

# REQUEST FOR QUALIFICATIONS



## Request for Letters of Interest and Statements of Qualifications for **GLADE STREET BRIDGE REPLACEMENT**

RFQ26123

*Issue Date: 2.9.26*

Proposals shall be complete and comply with the requirements listed herein.

**SUBMISSION DEADLINE:** Submit proposals electronically in PDF format only by **12:00 PM, March 10, 2026** to the email address [bids@cityofws.org](mailto:bids@cityofws.org). Responses received after this date and time will not be considered.

THE CITY OF WINSTON-SALEM DESIRES TO ENGAGE A QUALIFIED FIRM FOR PROFESSIONAL CONSULTING SERVICES TO DESIGN THE REPLACEMENT OF THE GLADE STREET BRIDGE OVER PETERS CREEK IN WINSTON-SALEM, NORTH CAROLINA

**Summary:** The Glade Street bridge over Peters Creek consists of a three-span structure with reinforced concrete abutments, reinforced concrete interior bents with concrete footings, and reinforced concrete T-beams with a reinforced concrete bridge deck overlaid with asphalt. The bridge has reached its end-of-life cycle and the bridge weight rating for vehicles is restricted to 30 Tons for a Single Vehicle and 34 Tons for a Truck Tractor Semitrailer. The bridge is located within City of Winston Salem city limits, approximately 0.1 miles from the intersection of Hawthorne Rd and E. Glade Street.

The Glade St over Peters Creek bridge replacement project will provide civil and roadway design services for a new bridge. The typical section of the bridge shall consist of three 12' lanes of travel for vehicles, two 6' sidewalks with curb, a climbing 5' bike line in the Eastbound direction and a black 2-Bar metal barrier rail. The project will retain the granite curbing on the Hanes Park side of the bridge to meet the Historical District requirements. For a detailed scope of work, see "Section 2 – Scope of Work".

All applicants should be familiar with the processes and requirements and be able to assume design responsibilities as described above. Applicants shall provide examples of their familiarity with the processes and requirements and their ability to assume design responsibilities in "Chapter 2 – Team Qualifications".

All questions concerning this RFQ or the scope of work should be submitted in writing to Catherine Knisley at [catherinek@cityofws.org](mailto:catherinek@cityofws.org) by the End of Question period of 12:00 PM, February 24, 2026.

**A site visit pre-bid conference** will be held at **10:00 AM, February 17, 2026**. We will park at the nearby YMCA (775 W End Blvd, Winston-Salem, NC 27101) and walk to the bridge.

This RFQ will in no manner be construed as a commitment on the part of the City to award a contract. The City reserves the right to reject any or all applications; to waive minor irregularities in the RFQ process or in the applications; to re-advertise this RFQ; to postpone or cancel this process; select and procure parts of services; and to change or modify the RFQ schedule at any time.

## **SECTION 1: NOTICE TO PROPOSERS, COMPLIANCE, AND EXPECTATIONS**

It is the policy of the City that an employee, officer, or agent of City may not participate in any manner in the bidding, awarding, or administering of contracts in which they, or a member of their immediate family, their business partner, or any organization in which they serve as an officer, director, trustee, or employee, has a financial interest.

The successful proposer must comply with all provisions of the Americans with Disabilities Act (ADA), the Equal Employment Opportunity Act (EEOA), and all rules and regulations promulgated thereunder. By submitting a proposal, the successful proposer agrees to indemnify the City from and against all claims, suits, damages, costs, losses, and expenses in any manner arising out of, or connected with, the failure of the Company, its subcontractors, agents, successors, assigns, officers, or employees to comply with the provisions of the ADA, EEOA, or the rules and regulations promulgated thereunder.

No special inducements will be considered that are not a part of the original bidding document.

### **City's Rights and Options**

The City, at its sole discretion, reserves the following rights:

- To supplement, amend, substitute or otherwise modify this RFQ at any time
- To cancel this RFQ with or without the substitution of another RFQ
- To take any action affecting this RFQ, this RFQ process, or the services subject to this RFQ that would be in the best interests of the City
- To issue additional requests for information
- To require one or more service providers to supplement, clarify, or provide additional information in order for the City to evaluate the responses submitted
- To share the Proposals with City employees other than the Evaluation Committee or City advisory committees as deemed necessary
- To award all, none, or any part of the Services that is in the best interest of the City, with one or more of the Service Providers responding, which may be done with or without re-solicitation.
- To discuss and negotiate with selected Service Provider(s) any terms and conditions in the Proposals including but not limited to financial terms
- To negotiate a contract with a service provider based on the information provided in response to this RFQ.

### **Public Records**

Any material submitted in response to this RFQ will become a "public record" once the proposer's document(s) is opened and the proposer is determined to be a participant in the solicitation process and shall be subject to public disclosure consistent with Chapter 132, North Carolina General Statutes. Proposals submitted under this section shall not be subject to public inspection until a contract is awarded N.C.G.S 143-129.8(d).

### **Trade Secrets/Confidentiality**

Proposers must claim any material that qualifies as "trade secret" information under N.C.G.S. 66152(3) in their response to this RFQ and must state the reasons why such exclusion from public disclosure is necessary and legal.

To properly designate material as trade secret under these circumstances, each Proposer must take the following precautions: (a) any trade secrets submitted by a Proposer should be submitted in a separate, sealed envelope marked "Trade Secret - Confidential and Proprietary Information - Do Not Disclose Except for the Purpose of Evaluating this Proposal," and (b) the same trade secret/confidentiality designation should be stamped on each page of the trade secret materials contained in the envelope

**Do not attempt to designate your entire proposal as a trade secret, and do not attempt to designate pricing information as a trade secret.** Doing so may result in your bid being disqualified.

In submitting a proposal, each Proposer agrees that the City may reveal any trade secret materials contained in such response to all City staff and City officials involved in the selection process, and to any outside consultant or other third parties who assist City in the selection process. Furthermore, each Proposer agrees to indemnify and hold harmless the City and each of its officers, employees, and agents from all costs, damages, and expenses incurred in connection with disclosing any material, which the Proposer has designated as a trade secret.

The City reserves the right to make all final determination(s) of the applicability of North Carolina General Statutes § 132-1.2, Confidential Information.

### **Familiarity with Laws and Ordinances**

The submission of a proposal on the services requested herein shall be considered as a representation that the Proposer is familiar with all federal, state, and local laws, ordinances, rules, and regulations which affect those engaged or employed in the provision of such services, or which in any way affects the conduct of the provision of such services; and no plea of misunderstanding will be considered on account of ignorance thereof. If the Proposer discovers any provisions in the RFQ documents that are contrary to or inconsistent with any law, ordinance, or regulation, it shall be reported to the City in writing without delay.

The Proposer agrees that in carrying out this contract, compliance will be maintained with all applicable federal, state, and local laws, specifically including, without limitations, the Occupational Safety and Health Act of 1970 and Section 1324A, the Immigration Reform and Control Act.

The Proposer certifies that the proposal is made in good faith and without collusion with any person making a proposal or with any officer or employee of the City.

The Proposer agrees, in connection with the performance of this contract, not to discriminate against any employee or applicant for employment because of race, religion, color, gender, age, handicap, political affiliation, or national origin.

### **Ethics Policy / Code of Conduct**

The City has established guidelines for ethical standards of conduct for City representatives and to provide guidance in determining what conduct is appropriate in particular cases. City representatives should maintain high standards of personal integrity, truthfulness, honesty, and fairness in carrying out public duties; avoid any improprieties in their roles as public servants including the appearance of impropriety; and never use their position or power for improper personal gain. In establishing an ethics policy, the City desires to protect the public against decisions that are affected by undue influence, conflicts of interest, or any other violation of these policies as well as promote and strengthen the confidence of the public in their governing body. The City's Ethics Policy is located on the City's website whose specific address is: <https://www.cityofws.org/820/Procurement-Guidelines>.

### **Stimulation of the Local Economy**

In an effort to stimulate the local economy, foster development and promote efficiency in the provision of city services and the completion of various city projects, the City of Winston-Salem has undertaken an initiative to strongly encourage all parties contracting with the City of Winston-Salem to evaluate their internal operations and hiring practices and, where appropriate, to initiate efforts to stimulate the local economy by hiring applicants and contractors from the Winston-Salem/Forsyth County Area and by utilizing minority and women contractors and service providers. Such efforts to stimulate the local economy may be accomplished by posting job vacancies with the North Carolina Employment Security Commission, the Piedmont Triad Regional Council of Governments, and the Winston-Salem Urban League; and utilizing the State of North Carolina Office for Historically Underutilized Business database (<https://evp.nc.gov/vendors>) or other local resources such as the City of Winston-Salem M/WBE Program

to identify Winston-Salem/Forsyth County based contractors and subcontractors. Stimulation of the local economy requires a collaborative effort of both the public and private sector. The City is committed to taking reasonable steps to achieve said goal.

### **Iran Divestment Act**

Provider hereby certifies that it is not on the North Carolina State Treasurer's list of persons engaging in business activities in Iran, prepared pursuant to NCGS 147-86.58, nor will Provider utilize on this agreement any subcontractor on such list.

### **Divestment from Companies that Boycott Israel**

Contractor hereby certifies that it is not on the North Carolina State Treasurer's list of companies engaged in a boycott of Israel in violation of NCGS 147-86.80 et. seq. and that it will not utilize on this agreement any subcontractor on said list.

### **E-Verify Compliance**

Per N.C.G.S. 143-133.3, CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the CONTRACTOR utilizes a subcontractor, the CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

### **Right to Audit**

To confirm compliance with the terms of this Agreement, the City's MWBE program, local, state, and federal laws and regulations, the City may, at all reasonable times upon reasonable prior notice during usual business hours, inspect, audit and examine for a period up to five (5) years after completion of the service or project detailed in this Agreement, all accounts and books of Contractor and, where necessary, make copies of the Contractor's documents necessary to determine compliance. Such right may be exercised through any agent or employee of City or by independent certified public accountants designated by the City. The Contractor shall permit the aforementioned inspection, audit and examination, and where necessary, the City to make copies of documents verifying compliance as indicated herein.

### **Nondiscrimination Ordinance**

As a condition of entering into this contract, the Contractor represents and warrants that it will fully comply with the City's Non-Discrimination Policy, as set forth in Chapter 2, Section 2-8 Entitled "Policy of Nondiscrimination" of the Winston-Salem City Code. As part of such compliance, the Contractor shall not discriminate on the basis of race, ethnicity, color, creed, religion, sex, sexual orientation, gender identity, gender expression, pregnancy, veteran status, disability, age, marital status, familial status, protected hairstyle, political affiliation or national origin in the screening of applicants, the hiring and treatment of its employees, the provision of the goods and/or services set forth herein, or the solicitation, selection, hiring, or treatment of its subcontractors, vendors or suppliers, (hereinafter collectively "subcontractors"), if any, in connection with this contract or the contract solicitation process if applicable, nor shall the Contractor retaliate against any person or entity for reporting instances of such discrimination. The Contractor shall enact employment policies consistent with this obligation to refrain from such discrimination and shall provide evidence of such to the City within 90 calendar days of the first receipt of City funds. The Contractor shall provide equal opportunity for subcontractors to participate in all of its subcontracting and supply opportunities, if any, under this contract, provided that nothing contained in this clause shall prohibit or limit otherwise lawful efforts to remedy the effects of marketplace discrimination that has occurred or is occurring in the marketplace. The Contractor understands and agrees that a violation of this clause shall be considered a material breach of this contract and may result in termination of this contract, disqualification of the Contractor from participating in future City contracts pursuant to Winston-Salem City Code Section 2-3 or other sanctions. Furthermore, as a condition of entering into this contract, the Contractor agrees to: (a) promptly provide to the City in a format specified by the City all information and documentation that

may be requested by the City from time to time regarding the screening of applicants, the hiring and treatment of its employees particularly if City funds were used in connection with hiring and compensation process, and the solicitation, selection, treatment and payment of subcontractors, if any, in connection with this Agreement; and (b) if requested, provide to the City within sixty days after the request a truthful and complete list of the names of all subcontractors that the Grantee has used under this contract, including the total dollar amount paid by the Contractor on each subcontract or supply contract. The Contractor further agrees to fully cooperate in any investigation conducted by the City pursuant to the City's Nondiscrimination Policy, to provide any documents, relevant to such investigation, that are requested by the City. The Contractor agrees to provide to the City from time to time on the City's request, payment affidavits detailing the amounts paid by the Contractor to subcontractors and suppliers in connection with this contract within a certain period of time. Such affidavits shall be in the format specified by the City from time to time. Nothing in this contract shall negate or diminish the requirements of the City's MWBE program. Nothing in this contract shall infringe upon any rights afforded to the Contractor by state or federal law.

*End of Section 1: Notice to Proposers*

## **SECTION 2: SCOPE OF WORK**

This RFQ is to solicit responses from qualified firms to provide professional consulting services to design the Glade Street bridge over Peters Creek replacement project in Winston-Salem, North Carolina. The bridge is located 0.1 miles from the intersection of Hawthorne Rd and Glade St.

Summary: The Glade Street Bridge over Peters Creek replacement project will provide civil and roadway design services for a new bridge with three 12' lanes of travel for vehicles, two 6' sidewalks with curb, a climbing 5' bicycle lane in the Eastbound direction, and a black 2-Bar metal barrier rail. The project will retain the granite curbing along Glade St on the Hanes Park side of the bridge to meet the West End Historical requirements. The project deliverables shall include utility-make-ready and traffic control plans to facilitate the construction of the bridge replacement while maintaining access for local traffic.

All applicants should be familiar with the processes and requirements and be able to assume design responsibilities as described above. Applicants shall provide examples of their familiarity with the processes and requirements and their ability to assume design responsibilities in "Chapter 2 – Team Qualifications".

The solicitation, selection, and negotiation of a contract shall be conducted in accordance with all City and Department requirements and guidelines.

**The primary and/or subconsultant firm(s) shall be pre-qualified by the Department** to perform ALL the Discipline Codes listed below for the City. Discipline Codes required are:

- 014 - Archaeological Resource Survey
- 024 – Bridges – Spans under 200'
- 032 - Categorical Exclusions /Minimum Criteria Determination Checklists
- 036 - Community Impact Assessment/Indirect and Cumulative Effects
- 059 - Eco and Biotic Comm Studies
- 063 - Environmental Assessment/Finding of No Significant Impact
- 066 - Environmental impact statement/ Record of Decision
- 070 - Erosion and Sediment Control Design
- 076 – Freshwater Aquatic Surveys
- 106 - Historic Archaeological Survey
- 116 - Indirect and Cumulative Effects Assessment
- 132 - Landscape & Streetscape Design
- 152 – Pavement Design
- 155 - Pavement Markings Plans
- 168 - Project Management
- 170 - Property Management
- 171 - Public Involvement
- 235 - Subsurface Utility Engineering
- 243 - Threatened and Endangered Species Surveys
- 247 - Traffic Control Plans
- 269 - Urban Roadway Design
- 270 - Utility Coordination
- 287 - Wetland, Stream and Buffer Permitting
- 294 - Roadway Foundation Invest and Design
- 295 - Structure Foundation Invest and Design
- 296 - Retaining Wall Invest and Design

308 - Limited English Proficiency  
360 - Topographic Surveying  
361 - Boundary Surveying  
362 - Easement Surveying  
434 - Tier 2 Complete Hydrologic and Hydraulic Design

**WORK CODES for each primary and/or subconsultant firm(s) SHALL be listed on the respective RS-2 FORMS (see section 'SUBMISSION ORGANIZATION AND INFORMATION REQUIREMENTS').**

**SUBCONSULTANTS ARE PERMITTED AND ARE ENCOURAGED UNDER THIS CONTRACT.**

REQUIREMENTS OF SCOPE:

1. Provide civil and bridge design services for the Glade St over Peters Creek bridge replacement project that will include a new bridge with three 12' vehicle travel lanes, two 6' sidewalks with curb, a climbing 5' bicycle lane, and a black 2-bar metal barrier rail. Bridge to meet NCDOT Structures Management Unit Manual and AASHTO LRFD Design Manual Standard specifications.
2. Provide Roadway design services to encompass Glade St roadway on West and East sides of bridge. Project limits are defined but not limited to the eastern curb line of N. Hawthorne Rd and 200' feet from the east abutment on the existing bridge. Roadway design to meet local, state and federal requirements.
3. Provide civil design services for sidewalk connections to the bridge and transition from 6' sidewalks to 5' sidewalks within project limits Any existing curb line that is altered requires a new 6' sidewalk. All sidewalks to be ADA compliant.
4. Provide civil design services to incorporate the 1.5' utility strip where applicable on both sides of Glade St and bridge within project limits.
5. Provide civil design services to retain and preserve features that give special character to the West End historical district. Features include granite curbing, river rock wall, and vegetation.
6. Provide services to include traffic control plans, detour routing, and sidewalk closures from N. Sunset Dr. to N. Hawthorne Rd. 1<sup>st</sup> St. and N. Sunset Dr. to be utilized as preferred detour route. It is preferred for Glade St to remain open during the bridge replacement construction if feasible. Glade St. to remain open during applicable utility relocation.
7. Provide services for public outreach and involvement which includes the coordination and facilitation of one (1) public engagement meeting to solicit feedback at the 30% design stage.
8. Provide services to include utility coordination, utilities by others (UBO) plans, full utility relocation construction plans. Utility poles may be relocated to back of sidewalk instead of utility strip within project limits on park side of project. No future utilities attached to new bridge.
9. Hydrologic and hydraulic design services are to be based on a no rise condition.
10. Provide services to acquire all applicable permits to meet local, state and federal requirements.
11. Provide civil design services to include all erosion control permits and plans.
12. Provide all engineering and project assistance to acquire new right of way if applicable to project. ROW phases to meet federal or state funded project requirements. PEF does not need to include ROW appraisals and negotiators. PEF to include survey work and mapping services.
13. Project management and oversight according to NCDOT Locally Administered Projects guidelines.

Deliverables:

30% Plans **August 31st, 2026**

60% Plans (~3 months after 30% plans) **November 30th, 2026**

90% Plans (~2 months after 60% plans) **January 31st, 2027**

100% Plans (~1 months after 90% plans) **March 5th, 2027**

**PROPOSED CONTRACT TIME:** From Notice To Proceed until project completion, anticipated completion time of ~8 months. Anticipated firm selection and notification will be April 2026. Anticipated Notice to Proceed shall be end of May 2026.

**PROPOSED CONTRACT PAYMENT TYPE:** LUMP SUM; NOT TO EXCEED negotiated price, to be invoiced no more than once every 30 days.

*End of Section 2: Scope of Services Description*

### **SECTION 3: SUBMISSION FORMAT**

Firms submitting Letters of Interest and Statements of Qualifications (LOI/SOQs) are encouraged to carefully check them for conformance to the requirements identified herein. All qualified firms who submit responsive proposals will be considered. If, however, a LOI/SOQ does not meet these requirements, they will be disqualified, and no exceptions will be granted. Do NOT submit fee information with your proposal!

#### **FORMAT FOR SUBMISSION:**

**Submit only electronic proposals in PDF format only as noted on Page 1.** All Proposals should be **limited to 15 pages** (not including MWBE forms, RS-2 forms, single page cover, and blank section dividers) and shall be typed on 8-1/2" x 11" sheets, single-spaced, one-sided, not less than size 11 font (organization charts, picture titles, etc. not less than 8 font).

The LOI must include the name, address, telephone number, and e-mail address of the prime consultant's contact person for this RFLOI (see also Section 1 requirements below).

**All questions concerning this request for Letters of Interest/Statement of Qualifications, or the scope of this work must be submitted in writing only by the date and time listed on Page 1**, to Catherine Knisley, Construction Specialist Purchaser at [catherinek@cityofws.org](mailto:catherinek@cityofws.org). If you feel the information provided is inadequate to submit a Letter of Interest, please contact her. The firm selected will be notified by telephone. Notification will be given to those firms that were not selected by e-mail.

- Anticipated firm selection and notification will be April 2026.

Each LOI/SOQ should be assembled as follows (see also Page 14 – Evaluation Criteria):

#### **Section I – Introduction**

The Introduction should demonstrate the consultant's overall qualifications to fulfill the requirements of the scope of work and should contain the following elements of information:

- Expression of firm's interest in the work;
- Statement of whether firm is on the Department register;
- Date of most recent private engineering firm qualification;
- Statement regarding firm's(') possible conflict of interest for the work; and
- Summation of information contained in the letter of interest.

#### **Section II – Team Qualifications**

This chapter should elaborate on the general information presented in the introduction, to establish the credentials and experience of the consultant to undertake this type of effort. The following must be included:

- Identify **recent**, similar projects the firm - acting as the prime contractor or as a sub-contractor - has conducted which demonstrates its ability to conduct and manage the project. Provide a synopsis of each project and include the date completed and contact person (email and phone number minimum).
- If subconsultants are involved, provide corresponding information describing their qualifications as requested in bullet number 1 above.

#### **Section III – Team Experience**

This section should contain the following information:

This chapter must provide the names, classifications, and location of the firm's North Carolina employees and resources to be assigned to the advertised work; and the professional credentials and experience of the persons assigned to the project, along with any unique qualifications of key personnel. Although standard personnel resumes may be included, identify pertinent team experience to be applied to this project. Specifically, the City and the Department are interested in the experience, expertise, and total quality of the consultant's proposed team. If principals of the

firm will not be actively involved in the project, do not list them. The submittal shall clearly indicate the Consultant's Project Manager, other key Team Members and his/her qualifications for the proposed work. Also, include the team's organization chart for the Project / Plan. A Capacity Chart / Graph (available work force) should also be included. Any other pertinent information should also be listed in this section.

**Note:** If a project team or subconsultant encounters personnel changes, or any other changes of significance dealing with the company, the City Engineering Division and NCDOT should be notified immediately. The Consultant should also indicate their intent to assign the Project Manager and other Team Members designated as Key Personnel to the project for the entire project duration.

#### **Section IV – Technical Approach**

This section should contain the following information:

The consultant shall provide information on its understanding of, and approach to accomplish, this project, including their envisioned scope for the work, their management approach, any innovative ideas/approaches the firm will consider, and a schedule to achieve the dates outlined in this RFOI.

#### **Section V – M/WBE Affidavit of Minority Participation/Good Faith Efforts**

This section is limited to five (5 pages), unless additional pages are required to show good faith efforts, and should contain the following information:

- Identification of Minority Business Participation form (Unless the consultant intends to perform 100% of the work with Own Workforce); and
- Fully-executed "Affidavit A"; detailed information is not required at this time but is a commitment by the proposer to either meet the 10% goal or make a good faith effort; and
- Subcontractor Utilization form- Listing all non-M/WBE subcontractors and suppliers that you intend to use on this contract. NOTE: you will only receive credit for HUB-certified minority or woman-owned firms; or
- If applicable, fully executed "Affidavit B" committing to self-performing 100% of the work [submit this form in lieu of the other three forms listed above]. NOTE: A firm submitting Affidavit B will receive zero points for M/WBE participation unless the firm is a certified M/WBE.

**Please note that the 10% goal for participation by minority and women-owned businesses established for this service applies to each project. Additionally, failure to provide this form with proposal could be considered as non-responsive and the proposal may not be considered.**

**Note:** If unsure of which specific M/WBE document is required for your response, contact Gwendolyn Teal, Diversity Compliance Specialist at [gwendolynt@cityofws.org](mailto:gwendolynt@cityofws.org) or by phone at 336-747-7459.

*End of Section 3: Submission Format*

## **SECTION 4 – SELECTION PROCESS, REQUIRED INFORMATION, and EVALUATION CRITERIA:**

All qualified firms who submit responsive Letters of Interest will be considered. The evaluation of these firms will be based on the firm's overall experience, past performance, knowledge, and familiarity with the type of work required, the experience of proposed staff to perform specific work required, including any sub consultants. Priority consideration will be given to firms that maintain an office in North Carolina and staffed with an adequate number of employees deemed by the City to be capable of performing a majority of the work required.

Do **NOT** submit fee information with your proposal! The City selects firms to provide professional services based on demonstrated competence and qualification. Once a firm is selected, the City will enter into contract negotiations with that firm; and, as part of that negotiation, will determine a fair and reasonable fee for the services to be provided. Should contract/fee negotiations fail, the City reserves the right to terminate negotiations with the selected firm(s) and proceed to negotiate with the next most qualified firm(s).

The selected firm will be notified by telephone. Once a firm is selected, a detailed scope of services, and associated fee proposal, and implementation schedule will be refined, agreed to and once signed, will be identified and attached to the City's standard professional services agreement. The successful bidder for this project will be required to execute the City's "Professional Services Agreement". A copy of this document can be provided upon request.

**Insurance.** The selected firm(s) will be required to furnish proof of Professional Liability insurance coverage in the minimum amount of \$1,000,000.00 per claim. The firm(s) must have an adequate accounting system to identify costs chargeable to the project. The City of Winston-Salem **MUST** be named as additional insured on the certificate of insurance supplied to the City.

**Qualifications.** Any firm wishing to be considered must be properly registered with the Office of the Secretary of State of North Carolina and with the North Carolina Board of Examiners for Engineers and Surveyors (NCBELS). Any firm proposing to use corporate subsidiaries or subcontractors **must include a statement** that these companies are properly registered with the NCBELS and/or the NC Board for Licensing of Geologists. The Engineers performing the work and in responsible charge of the work must be registered Professional Engineers in the State of North Carolina and must have a good ethical and professional standing. It will be the responsibility of the selected private firm to verify the registration of any corporate subsidiary or subcontractor prior to submitting a Letter of Interest. Firms which are not providing engineering services need not be registered with the NCBELS. Some of the services being solicited may not require a license. It is the responsibility of each firm to adhere to all laws of the State of North Carolina.

**Title VI Nondiscrimination Notification.** The City in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

**Small Professional Service Firm Participation.** The City and the Department encourages the use of Small Professional Services Firms (SPSF). Small businesses determined to be eligible for participation in the SPSF program are those meeting size standards defined by Small Business Administration (SBA)

regulations, 13 CFR Part 121 in Sector 54 under the North American Industrial Classification System (NAICS). The SPSF program is a race, ethnicity, and gender-neutral program designed to increase the availability of contracting opportunities for small businesses on federal, state or locally funded contracts. SPSF participation is not contingent upon the funding source.

The Firm, at the time the Letter of Interest is submitted, shall submit a listing of all known SPSF firms that the firm intends to use in the performance of the identified work. The participation shall be submitted on the Department's Subconsultant Form RS-2. RS-2 forms may be accessed on the Department's website at [NCDOT Connect Guidelines & Forms](#). The SPSF must be qualified with the Department to perform the work for which they are listed.

**Prequalification.** The Department maintains on file the qualifications and key personnel for each approved discipline, as well as any required samples of work. Each year on the anniversary date of the company, the firm shall renew their prequalified disciplines. If your firm has not renewed its application as required by your anniversary date or if your firm is not currently prequalified, please submit an application to the Department **prior to submittal of your RFQ/LOI**. An application may be accessed on the Department's website at [Prequalifying Private Consulting Firms](#) -- Learn how to become Prequalified as a Private Consulting Firm with the Department. Having this data on file with the Department eliminates the need to resubmit this data with each LOI.

**Directory of Firms and Department Endorsement.** Real-time information about firms doing business with the Department, and information regarding their prequalifications and certifications, is available in the Directory of Transportation Firms. The Directory can be accessed on the Department's website at [Directory of Firms](#) -- Complete listing of certified and prequalified firms.

The listing of an individual firm in the Department's directory shall not be construed as an endorsement of the firm.

## EVALUATION CRITERIA

All proposals received prior to the established due date/time will be evaluated and considered based on the completeness of the responses to the defined specifications. The City of Winston-Salem reserves the right to award this contract to the vendor deemed best suited to achieve the goals and desires outlined in this proposal.

Respondents will be evaluated for selection on the basis of the Proposer most qualified to meet the requirements of this RFQ/LOI. Major criteria to be considered in evaluation may include, but shall not necessarily be limited to:

1. **M/WBE Commitment = 20%**– Proposer’s efforts to comply with all the terms and conditions of the City of Winston-Salem’s Minority and Women Business Enterprise (M/WBE) Program through award of subcontracts to minority and women owned business enterprises and utilization of minority and women-owned business enterprise suppliers to the fullest extent consistent with the efficient performance of this contract.
2. **Work Experience = 35%** – The background, education, and experience of the respondent in providing similar services elsewhere, including and especially the level of experience in working with municipalities, and the quality of services and management performed. Determination that the selected respondent has no contractual relationships that would result in a conflict of interest to the City’s contract. Proposer should include a list of **the most recent** similar projects that have been completed by the proposed project team (*see Section II-Team Qualifications on Page 9*).
3. **Technical Approach = 20%** – The proposer’s demonstrated understanding of the nature of the project scope and purpose. Proposals should note pertinent details that help exhibit a clear understanding of potential project obstacles/challenges and how they will be addressed by the team.
4. **Staff / Team Qualifications & Availability = 25%** – The experience and qualifications of the firm’s proposed staff to perform this type of work and the firm’s intent for key Team Members to remain on the project throughout project duration. Proposer should outline availability of staff to be assigned to this project throughout the project duration.

Evaluation Criteria	Weight
M/WBE Commitment	20%
Work Experience	35%
Technical Approach	20%
Staff / Team Qualifications & Availability	25%

*End of Section 4: Selection Process, Required Information, and Evaluation Criteria*

## **SECTION 5: SPECIAL INSTRUCTIONS FOR SERVICES REGARDING COMPLIANCE WITH THE CITY OF WINSTON-SALEM'S AND/OR WINSTON-SALEM/FORSYTH COUNTY UTILITY COMMISSION'S MINORITY AND WOMEN BUSINESS ENTERPRISE (M/WBE) PROGRAM**

### **Policy**

It is the policy of the City of Winston-Salem and/or the Winston-Salem/Forsyth County Utility Commission (an agency of the City of Winston-Salem), that minority and women-owned business enterprises shall have an equal opportunity to participate in the performance of contracts financed in whole or in part with City and/or Commission funds.

### **Obligation of Proposers**

Proposers agree to use their best efforts to comply with all the terms and conditions of the City of Winston-Salem's and/or Winston-Salem/Forsyth County Utility Commission's Minority and Women Business Enterprise (M/WBE) Program, as the same may be amended from time to time, through the award of subcontracts to minority and women-owned business enterprises and utilization of minority and women-owned business enterprise suppliers to the fullest extent consistent with the efficient performance of this contract. As used in this contract, the term "minority and women business" shall mean a company that is 51% or more owned and controlled by minority group members or women.

A **10%** goal for participation by minority and women-owned businesses has been established for this service. A proposer may meet this goal through the participation of M/WBE sub-consultants, through his/her own performance on the project if the proposer is a certified minority/woman-owned firm, or through demonstrating a good faith effort to meet the M/WBE participation goal. If it is the normal practice of the proposer to perform all elements of this type of service with its own workforce and without the use of sub-consultants, the proposer must certify, by the submission of Affidavit B, that if they do employ any sub-consultants during the contract, that they will be subject to the M/WBE goals original established for this service. The utilization of M/WBE firms accounts for 20% of the evaluation and scoring, and will not be allocated to proposals in which an Affidavit B is submitted.

Firms are highly encouraged to consider any and all possibilities for M/WBE participation. A complete list of firms certified by the State of North Carolina Office for Historically Underutilized Businesses (HUB) can be found here: (<https://evp.nc.gov/vendors>). The 10% M/WBE goal may be satisfied by an entity that qualifies as a Minority Business Enterprise under N.C. General Statute 143-128, and that has been certified by the State of North Carolina's Office for Historically Underutilized Businesses and must be HUB certified at the time the proposal is submitted. If an entity is certified as a Minority Business by a state other than North Carolina, proof of certification must be submitted with the proposal.

During the course of the contract successful consultant will be required to submit ***Minority Documentation for Contract Payments, Affidavit F***, with each monthly pay application. Final payment will be withheld until the consultant completes and submits an ***Affidavit of Payment to M/WBE Sub Consultants***. The City, however, at its discretion may require additional periodic reports. Final payment will be withheld until the goal percentages for M/WBE participation, previously agreed to by the successful consultant, have been confirmed by the City and/or Commission. For professional and other service contracts, where the consultant/bidder did not meet the M/WBE requirements of a previous contract, and failed to demonstrate a good faith effort to do so, said consultant/bidder will receive a deduction or adjustment for non-compliance in the evaluation of any proposal/bid submitted subsequent thereto.

**MWBE DOCUMENTATION-** Firms are required to include the following documentation with the proposal. **Failure to do so will render your proposal as non-responsive:**

- Identification of Minority Business Participation- must be submitted with your letter of interest if your firm will employ any sub-consultants on this project; and
- Affidavit A- Listing of Good Faith Efforts; or

- Affidavit B- Intent to Perform Contract with Own Workforce, if the proposer intends to perform 100% of the work required for the contract without the use of sub-consultants.
- Subcontractor/Supplier Utilization Form- List **all** non-M/WBE subcontractors and suppliers that you intend to use on this contract.

**Additional M/WBE Forms-** To be utilized by the firm that is awarded the contract with the Owner

- Affidavit E- Minority Utilization Commitment Form
- Affidavit F- Minority Documentation for Contract Payments, M/WBE Replacement Request Form, and the Final Affidavit of Payment to M/WBE Sub-consultants.

It is mandatory that the **Identification of Minority Business Participation form** and **Affidavit “A” Listing of Good Faith Efforts** be properly completed, and notarized as defined in the document specifications and submitted with the Bid/Proposal (unless the prime consultant/contractor intends to perform 100% of the work with Own Workforce and properly executes Affidavit B). If the proposer is a certified M/WBE firm, and will be performing less than 100% of the work, then the proposer should indicate the percentage/dollar amount that they will perform, in addition to the remaining work performed by other M/WBE firms.

The **Identification of Minority Business Participation form** must include all M/WBE firms to be used on this project and the total percentage of the proposal that will be performed by businesses who will be subcontractors, vendors, or suppliers on this project. Additional information such as business phone number, work types, city/state, and minority category are important and useful. Failure to list, at a minimum the business name and the total percentage and/or dollar amount of firms contracting will render your proposal as non-responsive and will not be considered for award. If the proposer has no minority participation, they shall indicate this by entering the word “none” or the number “0.”

The **Affidavit B Intent to Perform Contract with Own Workforce** form must be executed with the Proposal/Bid **only** if the prime consultant/contractor intends to perform 100% of the work required for the proposal/contract without the use of sub consultants. If the prime consultant/contractor is an M/WBE firm, they must indicate such on Affidavit B in order to receive the full 20% credit during the evaluation.

Actual participation achieved or offered shall not be determinative on the issue of good faith efforts. Further, if other factors, other than factors (a) through (f) listed on Affidavit A, are considered, they may be used to credit the contractor’s good faith efforts, but not to discredit them.

In accordance with the **Minority Utilization Commitment Form “Affidavit E”**, no sub consultant/subcontractor who is identified and listed on Affidavit E may be replaced with a different sub consultant/subcontractor unless:

- A) the sub consultant/subcontractor’s proposal/bid is later determined by the prime consultant/contractor to be non-responsible or non-responsive, or the listed sub consultant/subcontractor refuses to enter into a contract for the complete performance of the work, or
- B) With the approval of the City of Winston-Salem M/WBE office for the good cause demonstrated. Prior to substituting a sub consultant/subcontractor, the prime consultant/contractor shall identify the substitute sub consultant/subcontractor and inform the City of Winston-Salem M/WBE office of its good faith efforts; including the MWBE Replacement Request Form.

Questions or inquires relative to City of Winston-Salem’s Minority and Women Business Enterprise (M/WBE) Program must be directed to **Gwendolyn Teal, Diversity Compliance Specialist at [gwendolyn@cityofws.org](mailto:gwendolyn@cityofws.org)** or phone 336-747-7459.



**\*\*\*MUST BE SUBMITTED WITH PROPOSAL\*\*\***

(unless the prime consultant intends to perform 100% of the work with Own Workforce)

**AFFIDAVIT A: GOOD FAITH EFFORTS**

Project: \_\_\_\_\_

A 10% goal for participation by minority/women owned businesses has been established on this proposal/bid. A proposer/bidder may meet this goal through the participation of M/WBE sub-consultants/sub-contractors, through their own performance on the project if the proposer/bidder is a minority/woman-owned firm. Please list below all M/WBE firms to be used on this proposal/bid.

Affidavit of: \_\_\_\_\_  
(Name of Proposer)

I hereby do certify the attached documentation as true and an accurate representation of my good faith efforts. (Attach additional sheet if required)

Minority Firm Name & Phone Number	City-State	Minority Category*	Type of Work	Dollar Value / Percentage of Work
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

\* Minority Categories: Black, African American (B), Hispanic (H), Asian American (AA), American Indian (AI), Female (WF), Socially and Economically Disadvantaged (SE), and Disabled (D).

If the established 10% goal for participation by minority/women owned businesses is not achieved, **the proposer/bidder must provide, with the proposal, the following documentation** to the Owner of their Good Faith Efforts to meet the goals set forth in these provisions. Examples of documentation include, but are not limited to, the following evidence.

✓	Description	Points	Awarded Points
_____	(a) Did your firm advertise in general circulation, professional association, or minority focus media concerning subcontracting opportunities? <b>NOTE: A consultant must advertise in all three media to receive full value for this item. Each medium is worth five points.</b>	15	_____
_____	(b) Did your firm provide written notice to a reasonable number of specific M/WBE firms that their interest in the contract is being solicited, at least 10 days before proposals are due to allow M/WBE firms time to participate? Please provide a copy of the solicitations sent to at least 3 minority firms from the source list provided by the owner for each subcontract to be let under this contract (if 3 or more firms are shown on the source list). Each solicitation shall include a specific description of the work to be subcontracted, location where the RFP can be reviewed, and name of representative of the lead consultant.	15	_____

**GOOD FAITH EFFORTS (continued)**

✓	Description	Points	Awarded Points
_____	(c) Did you follow up initial solicitation of interest by contacting M/WBE firms to determine with certainty whether the M/WBE firms are interested? Please include telephone logs/email logs or screenshots of follow up calls/emails you made to confirm interest.	10	_____
_____	(d) How did your company identify and select portions of the work to be performed by M/WBE firms in order to increase the likelihood of M/WBE participation? Please provide a copy of documentation where this information was included.	15	_____
_____	(e) What services were used from the City of Winston-Salem's M/WBE office; available minority community organizations; minority contractors' groups; local, state, and federal minority business assistance offices; and other organizations that provide assistance in the recruitment and placement of M/WBE firms? Please provide a copy of this documentation. <b>Note: A proposer must utilize at least two agencies to receive full value. Each agency is worth five points.</b>	10	_____
_____	(f) Did your company negotiate a joint venture or partnership arrangement with minority firms to increase opportunities for minority participation when possible? Please provide copy of any documentation (could be included in Solicitation Letter) advising M/WBE firms what type assistance was available or outlining any other steps taken to fulfill this requirement.	10	_____
_____	(g) Did your company provide quick pay agreements and policies to enable minority contractors and suppliers to meet cash flow demands? What procedures were initiated to fulfill this requirement and how were the M/WBE firms informed of this assistance? Evidence of implementation from previous projects in the past 5 years can be submitted. <b>Note: A proposer can receive up to 5 points for offering; 10 points for implementation.</b>	15	_____
<b>Points Total</b>		<b><u>90</u></b>	<b><u>_____</u></b>

**NOTE:** A proposer/bidder must accumulate at least **55 points** to demonstrate a “Good Faith Effort” was made. Partial points may be awarded when the complete requirement of an item is not met.

Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award go to the next lowest responsible and responsive bidder.

**Identification of Minority Business Participation & Good Faith Effort Notarization**

Date: \_\_\_\_\_ Name of Officer: \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Title \_\_\_\_\_

State of North Carolina, County of \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Notary Public: \_\_\_\_\_ My commission expires: \_\_\_\_\_

**SEAL**



**MUST BE SUBMITTED WITH PROPOSAL, IF APPLICABLE**

**AFFIDAVIT B**

**INTENT TO PERFORM CONTRACT WITH OWN WORK FORCE**

County of \_\_\_\_\_

Affidavit of \_\_\_\_\_  
(Name of Firm)

I, hereby, certify that it is the intent of the aforesaid firm to perform 100% of the work required for the contract:

\_\_\_\_\_  
(Name of Project)

In making this certification, the Proposer states:

- That the proposer does not customarily subcontract elements of this type of project,
- Normally performs, has the capability to perform, and will perform all elements of the work on this project with his/her own current work force, and
- Agrees to provide any additional information or documentation requested by the City of Winston-Salem in support of the above statement.

**The following information is requested and may be used during the proposal evaluation process.**

**Bidder certifies that:**

We ( ) are a Historically Underutilized Business (HUB) certified by the State of North Carolina.

We ( ) are a minority business enterprise

We ( ) are not a minority business enterprise

If yes, please identify in the appropriate box below:

- ( ) Black
- ( ) Hispanic
- ( ) Asian American
- ( ) American Indian
- ( ) Female
- ( ) Socially and Economically Disadvantaged
- ( ) Disabled

*\*Minority Categories: Black, African American (B), Hispanic (H), Asian American (AA), American Indian (AI), Female (WF), Socially and Economically Disadvantaged (SE), and Disabled (D).*

In the event the Proposer does not self-perform 100% of the work, the contract will be subject to the M/WBE goals originally established for this project, as well as, good faith efforts and documentation requirements of this program. The utilization of M/WBE firms accounts for 20% of the evaluation and scoring and will not be allocated to proposals in which an Affidavit B is submitted. A proposer may meet the 10% goal through the participation of M/WBE sub consultants and/or through their own performance on the project if the proposer is a certified minority and/or woman owned firm.

**AFFIDAVIT B (CONTINUED)**

The undersigned hereby certifies that he/she has read this certification and is authorized to bind the Proposer to the commitments herein contained.

Date: \_\_\_\_\_ Name of Officer: \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

State of North Carolina, County of \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Notary Public: \_\_\_\_\_ My commission expires: \_\_\_\_\_

**SEAL**

**AFFIDAVIT "E"**

**MINORITY UTILIZATION COMMITMENT FORM**

Project: \_\_\_\_\_

Affidavit of: \_\_\_\_\_  
(Name of Proposer)

**Within thirty (30) days after award of contract**, the Proposer shall file Affidavit E identifying all M/WBE subcontractors for use on this project. No subcontractor who is identified and listed on this form may be replaced, substituted, or supplemented; nor can their scope of work be modified to include a different subcontractor unless:

- (a) Subcontractor's bid is later determined by the Proposer to be non-responsible or non-responsive, or the listed Subcontractor refuses to enter into a contract for the complete performance of the bid work, or
- (b) With the approval of the City of Winston-Salem M/WBE Office for good cause demonstrated. **Good Faith Efforts** as set forth in the Special Instructions to Proposers shall apply to the selection of a substitute Subcontractor. Prior to substituting a Subcontractor, the Proposer shall identify the substitute Subcontractor and inform the City of Winston-Salem M/WBE Office of its good faith efforts.

Minority Firm Name & Phone Number	City-State	Minority Category*	Type of Work	Dollar Value
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

\* Minority Categories: Black, African American (B), Hispanic (H), Asian American (AA), American Indian (AI), Female (WF), Socially and Economically Disadvantaged (SE), and Disabled (D).

Failure to provide the documentation as listed in these provisions may result in rejection of the Bid and award go to the next lowest responsible and responsive bidder.

Date: \_\_\_\_\_ Name of Officer: \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

State of North Carolina, County of \_\_\_\_\_ subscribed and sworn before

me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Notary Public \_\_\_\_\_ My commission expires \_\_\_\_\_

**SEAL**

**THIS DOCUMENT MUST BE SUBMITTED  
WITH EACH PAY REQUEST AND FINAL PAYMENT**

**AFFIDAVIT "F"**

**MINORITY DOCUMENTATION FOR CONTRACT PAYMENTS**

Prime Consultant: \_\_\_\_\_

Address & Phone Number: \_\_\_\_\_

Project Name: \_\_\_\_\_

Pay Application Number: \_\_\_\_\_ Period: \_\_\_\_\_

The following is a list of payments to be made to minority business sub-consultants on this project for the above-mentioned period.

Minority Firm Name and Address	Minority Category*	Amount Paid For This Period	Amount Paid To Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

\* Minority Categories: Black, African American (B), Hispanic (H), Asian American (AA), American Indian (AI), Female (WF), Socially and Economically Disadvantaged (SE), and Disabled (D).

Date: \_\_\_\_\_ Approved/Certified by \_\_\_\_\_

In addition to the list of payments above, I hereby certify that no subcontractor who was identified and listed on Affidavit E- Minority Utilization Commitment Form, has been replaced without approval from the City of Winston-Salem's M/WBE Division.

Note: Additional M/WBE's can be added for new work only. In this case, please notify M/WBE staff.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE ABOVE MENTIONED PROJECT IS APPROXIMATELY \_\_\_\_\_% PERCENT COMPLETE



## M/WBE Replacement Request Form

It is the policy of Winston-Salem and the Winston-Salem/Forsyth County Utility Commission (an agency of the City of Winston Salem), that minority and women-owned business enterprises shall have an equal opportunity to participate in the performance of contracts financed in whole or in part with the City and/or Commission funds.

In accordance with the “Minority Utilization Commitment Form-Affidavit E”, no sub-consultant who is identified and listed on this form may be replaced with a different sub-consultant unless: A) the sub-consultant’s proposal is later determined by the consultant to be non-responsible or non-responsive, or the listed sub-consultant refuses to enter into a contract for the complete performance of the work, or B) With the approval of the City of Winston-Salem’s M/WBE Division, good cause has been demonstrated. Prior to substituting a sub-consultant, the Consultant shall identify the substitute sub-consultant and inform the City of Winston-Salem’s M/WBE Division of its good faith efforts; including the M/WBE Replacement Request Form. In order to meet the terms stated above, an M/WBE Replacement Request Form must be completed. Replacement of an M/WBE without written approval from M/WBE Staff is a violation of contract provisions and may result in the Consultant being disqualified from submitting proposals on future City and/or Commission projects.

If a committed M/WBE sub-consultant is terminated for a good cause, the Consultant shall make a Good Faith Effort to find another M/WBE sub-consultant to substitute for the terminated M/WBE. This Good Faith Effort shall be directed at finding another M/WBE to perform at least the same amount of work under the contract as the M/WBE that was terminated, to the extent needed to meet the contract goal established for the project.

**Replacement M/WBE:** \_\_\_\_\_

**Amount of Subcontract:** \_\_\_\_\_

**Work to be performed:** \_\_\_\_\_

**New Committed M/WBE Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

By signing this document, the Consultant, M/WBE, and City of Winston Salem’s M/WBE Division acknowledges that the 5 days to respond was given, and concurs with the process of replacing the named M/WBE sub-consultant.

\_\_\_\_\_  
Original M/WBE Signature (where possible) Date

\_\_\_\_\_  
Consultant Signature Date

\_\_\_\_\_  
M/WBE Staff Signature Date

## INSTRUCTIONS FOR SUBMITTAL OF M/WBE REPLACEMENT REQUEST FORM

### IN ADDITION TO SUBMITTING THIS FORM, THE CONSULTANT MUST ENSURE THAT THE FOLLOWING STEPS ARE SATISFIED.

1. Prior to starting the replacement process, the consultant is responsible for coordinating with the M/WBE sub-consultant to see if they are willing and able to perform the work as indicated in their contract. If the Consultant notices a reoccurring issue with an M/WBE sub-consultant, the Consultant shall notify the City of Winston Salem M/WBE staff and keep them abreast of the issues.
2. If the M/WBE sub-consultant cannot perform the work or if the Consultant shows good cause for replacement, M/WBE staff will coordinate with the Consultant to begin the M/WBE replacement process. M/WBE staff will coordinate with other City departments as appropriate.

*(Examples of good cause include: M/WBE fails or refuses to execute a written contract; M/WBE fails or refuses to perform the work of its subcontract consistent with normal industry standards; M/WBE fails to meet reasonable, nondiscriminatory bond requirements; M/WBE becomes bankrupt, insolvent, or exhibits credit unworthiness; M/WBE is ineligible to work because of suspension and debarment proceedings; M/WBE voluntarily withdraws from the project and provides written notice; M/WBE owner dies or becomes disabled and is unable to complete its work; or other documented good cause that compels termination. Good cause does not exist where the Contractor terminates a committed M/WBE for failure or refusal to perform the work of the subcontract results from bad faith or discriminatory action of the prime consultant.)*

3. Before requesting the City of Winston Salem's consent for the proposed termination/replacement of an M/WBE, the Consultant shall give written notice of the proposed termination/replacement, including the reason for termination/replacement, to the M/WBE firm with a copy to the City of Winston Salem M/WBE staff. The M/WBE shall be given **five days** to respond unless the five-day requirement needs to be reduced, due to public necessity (e.g. safety).
4. After the notice period has passed, M/WBE staff will ensure that the Consultant has submitted all supporting documentation for the M/WBE replacement. Letters, phone logs, emails or any other correspondence between the Consultant, the M/WBE sub-consultant, and/or City staff will be considered supporting documentation. This documentation must provide valid reason(s) for replacement as well as the opportunity to correct the issue. Consultants cannot replace for convenience or perform the work with its own forces or those of an affiliate.
5. Once the Consultant is given approval by the City of Winston Salem M/WBE staff to replace an M/WBE sub-consultant, M/WBE staff will send notification to the City project manager and the City/County Purchasing Department for informational purposes.
6. Signature lines on form: Ideally, the form should contain the signature of the original M/WBE sub-consultant being replaced. However, if this is not possible (i.e. the M/WBE will not sign), the documentation supporting the decision and acknowledgement of the reasons for replacement of the M/WBE sub-consultant should be attached. The form shall also be signed by the replacement M/WBE to show their participation on the project as the new committed M/WBE.

Project/Bid Description: Contract for

Bidder's Company Name: \_\_\_\_\_

City/State: \_\_\_\_\_

\_\_\_\_\_

**WORKFORCE DEMOGRAPHICS**

Gender		Race/Ethnic Identification					Total
Male	Female	White	African-American	Hispanic	Asian	Native-American	
							<b>0</b>
% of Total							

**Prepared by:**

Name of Preparer \_\_\_\_\_  
(Print or Type)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

Phone Number: \_\_\_\_\_

Email Address \_\_\_\_\_

The above demographic data is provided to reflect generally the company's efforts to achieve diversity in the workplace in compliance with the applicable equal employment opportunity laws; however, this information is not dispositive of such and may not be used as the basis for awarding or rejecting a bid contract.