondent must also provide experience summaries of these key individuals, describing for each individual their previous experience on similar projects in similar roles, their educational background, and their length of tenure with the consulting firm. Resumes of these key individuals may also be included.
- 4. References** - Respondents shall submit names, addresses, and phone numbers of references familiar with the respondent's ability, experience, and reliability in the performance and management of projects of a similar nature.
- 5. Cost Information** - Respondents shall provide a listing of the hourly billing rates for each job classification and job title they would expect to deploy on this project, including any supporting personnel.

Include also a break out of general operating expenses, the costs associated with any materials or services that may be required, or any other miscellaneous costs that are anticipated in the course of performing the tasks outlined below. Overhead costs, including, without limitation, faxing, cellular phone air time, and computer processing time, must be borne exclusively by the selected vendor(s) as a cost of doing business.

Any subsequent contract with the selected respondent will be executed in accordance with Attachment A of this RFP. Any such contract is contingent on the availability of funds.

- 6. Project Management and Scheduling Expertise** - Respondents shall identify the management techniques that they are using to assure the completion of projects within schedule and budget.
- 7. Response to Other RFP Elements/Reservations, Conditions, or Constraints Related to This Request.**

All Respondents shall include:

- Disadvantaged Business Enterprise Information Request Form (Attachment C)

E. Selection Process

DRCOG will establish a proposal review team to review the responses to this RFP that are received prior to **5:00 pm Mountain** time on November 11, 2009. After the review of responses, oral interviews of the most qualified firms may be conducted at the discretion of the review team. DRCOG staff will recommend a vendor or vendors to the Administrative Committee of the DRCOG Board of Directors on November 18, 2009. Upon Administrative Committee approval, the selected vendor(s) will be notified and negotiations for a contract to provide services will commence.

F. Evaluation Criteria

- 1. Experience and Capability** - Respondents will be evaluated with respect to the experience of the firm(s) and personnel assigned to the project both in terms of past efforts in this type of work and the quality and level of commitment to this project. Of prime concern will be the capabilities and accomplishments of the individuals to be assigned to this particular project.
- 2. Management Qualifications** - Qualifications of the firm in terms of its ability, experience, and reliability in performing and managing work within a schedule and budget will be included in the evaluation process.
- 3. Cost Information** – Likely project cost, determined from the standard service fee break out provided by the respondent, will be considered in the selection; however, it will not be the only determining factor. Specific attention will be given to the commitment implied for key staff and the overall labor effort proposed, and their relationship to the estimated project cost.
- 4. References** – Information provided by respondent's references addressing the knowledge, skills and abilities of the respondent to complete the work outlined below will be included in the staff evaluation of the response.
- 5. Disadvantaged Business Enterprise (DBE) Participation** - It is the policy of DRCOG that equal opportunity to participate in its procurements be provided to disadvantaged business enterprises. The selected vendor(s) shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of contracts.

G. Special Conditions

- 1. Rejection Rights** - All respondents are notified that the execution of a contract pursuant to this Request for Proposal is dependent upon approval by DRCOG. The Denver Regional Council of Governments reserves the right to reject all responses and re-solicit if deemed by the Denver Regional Council of Governments to be in its best interests. Selection of a vendor(s) is also dependent on the negotiation of an acceptable contract with the successful respondent.

2. **Costs of Response Preparation and Other Charges** - No reimbursement will be made by DRCOG for any costs incurred prior to an executed contract.
3. **Request for Proposal** - All responses to this request become the property of DRCOG upon receipt and will not be returned to the respondent. Selection or rejection will not affect this right. DRCOG shall have the right to use any or all of the ideas or adaptations of the ideas contained in any proposal received in response to this solicitation. Any proprietary information submitted in response to this request shall be clearly marked and will be handled in accordance with applicable federal and state procurement regulations. Neither cost information nor the total response will be considered proprietary. This policy and award of bids provisions herein are solely for the fiscal responsibility and benefit of DRCOG, and confer no rights, duties or entitlements to any bidders or respondents.
4. **Equal Employment Opportunity** - In connection with this request, the selected vendor(s) shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, marital status, being handicapped, a disadvantaged person, or being a disabled or Vietnam era veteran. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including any apprenticeship.

The selected vendor(s) will furnish all necessary information and reports and will permit access to its books, records, and accounts by DRCOG for purposes of investigation to ascertain compliance with the nondiscrimination provisions of any resultant contract.

5. **Noncompliance** - In the event of the selected vendor(s) noncompliance with the nondiscrimination provision of any resultant contract, DRCOG shall impose such contract sanctions as it may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments under the contract until the selected vendor(s) complies, and/or
 - b. Cancellation, termination, or suspension of the contract, in whole or in part.
6. **Allowable Costs** - Allowable costs under any subsequent contract will be determined in accordance with Attachment A of this RFP and applicable provisions of the Code of Federal Regulations (CFR).
7. **Insurance Requirements** - Contracts executed pursuant to this solicitation will require the selected vendor(s) to carry the following minimum amounts of insurance:
 - a. Workers' Compensation in statutory limits.

- b. Employer's Liability Insurance: \$100,000/each accident, \$500,000/each disease, and \$100,000/each disease-per employee – policy limit.
- c. Comprehensive General Liability Insurance: \$1,000,000/Occurrence
- d. Automobile Liability or Hired & Non-Owned Vehicle Liability Insurance: \$1,000,000/each accident (if applicable)

DRCOG, its officers, and employees are to be named as additional insured under both the Contractor's General Liability and Automobile Liability policies. Said insurance will be required to be maintained in full force and effect during the term of the contract.

- 8. Suspension and Debarment** - By submitting a proposal in response to this RFP, the respondent also represents that its organization and its principals are not suspended or debarred per Federal requirements.
- 9. Prohibition Against Employing Illegal Aliens** - By submitting a proposal in response to this RFP, the respondent hereby certifies that prior to entering into any Contract for this Project and at the time of providing this certification, the respondent does not knowingly employ or contract with an illegal alien; and that the respondent will participate in the E-Verify program or the Department Program, as defined in C.R.S. §§ 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively in order to verify that it does not employ any illegal aliens.

The respondent acknowledges that if this is a public contract for services, any contract shall include a prohibition against employing illegal aliens in conformance with C.R.S. § 8-17.5-101 et seq., and that respondent will comply with the requirements of C.R.S. § 8-17.5-101 et seq.

- 10. Period of Performance** – The work on all components expected under this solicitation must be completed by May 21, 2010. This end date provides time for project close-out. Please note that the deadline for completing and submitting the Final Fastracks Financial Plan Review Report is March 17, 2010. The consultant will subsequently be required to present results of the review to the Regional Transportation Committee and the DRCOG Board of Directors on April 20 and April 21, 2010 respectively. Work programs for specific projects will be negotiated and the period of performance for the work is not expected to exceed 171 days.

II. PROJECT DESCRIPTION

A. Introduction

Per Colorado statute, DRCOG, as the Metropolitan Planning Organization for the Denver region, has the responsibility to review the Regional Transportation District's (RTD) actions leading to construction of fixed guideway mass transit. DRCOG conducted a comprehensive review of RTD's FasTracks plan in April 2004 (referred to as Senate Bill 90-208 or SB-208 review). The original resolutions approving the FasTracks plan require RTD to annually report the status and progress on implementing the program. An annual report and review are necessary because the FasTracks program evolves as individual study corridors progress through the environmental review process and financial estimates are revised.

RTD must, in particular, document changes to vehicle technology and the financial plan. The DRCOG Board will review changes and determine if further SB-208 action is needed. RTD expects to submit a review draft of the 2009 FasTracks Annual Report to DRCOG and the core financial assumptions and engineering plan (including unit and corridor costs) by December 7 and December 14, 2009, respectively. The Final 2009 Annual Report, which includes the January 2010 FasTracks Financial Plan, will be submitted to DRCOG in February 2010. To exercise its responsibilities, DRCOG is seeking assistance in its review of RTD's 2010 FasTracks Financial Plan, including costs, revenues, and financing.

The consultant activities must be responsive to the intent of the legislation which is to assure the public and DRCOG that the financing methods included in the RTD FasTracks program are reasonable, and that the project can be constructed and operated with the funding resources and financing plan proposed. The financial impact on the operation of the existing transit system must also be identified.

B. Objective and Goals

The Colorado revised statute reads:

Colorado Senate Bill 208: Colorado Revised Statutes Extract

23-9-107.7 Regional fixed guideway mass transit systems – construction - authorization

The RTD board shall take no action relating to the construction of a regional fixed guideway mass transit system until after such system has been approved by the designated metropolitan planning organization. Each component part or corridor of such system shall be separately approved by the metropolitan planning organization. Such action shall include approval of the method of financing and the technology selected for such projects.

ATTACHMENT A SCOPE OF WORK

The consultant will review the following elements of the RTD 2010 FasTracks Financial Plan and conduct tasks as described below.

1. Capital Costs
2. Operating Costs
3. Revenues
4. Financing
5. Financial Plan

A more detailed explanation of the tasks required is provided below. Specific tasks may be refined as part of a final contract with the consultant(s). Applicants are at liberty to propose other tasks that they feel necessary to fully review the FasTracks financial situation and assess its efficacy.

Project Tasks

Review Core Financial Assumptions

Review escalation assumptions, Federal funding assumptions, interest rates assumed, and other base financial plan assumptions that will be provided by RTD prior to completion and submittal of the 2010 FasTracks Financial Plan. Assumptions are to be reviewed for reasonableness in light of known economic factors and the intended application to the Financial Plan.

Analyze FasTracks Capital Cost Estimates

Review the construction materials unit costs and price estimating methodology of the 2010 FasTracks Financial Plan. Consider corridor estimates that were completed using unit costs and/or “bottoms up” estimates. Comment on assumptions made regarding cost escalation and the ability of the program to withstand unexpected cost increases. Include responses to the following questions.

- What is the current cost estimate to complete the FasTracks Program? What expenditures have been made to date since the initiation of the FasTracks Program? What is the current percent complete?
- Are the unit costs reasonable? Are they consistent with current local and national price trends?
- Are the “bottoms up” cost estimates reasonable? Are they consistent with current local and national price trends?
- What amount of contingency has been incorporated in the cost estimates? Given the status of the FasTracks projects, are the contingencies reasonable?
- What assumptions have been made with respect to the effects of inflation and construction/materials price fluctuations? Are they reasonable?
- Are cost-hedging methods proposed? Are they reasonable keeping in mind the estimated build-out date for the FasTracks program?
- Is the cost estimating methodology valid?
- Has a sensitivity analysis been performed on the cost estimates? What are the best and worst case scenarios for capital costs presented in the financial plan?

Analyze Operating Cost Estimates

Identify current and future cost estimates for the operation and maintenance of the RTD system as a whole and the FasTracks Program. A focus of this analysis is to be on what costs will be necessary to maintain the bus and existing light rail systems at current service levels. Include responses to the following questions.

- How much does RTD spend annually on operating and maintaining the bus and existing light rail systems? What annual rates of operating cost increase and maintenance cost increase have been assumed? Are these assumptions reasonable and consistent with national and local past trends and forecasts?
- What is the estimated amount of annual funding necessary to operate and maintain the completed FasTracks rail systems and additional bus service? Are these assumptions reasonable and consistent with national and local past trends and forecasts? What expectations about the private sector operations/maintenance (from the public-private partnership) are embedded in these estimates? Are these assumptions reasonable?

Analyze Revenue Estimates

Background information: The RTD Board is scheduled to select an approach for completion of the 2010 FasTracks Financial Plan in January 2010. This will include a methodology for forecasting sales and use tax.

Describe expected revenue sources for RTD's existing bus and light rail systems and the FasTracks Program by source. Comment on assumptions made regarding the growth in revenue. Include responses to the following questions:

- What is the estimated amount of funding available for building FasTracks?
- What local funding is expected by specific funding source (e.g., sales and use tax, fare box revenue, local government contributions, other sources)? What are the rates and amounts? Are the sales and use tax forecasts consistent with the outcomes of RTD's fall 2009 economic work sessions, attended by economic experts and local stakeholders, and are these forecasts reasonable? I.E., are there substantive issues the work sessions did not address?
- What amount of federal funding is expected by source (e.g., New Starts, earmarks/discretionary funding, DRCOG-awarded federal funds)? Over what time period? For New Starts and earmarks/discretionary:
 - During SAFETEA-LU, what was the total amount of federal funding available nationwide, in these categories, per year? What is the competition? (i.e., number of project applications and total funding requested per year).
 - Is the funding amount expected consistent with RTD's historical receipt of such funding?
 - If not, what elements or features does RTD cite for this level of funding?

- Are these assumptions reasonable?
- A new authorization may not be passed for another year or more. How has RTD addressed that in its financial plan? What are the associated risks?
- What amount of private sector funding is expected from the public-private partnership? Is this assumption reasonable?
- What other funding sources are expected (e.g., TIFIA, COPs)? What is the availability of these sources? What is the competition? Are assumptions reasonable?
- Comment on the reliability of each of the above sources. Identify which of the above sources have been committed. Identify needed steps to secure the funds for those not yet committed.
- Have sensitivity analyses been performed on the revenue estimates? Summarize the analyses and the results. What are the best and worst case scenarios for each source as presented in the financial plan?

Analyze Financing

Explain how RTD proposes to finance the FasTracks program. Describe financing vehicles to be used and the assumptions made with respect to their use. Include responses to the following questions.

- What debt issuance instruments are being used to finance the FasTracks Program and in what amounts? What are the debt retirement schedules of each? Are the revenue sources being used to service the debt clearly identified? Are other projects being funded from the same sources? What interest rates and coverage rates have been assumed? Are they reasonable?
- What financing role does the public-private partnership play? Describe how that is intended to work. Are the assumptions reasonable?

Summary Assessment of the Overall Financial Plan

Provide a summary assessment regarding the efficacy of the RTD FasTracks Financial Plan to finance the FasTracks Program while still maintaining and operating the bus system and the existing Light Rail system. Identify overall strengths and weaknesses and highlight substantive concerns regarding the ability to accomplish the plan. Include responses to the following questions:

- Are all assumptions clearly described? Are all sources and uses of funds clearly identified?
- Analyze the cash flow and indicate years of surplus/deficit. If there are deficits,
- What is their magnitude? Are they (or how are they) covered?
- Are there contingency plans to address unanticipated funding shortfalls? What considerations were assumed? What do these contingency plans show?

Deliverables

The selected consultant shall deliver to DRCOG staff:

- By February 26, 2010: First Draft Financial Plan Review Report
- By March 17, 2010: Final Financial Plan Review Report
- On April 20 & 21, 2010: Presentations to the DRCOG Regional Transportation Committee and Board of Directors

**ATTACHMENT B
PRINCIPLES FOR DETERMINING
COSTS APPLICABLE TO CONTRACTS WITH
THE DENVER REGIONAL COUNCIL OF GOVERNMENTS**

A. Purpose and Scope

1. Objective. This policy procedure sets forth principles for determining the allocable costs of contracts with the Denver Regional Council of Governments.
2. Policy Guides. The application of these principles is based on the fundamental premises that:
 - a. Contractors are responsible for the efficient and effective administration of contract programs through the application of sound management practices.
 - b. The Contractor assumes the responsibility for seeing that contract funds have been expended and accounted for consistent with underlying agreements and contract objectives and provisions.
 - c. Each contractor organization, in recognition of its own unique combination of staff facilities and experience, will have the primary responsibility for employing whatever form of organization and management techniques may be necessary to assure proper and efficient administration.
3. Application. These principles will be applied to all contracts with the Denver Regional Council of Governments in determining costs and cost reimbursement type contracts including subcontracts.

B. Definitions

1. Approval or authorization of the Denver Regional Council of Governments means documentation evidencing consent prior to incurring specific costs.
2. Cost allocation plan means the documentation identifying, accumulating, and distributing allowable costs under Denver Regional Council of Governments' contracts, together with the allocation methods used.
3. Cost, as used herein, means cost as determined on a cash, accrual, or other basis acceptable to the Denver Regional Council of Governments as a discharge of the Contractor's accountability for Denver Regional Council of Governments' funds.

4. Cost objective means a pool, center, or area established for the accumulation of cost. Such areas include organizational units, functions, objects or items of expense, as well as ultimate cost objectives including specific on-site direct and indirect activities.
5. Contract program means those activities and operations of the Contractor which are necessary to carry out the purposes of the contract.
6. Services, as used herein, means goods and facilities, as well as services.
7. Supporting services, means auxiliary functions necessary to sustain the direct effort involved in administering a contract or an activity providing service to the program. These services may include procurement, payroll, personnel functions, maintenance and operation of space, data processing, accounting, budgeting, auditing, mail and messenger service, and the like.

C. Basic Guidelines

1. Factors Affecting Allowability of Costs. To be allowable under a Denver Regional Council of Governments' contract, costs must meet the following general criteria:
 - a. Selected items of cost under this contract must meet the standards and criteria set forth by OMB Circular No. A-87 issued by the Office of Management and Budget on May 17, 1995.
 - b. Be necessary and reasonable for proper and efficient administration of the contract, be allocable thereto under these principles, and except as specifically provided herein, not be a general expense required to carry out the overall responsibilities of the Contractor.
 - c. Be authorized or not prohibited under state or local laws or regulations.
 - d. Conform to any limitations or exclusions set forth in these principles, federal laws, or other governing limitations as to types or amounts of cost items.
 - e. Be consistent with policies, regulations, and procedures that apply uniformly to all activities of the Contractor.
 - f. Be accorded consistent treatment through application of generally accepted accounting principles appropriate to the circumstances.
 - g. Not be allocable to or included as a cost of any other program in either the current or a prior period.
 - h. Be net of all applicable credits.

2. Allocable Costs. A cost is allocable to a particular cost objective to the extent of benefits received by such objective.
3. Applicable Credits. Applicable credits refer to those receipts or reduction of expenditure-type transactions that offset or reduce expense items allocable to contracts as direct or indirect costs. Examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; sales or publications, equipment, and scrap; income from personal or incidental services; and adjustments of overpayment or erroneous charges.

D. Composition of Cost

1. Total Cost. The total cost of a contract is comprised of the allocable direct cost incident to its performance, plus its allocable portion of authorized indirect costs, less applicable credits.
2. Classification of Costs. There is no universal rule for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the contract or other ultimate cost objective. It is essential, therefore, that each item of cost be treated consistently either as a direct or an indirect cost.

E. Direct Costs

1. General. Direct costs are those that can be identified specifically with a particular cost objective. These costs may be charged directly to contracts, or to other programs against which costs are finally lodged. Direct costs may also be charged to cost objectives used for the accumulation of costs pending distribution in due course or other ultimate cost objectives.
2. Application. Typical direct costs chargeable to the Denver Regional Council of Governments' contracts are:
 - a. Compensation of employees for the time and effort devoted specifically to the execution of contract work effort.
 - b. Cost of materials acquired, consumed or expended specifically for the purpose of the contract.
 - c. Other items of expense incurred specifically to carry out the contract work statement.

F. Indirect Costs

1. General. Indirect costs are those that, because of their incurrence for common or joint objectives, are not readily subject to treatment as a direct cost.

Normal overhead and general and administrative expense as audited by the Defense Contract Audit Agency (DCAA) will normally be allowed on work performed under the Denver Regional Council of Governments' contracts.

2. Application. Typical indirect costs chargeable to the Denver Regional Council of Governments' contracts include fringe benefit cost such as vacation pay, holiday and excused time pay, disability benefits and sick leave wages, federal and state unemployment and social security taxes, insurance, including Workmen's Compensation and employer's liability, group life and medical insurance and other related types of cost; consumable office supplies, help-wanted advertising, business conferences, deferred or other compensation.

ATTACHMENT C
DENVER REGIONAL COUNCIL OF GOVERNMENTS
Contractor's Pre-Contract Certification
Regarding Employing Illegal Aliens

The proposer of public services to the Denver Regional Council of Governments identified below (hereafter "the Proposer"), hereby certifies as follows:

That at the time of providing this certification, Proposer does not knowingly employ or contract with an illegal alien; and that Proposer will participate in the E-Verify program or the Department Program, as defined in C.R.S. §§ 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment in the United States.

Dated this _____ day of _____, 200 ____.

RESPONDENT NAME

BY

TITLE

**ATTACHMENT D
DENVER REGIONAL COUNCIL OF GOVERNMENTS
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM
INFORMATION REQUEST FORM**

DRCOG's Disadvantaged Business Enterprise (DBE) Program is required by Congress as a condition of receiving federal transportation funds. It is intended to provide assistance to minorities, women and other socially and economically disadvantaged individuals to enter the highway construction and design industries. A copy of DRCOG's DBE Program Objectives/Policy Statement follows this Information Request Form.

It is the policy of DRCOG to request and maintain the following data on **all Respondents** to the RFP. Please complete this form and include it with proposal.

General Information

Business Name _____

Business Address _____

Phone _____ Fax _____

E-mail _____

This firm was established on ____/____/____

- Specify the gross annual receipts of the firm:
- Under \$100,000
 - \$100,000-\$500,000
 - \$500,000-\$1,000,000
 - Over \$1,000,000

- Is your company certified as a Disadvantaged Business Enterprise under the Colorado Unified Certification Program (UCP)?
- Yes
 - No

RESPONDENT

TITLE

DATE

**DENVER REGIONAL COUNCIL OF GOVERNMENTS
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM
OBJECTIVES/POLICY STATEMENT**

DRCOG is committed to and has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (USDOT or DOT), 49 CFR Part 26. DRCOG, as a condition to receiving Federal financial assistance from the Department of Transportation, has signed an assurance that it will comply with 49 CFR Part 26. It is the policy of DRCOG to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also the DRCOG policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's (United States Department of Transportation) highway, transit, and airport financial assistance programs;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26's eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. To assist the development of firms that can compete successfully in the marketplace outside the DBE programs; and
7. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

The designated DRCOG DBE Liaison Officer (DBELO) is responsible for implementing all aspects of the DBE program. The DBELO will be assisted by other DRCOG staff as needed with the DBE requirements and compliance. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the DRCOG in its financial assistance agreements with the DOT.

DRCOG will disseminate this policy statement to its members and all the components of our organization. DRCOG will notify DBE and non-DBE business communities that perform work on DOT-assisted contracts about DRCOG's DBE policy by placing it on our web site and/or circulating it electronically to persons in those communities, and by making it available in the DRCOG office.