

## **REQUEST FOR PROPOSAL OF AN UPDATED ZONING REGULATIONS FOR BOX BUTTE COUNTY, NEBRASKA**

The County of Box Butte is pleased to invite you to respond to a Request for Proposals for an Updated Zoning Regulations for Box Butte County, Nebraska. Proposals must be received by no later than 4:00 p.m. on July 14, via mail to the County Clerk's office, address, PO Box 678, Alliance, NE 69301, or by personal delivery to the County Clerk's office located at 515 Box Butte Avenue, Suite 203, Alliance, NE 69301.

### **SECTION I: SCOPE OF SERVICE**

Box Butte County (hereinafter the County) is issuing this Request for Proposal (RFP) for the purpose of selecting a qualified Contractor to provide planning assistance in evaluation of current zoning regulations, update the current zoning regulations after the adoption of the updated 2025 Comprehensive Plan, and assist in the development of zoning regulations for new components of the comprehensive plan, which include but are not limited to energy generation ("proposal"). A more detailed description of the County and the scope of work can be found in Sections II and III. The resulting contract may not be an exclusive contract as the County reserves the right to contract for the same or similar services from other sources now or in the future. The term of the contract will be one year, commencing upon execution of the contract by the County and the Contractor. The Contract may include the option to renew for additional time periods upon mutual agreement of the parties, and the County reserves the right to extend the period of this contract beyond the termination date if needed.

### **PUBLIC RECORD NOTICE**

In furtherance of the State's public records statutes (Neb. Rev. Stat. § 84-712 et seq.), all proposals or responses received regarding this request will be retained by Box Butte County and considered public records.

**This includes the entire proposal or response. Contractors must request that proprietary information be excluded from the record. The contractor must identify the proprietary information, mark the proprietary information according to state law, and submit the proprietary information in a separate section marked conspicuously using an indelible method with the words "PROPRIETARY INFORMATION". The Contractor must submit a detailed written document showing that the release of the proprietary information would give a business advantage to named business competitors and explain how the named business competitors will gain an actual business advantage by disclosure of information. The mere assertion that information is proprietary or that a speculative business advantage might be gained is not sufficient. Contractor will be notified of the decision. Absent a determination that information is proprietary, the County will consider all information a public record subject to release regardless of any assertion that the information is proprietary.**

If the County determines it is required to release proprietary information, the Contractor will be informed. It will be the contractor's responsibility to defend the Contractor's asserted interest in non-disclosure.

**To facilitate any public records requests, with the exception of proprietary information, the County reserves a royalty-free, nonexclusive, and irrevocable right to copy, reproduce, publish, post to a website, or otherwise use any contract, proposal, or response to this request for any purpose and to authorize others to use the documents. Any individual or entity awarded a contract, or who submits a proposal or response to this request, specifically waives any copyright or other protection the contract, proposal, or response to the request may have and acknowledges that they have the ability and authority to enter into such waiver. This reservation and waiver is a prerequisite for submitting a proposal or response to this solicitation and award of a contract. Failure to agree to the reservation and waiver will result in the proposal or response to the request being found non-responsive and rejected.**

**Any entity awarded a contract or submitting a proposal or response to the request agrees not to sue, file a claim, or make a demand of any kind and will indemnify and hold harmless the County and its employees, volunteers, agents, and its elected and appointed officers from and against any and all claims, liens, demands, damages, liability, actions, causes of action, losses, judgments, costs, and expenses of every nature, including investigation costs and expenses, settlement costs, and attorney fees and expenses, sustained or asserted against the County, arising out of, resulting from, or attributable to the posting or release of the contract or the proposals and responses to the solicitation, awards, and other documents.**

## **PROCUREMENT PROCEDURE**

### **GENERAL INFORMATION**

This request is designed to solicit proposals from qualified Contractors who will be responsible for providing consulting services related to an update of the County's existing Zoning Regulations ("proposal") at a competitive and reasonable cost. A Community Profile, Project Description and Scope of Work, and Proposal Instructions may be found in Sections II through IV.

Proposals shall conform to all instructions, conditions, and requirements included in this request. Prospective Contractors are expected to carefully examine all documents, schedules, and requirements in this request and to respond to each requirement in the format prescribed. Proposals may be found non-responsive if they do not conform to this request. Contractors should complete Sections III and IV and any attached Forms as part of their proposal.

### **PROCURING OFFICE AND COMMUNICATION WITH COUNTY STAFF AND EVALUATORS**

Procurement responsibilities related to this request reside with the Planning and Zoning Board and the Box Butte County Commissioners (hereinafter Commissioners). The points of contact (POC) for the request are as follows:

Name: Michael Johnson  
Position: Zoning Administrator  
Email: [mikejohnson0018@gmail.com](mailto:mikejohnson0018@gmail.com)  
Phone: 1-308-763-8348

Name: Martie Burke  
Position: County Clerk  
Address: PO Box 678  
Alliance, NE 69301  
Phone: 1-308-762-6565  
Email: [clerk@boxbuttecountyne.gov](mailto:clerk@boxbuttecountyne.gov)

From the date the request is issued until an Intent to Award is issued, communication from Contractors may only be directed to the POC listed above. After an Intent to Award is issued, Contractor may communicate with any individuals the County has designated. No member of the county government, employee of the County, or member of the Planning and Zoning Board is empowered to make binding statements regarding this request. The POC will issue any answers, clarifications, or amendments regarding this request in writing; however, only the Commissioners can award a contract. Contractors shall not have any communication with or attempt to communicate with or influence any evaluator involved in this request.

The following exceptions to these restrictions are permitted:

1. Contact made pursuant to pre-existing contracts or obligations;
2. Contact required by the schedule of events or an event scheduled later by the request POC; and,

3. Contact required for negotiation and execution of the final contract.

### **SCHEDULE OF EVENTS:**

The County expects to adhere to the procurement schedule shown below, but all dates are approximate and may be subject to change:

Release Request:	June 7, 2025
Proposal Due Date:	July 14, 2025, by 4:00 p.m.
Opening Bids:	July 15th, 2025, at 2:30 p.m. County Clerk's Office
Review for Recommendation To the County Commissioners	July 21, 2025, 7:00 p.m. Planning and Zoning Board
Determination of Award:	July 23, 2025, 9:00 a.m. County Commissioners

### **WRITTEN QUESTIONS AND ANSWERS**

Questions regarding the meaning or interpretation of any request provision must be submitted in writing to the POC and clearly marked "Zoning Regulations Questions." It is preferred that questions be sent via e-mail to [mikejohnson0018@gmail.com](mailto:mikejohnson0018@gmail.com) and [clerk@boxbuttecountyne.gov](mailto:clerk@boxbuttecountyne.gov) but they may be delivered by hand or by U.S. Mail. Contractors should present, as questions, any assumptions upon which the Contractor's proposal is or might be developed. Proposals will be evaluated without consideration of any known or unknown assumptions of a Contractor. The contract will not incorporate any known or unknown assumptions of a Contractor.

### **SECRETARY OF STATE REGISTRATION REQUIREMENTS**

All Contractors must be authorized to transact business in the State of Nebraska and comply with all Nebraska Secretary of State registration requirements. The Contractor who is the recipient of an Intent to Award will be required to certify that it has complied and to produce a true and exact copy of its current Certificate or Letter of Good Standing or, in the case of a sole proprietorship, to provide written documentation of sole proprietorship and complete the United States Citizenship Attestation Form provided by the County. This must be accomplished prior to execution of the contract.

### **ETHICS IN PUBLIC CONTRACTING**

The County reserves the right to reject proposals, withdraw an intent to award or an award, or terminate a contract if a Contractor commits or has committed ethical violations, which include, but are not limited to:

1. Offering or giving, directly or indirectly, a bribe, fee, commission, compensation, gift, gratuity, or anything of value to any person or entity in an attempt to influence the proposal process;
2. Utilizing the services of lobbyists, attorneys, political activists, or consultants to influence or subvert the proposal process;
3. Being considered for, presently being, or becoming debarred, suspended, ineligible, or excluded from contracting with any state or federal entity;
4. Submitting a proposal on behalf of another party or entity; and
5. Colluding with any person or entity to influence the proposal process, submit sham proposals, preclude proposals, fix pricing or costs, create an unfair advantage, subvert the proposal, or prejudice the County.

The Contractor shall include this clause in any subcontract entered into for the exclusive purpose of performing this contract. Throughout the proposal process, Contractor shall have an affirmative duty to report any violations of this clause caused by the Contractor or its potential subcontractors and, throughout the term of the resulting contract, for the successful Contractor and their subcontractors.

## **DEVIATIONS FROM THE REQUEST FOR PROPOSAL**

The requirements contained in the request (Sections III to V) will become a part of the terms and conditions of the contract resulting from this request. Any deviations from the request in Sections III to V must be clearly defined by the Contractor in its proposal and, if accepted by the County, will become part of the contract. Any specifically defined deviations must not be in conflict with the basic nature of the request, requirements, or applicable local, state, or federal laws or regulations. Deviation, for the purposes of this request, means any proposed changes or alterations to either the contractual language or deliverables within the scope of this request. The County discourages deviations and reserves the right to reject proposed deviations.

## **SUBMISSION OF PROPOSALS**

Contractors must submit one proposal marked "ORIGINAL," and five hard copies, and one digital copy. Contractors are solely responsible for any variance between the copies submitted. Proposal responses should include all completed forms. Proposals must reference the Zoning Regulations RFP and be sent to the specified address. If a recipient phone number is required for delivery purposes, 308-762-6565 should be used. A reference to Zoning Regulations RFP should be included in all correspondence.

The County will not furnish packaging and sealing materials. It is a Contractor's responsibility to ensure the request is sent in a sealed envelope or container and submitted by the date and time indicated in the Schedule of Events. The **outside** of any packaging or container must state the company's name and **CLEARLY STATE** "Zoning Regulations RFP" and the RFP number. Sealed proposals must be received by the date and time of the proposal opening per the Schedule of Events. No late proposals will be accepted.

The Request for Proposal form must be manually signed in an indelible manner and returned by the proposal opening date and time along with the Contractor's Request for Proposal

and any other requirements as stated herein in order for the Contractor's response to be evaluated.

Emphasis should be concentrated on conformance to the request instructions, responsiveness to requirements, completeness, and clarity of content. If the contractor's proposal is presented in such a fashion that makes evaluation difficult or overly time-consuming, the County reserves the right to reject the proposal as non-conforming.

The Technical and Cost Proposals should be presented in separate sections (loose-leaf binders are preferred) on standard 8 ½" x 11" paper, except that charts, diagrams and the like may be on foldouts which, when folded, fit into the 8 ½" by 11" format. Pages may be consecutively numbered for the entire proposal or may be numbered consecutively within sections. Figures and tables should be numbered consecutively within sections. They should be placed as close as possible to the referencing text and referenced in the text by their respective numbers.

The Technical Proposal should not contain any reference to dollar amounts. However, information such as data concerning labor hours and categories, materials, subcontracts and so forth, shall be considered in the Technical Proposal so that the Contractor's understanding of the scope of work may be evaluated. The Technical Proposal shall disclose the Contractor's technical approach in as much detail as possible, including, but not limited to, the information required by the Technical Proposal instructions.

By signing the "Request for Proposal for Contractual Services" form, the Contractor guarantees compliance with the provisions stated in this request.

## **METHOD OF SUBMISSION**

Proposals may be delivered in person, via U.S. Mail or private carrier/courier. The County will not accept proposals by fax, voice, email, or telephone.

## **PROPOSAL CORRECTIONS**

A Contractor may correct or withdraw a proposal prior to the time of opening by giving written notice to the County of intent to withdraw the proposal for modification or to withdraw the proposal entirely. Changing a proposal after opening may be permitted if the change is made to correct a minor error that does not affect price, quantity, quality, delivery, or contractual conditions. In case of a mathematical error in extension of price, unit price shall govern.

## **LATE PROPOSALS**

Proposals received after the time and date of the proposal opening will be considered late proposals. Late proposals will be returned unopened if requested by the Contractor and at Contractor's expense. The County is not responsible for proposals that are late or lost regardless of cause or fault.

## **PROPOSAL OPENING**

The opening of proposals will be public, and the Contractors will be announced. Proposals WILL NOT be available for viewing by those present at the proposal opening. Proposals may be reviewed upon request after the Intent to Award has been mailed.

Information identified as proprietary by the submitting contractor, in accordance with this request and state law, will not be posted. If the County determines submitted information should not be withheld, in accordance with the Public Records Act, or if ordered to release any withheld information, said information may then be released. The submitting Contractor will be notified of the release, and it shall be the obligation of the submitting Contractor to take further action if it believes the information should not be released.

Contractors may contact the County to schedule an appointment for viewing proposals after the Intent to Award has been mailed. Once proposals are opened, they become the property of the County and will not be returned.

## **INITIAL REVIEW OF PROPOSAL REQUIREMENTS**

The proposals will first be examined to determine if all requirements listed below have been addressed and whether further evaluation is appropriate. Proposals not meeting the requirements may be rejected as non-responsive. The requirements are:

1. Original Request for Proposal for Contractual Services form signed using an indelible method;
2. Clarity and responsiveness of the proposal;
3. Completed Corporate Overview;
4. Completed Sections III through V;
5. Completed Technical Approach; and
6. Completed Cost Proposal.

## **EVALUATION OF PROPOSALS**

All complete proposals will be evaluated by members of the Planning and Zoning Board, and their recommendations and comments shall be provided to the Commissioners for final evaluation and award.

Any contact, attempted contact, or attempt to influence an evaluator that is involved with this request may result in the rejection of the Contractor's proposal and further administrative actions.

## **EVALUATION OF PROPOSALS**

All complete proposals will be evaluated. Each evaluation category will have a maximum point potential. The County will conduct a fair, impartial, and comprehensive evaluation of all proposals in accordance with the criteria set forth below. Areas that will be addressed and scored during the evaluation include:

1. Overall proposal quality and its responsiveness to the RFP, including but not limited to:
  - a. completeness, clarity, and conciseness;
  - b. comprehension of the scope of work and meeting the stated purpose and needs of the County;
  - c. uniqueness or innovativeness;
2. Corporate Overview should include but is not limited to:
  - a. the ability, capacity, and skill of the contractor to deliver and implement project that meets the requirements of the request;

- b. the character, integrity, reputation, judgment, experience, and efficiency of the Contractor;
  - c. whether the Contractor can perform the contract within the specified time frame;
  - d. the quality of performance on prior contracts;
  - e. the ability of the Contractor to identify and assist in procuring outside funding possibilities to further enhance the project while leveraging existing funding;
  - f. the ability of the Contractor to successfully collaborate with County staff and representatives;
  - g. such other information that may be secured and that has a bearing on the decision to award the contract.
3. Technical Approach; and,
  4. Cost Proposal.

Proposals will be evaluated and ranked based on the above criteria as determined by the County. The County will afford equal opportunity to all those who submit proposals and will not discriminate in its selection of consultants on the grounds of race, sex, color, physical handicap, or national origin.

#### **REFERENCE AND CREDIT CHECKS**

The County reserves the right to conduct and consider reference and credit checks and to use third parties to conduct such checks. By submitting a proposal in response to this request, the Contractor grants to the County the right to contact or arrange a visit in person with any or all of the Contractor's clients. Reference and credit checks may be grounds to reject a proposal, withdraw an intent to award, or rescind the award of a contract.

#### **AWARD**

The County reserves the right to evaluate proposals and award contracts in a manner utilizing criteria selected at the County's discretion and in the County's best interest. After evaluation of the proposals, or at any point in the solicitation process, the County may take one or more of the following actions:

1. Amend the request;
2. Extend the time of or establish a new proposal opening time;
3. Waive deviations or errors in the County's request process and in Contractor proposals that are not material, do not compromise the request process or a Contractor's proposal, and do not improve a Contractor's competitive position;
4. Accept or reject any portion of or all of a proposal;
5. Accept or reject all proposals;
6. Withdraw the request;
7. Elect to rebid the request;
8. Award single lines or multiple lines to one or more Contractors; or,
9. Award one or more all-inclusive contracts.

The request does not commit the County to award a contract. Once an intent to award decision has been determined, it will be communicated to the Contractor.

#### **ALTERNATE/EQUIVALENT PROPOSALS**



Contractors may offer proposals that are at variance from the express specifications of the request. The County reserves the right to consider and accept such proposals if, in the judgment of the Points of Contact, the proposal will result in goods or services equivalent to or better than those which would be supplied in the original proposal specifications.

If this request is for specific goods, materials, or equipment, Contractors must indicate on the request the alternate manufacturer's name and part numbers and shall submit with their proposal sketches, descriptive literature, and complete specifications. Reference to literature submitted with a previous proposal will not satisfy this provision. Proposals which do not comply with these requirements are subject to rejection. In the absence of any stated deviation or exception, the proposal will be accepted as in strict compliance with all terms, conditions, and specifications, and the Contractor shall be held liable therefore.

### **LUMP SUM OR "ALL OR NONE" PROPOSALS**

The County reserves the right to purchase item-by-item, by groups, or as a total when the County may benefit by so doing. Contractors may submit a proposal on an "all or none" or "lump sum" basis but should also submit a proposal on an item-by-item basis. The term "all or none" means a conditional proposal that requires the purchase of all items that are offered and Contractor declines to accept award on individual items; a "lump sum" proposal is one in which the Contractor offers a lower price than the sum of the individual proposals if all items are purchased but agrees to deliver individual items at the prices quoted.

### **PROPOSAL PREPARATION COSTS**

The County shall not incur any liability for any costs incurred by Contractors in replying to this request, in participating in the demonstrations or oral presentations, or in any other activity related to bidding on this request.

### **FAILURE TO COMPLY WITH REQUEST FOR PROPOSAL**

Violations of the terms and conditions contained in this request or any resultant contract, at any time before or after the award, shall be grounds for action by the County, which may include, but is not limited to, the following:

1. Rejection of a contractor's proposal;
2. Withdrawal of the Intent to Award;
3. Withdrawal of the Award;
4. Negative Performance Reports;
5. Termination of the resulting contract;
6. Legal action; and,
7. Suspension of the Contractor from further bidding with the County for a period of time relative to the seriousness of the violation, such period to be within the sole discretion of the County.

### **REJECTION OF PROPOSALS**

The County reserves the right to reject any or all proposals, wholly or in part, in the best interests of the County.

## **RESIDENT BIDDER**

Pursuant to Neb. Rev. Stat. §§ 73-101.01 through 73-101.02, a Resident Bidder may be allowed a preference against a Nonresident Bidder from a state which gives or requires a preference to Bidders from that state. The preference shall be equal to the preference given or required by the state of the Nonresident Bidders. Where the lowest responsible bid from a Resident Bidder is equal in all respects to one from a Nonresident Bidder from a state which has no preference law, the Resident Bidder may be awarded the contract. The provision of this preference shall not apply to any contract for any project upon which federal funds would be withheld because of the provisions of this preference.

## **SECTION II: COMMUNITY PROFILE**

Box Butte County is located in the Nebraska Panhandle and encompasses the City of Alliance and the Village of Hemingford, as well as unincorporated and rural property. These municipalities have local building and zoning regulations, and the City of Alliance has established an extra-jurisdictional territory that extends its building and zoning regulations. The County is in the final stages of completing an updated comprehensive plan, which updated the 2001 Comprehensive Plan. The current Zoning Regulations were adopted in 2001, and amended in 2003 and 2004. No other substantial changes to the Zoning Regulations have occurred since then.

## **SECTION III: PROJECT DESCRIPTION AND SCOPE OF WORK**

### **PROJECT OVERVIEW**

This Request for Proposals seeks to establish a relationship with a qualified Contractor to assist with an evaluation of current zoning regulations, update the current zoning regulations after the adoption of the updated 2025 Comprehensive Plan, and assist in the development of zoning regulations to incorporate the new components of the comprehensive plan, which include but are not limited to energy generation. This evaluation and update should maintain the overall character of the zoning regulations and supplement or adjust them as needed, which includes updating language and terminology to be current. The development of zoning regulations for new components of the 2025 updated Comprehensive Plan will include energy and energy generation, particularly commercial, but may also include addressing other focus areas identified in the key planning goals.

The project deliverable anticipate well-organized and user-friendly regulations with supporting graphics, tables, maps, and diagrams as appropriate. The updates should provide better consistency throughout and ensure that terminology is current, with outdated language updated or eliminated for ease of comprehension. The updated regulations should also promote efficient administration and be responsive to market conditions, best practices, and quality outcomes.

## **PROJECT BUDGET**

The project budget has not been established and is negotiable based on the different plans and reports included in the scope of work. Contractors must provide a practical budget for undertaking each portion of the project scope of work. Contractors should keep in mind current economic conditions and be as efficient as possible in this process.

## **PROJECT REQUIREMENTS**

The overall timeline for the development of the Zoning Regulations is approximately nine to twelve months. As part of the proposal response, Contractors must submit a project schedule of anticipated tasks showing key task target dates, including meetings and hearings, and the estimated duration of each task. Variations from the County's intended timeline may be negotiated.

## **SCOPE OF WORK**

The consultant will review the existing zoning regulations, in coordination with Planning and Zoning Board members, County Zoning Administrator, and the County Attorney. This review is essential for gaining a baseline understanding of what inconsistencies exist between the current zoning regulations and Nebraska Law, and other applicable legal requirements. During this review it is also expected that the consultant will work with these parties to understand what aspects of the current zoning and subdivision regulations should be preserved. The consultant is expected to have recommendations following this review for strategies to best accomplish the update and to improve the process.

- Testing proposed regulation changes on sample scenarios to ensure that what is being proposed will in fact be applicable
- Review and incorporation of Planning and Zoning Board, County Commissioners, County Zoning Administrator, and the County Attorney comments
- Completion is expected to be a coordinated effort by consultants, County Zoning Administrator, Planning and Zoning Board members, and County Commissioners. The consultant team is expected to be responsible for the project management and follow-up required to keep the project on track.
- Consolidation and cross-referencing to eliminate repeat language and minimize the need to reference multiple chapters or documents unnecessarily
- Development of a comprehensive section of the zoning ordinance and subdivision regulations that addresses nonconformities, processes thereof, and standards that staff and developers find user-friendly and straightforward
- The consultant should be prepared to present the finished product to the Planning and Zoning Board for review and recommendations, and the County Commissioners for adoption.
- The consultant will meet with Planning and Zoning Board Members at least every other monthly to give updates on zoning regulation progress and request feedback.
- This process is expected to have a nine (9) to twelve (12) month schedule for completion.

## **DELIVERABLES**

The Zoning Regulation format shall consist of both digital files (Microsoft Word; Adobe PDF) and hard copies printed in an 8 ½ by 11 (vertically oriented) three ring binder format that lends itself to amendments. The contractor shall deliver the draft and final documents in both hard copy and electronic formats to allow for reproduction and revision.

- Prepare Zoning Regulation drafts for staff, citizens, and Planning and Zoning Board review.
- Produce final copies for approval and adoption by the County Commissioners.
- Provide the County with a reproducible hard and digital copy of the adopted Zoning Regulation. Digital documents and maps shall be easily editable and provided in the following file formats:
  - Zoning Regulation text, diagrams, and graphics must be provided in Adobe PDF.
  - Zoning Regulation text must also be provided in Microsoft Word format.

## **SECTION IV: PROPOSAL INSTRUCTIONS**

This section documents the requirements that should be met by Contractors in preparing the Technical and Cost Proposal. Contractors should identify the subdivisions of Project Description and Scope of Work clearly in their proposals; failure to do so may result in disqualification. Failure to respond to a specific requirement may be the basis for elimination from consideration during the County's comparative evaluation.

Proposals must demonstrate that the Contractor has the professional capabilities to accomplish the project and should contain any relevant and helpful information that indicates the Contractor's ability to successfully complete all aspects of the Project Description and Scope of Work. Completed proposals should be no longer than twenty-five (25) pages and are due by the date and time shown in the Schedule of Events. Content requirements for the Technical and Cost Proposal are presented separately in the following subdivisions, format, and order:

### **A) Technical Proposal Contents**

- 1) Corporate Overview: The Corporate Overview section of the Technical Proposal should consist of the following subsections:
  - a) Contractor Identification and Information
    - (i) The Contractor should provide the full company or corporate name, address of the company's headquarters, entity organization (corporation, partnership, proprietorship), state in which the Contractor is incorporated or otherwise organized to do business, year in which the Contractor first organized to do business and whether the name and form of organization has changed since first organized.
    - (ii) If any change in ownership or control of the contractor is anticipated during the twelve months following the proposal due date, the Contractor should describe the circumstances of such change and indicate when the change will likely occur. Any change of ownership to an awarded Contractor will require notification to the County.
  - b) Office Location:

- (i) The Contractor's office location responsible for performance pursuant to an award of a contract with the County should be identified.
- c) Relationship with the County:
  - (i) The Contractor should describe any dealings with the County over the previous ten years. If the organization, its predecessor, or any party named in the contractor's proposal response has contracted with the County, the contractor should identify the contracts or provide any other information available to identify such contracts. If no such contracts exist, so declare.
  - (ii) If any party named in the contractor's proposal response is or was an employee of the County within the past ten years, identify the individuals by name, job title or position held with the County, and separation date. If no such relationship exists or has existed, so declare.
  - (iii) If any employee of the County is employed by the Contractor or is a subcontractor to the Contractor, as of the due date for proposal submission, identify all such persons by name, position held with the Contractor, and position held with the County (including job title and agency). Describe the responsibilities of such people within the Contractor. If, after review of this information by the County, it is determined that a conflict of interest exists or may exist, the Contractor may be disqualified from further consideration in this proposal. If no such relationship exists, so declare.
- d) Summary of the Contractor's Experience
  - (i) The Contractor should provide project summaries for a minimum of three of the contractor's previous projects similar to this request in size, scope, and complexity. If there are not three previous projects, declare. The County will use no more than five (5) narrative project descriptions submitted by the Contractor during its evaluation of the proposal.
  - (ii) The contractor should provide at least one narrative description to highlight the similarities between the Contractor's experience and this request. These descriptions should include:
    - (a) The time period of the project;
    - (b) The scheduled and actual completion dates;
    - (c) The Contractor's responsibilities;
    - (d) For reference purposes, a customer name (including the name of a contact person, a current telephone number, and e-mail address); and
    - (e) Each project description should identify whether the work was performed as the prime contractor or as a subcontractor.
  - (iii) Contractor and subcontractor experience should be listed separately, and any narrative descriptions submitted for subcontractors should be specifically subcontracted projects.
  - (iv) If the work was performed as a subcontractor, the narrative description should identify the same information as requested for the Contractors above. In addition, subcontractors should identify what share of contract

costs, project responsibilities, and time period were performed as a subcontractor.

e) Subcontractors

- (i) If the Contractor intends to subcontract any part of its performance hereunder, the contractor should provide:
  - (a) name, address, and telephone number of the subcontractors;
  - (b) key personnel and support staff of each subcontractor;
  - (c) specific tasks for each subcontractor;
  - (d) percentage of performance hours intended for each subcontract; and
  - (e) total percentage of subcontractor performance hours.

f) Prior Contract Performance

- (i) If the Contractor or any proposed subcontractor has had a contract terminated for default during the past ten years, all such instances must be described as required below. Termination for default is defined as a notice to stop performance delivery due to the Contractor's non-performance or poor performance, and the issue was either not litigated due to inaction on the part of the Contractor or litigated and such litigation determined the Contractor to be in default.

It is mandatory that the Contractor submit full details of all termination for default experienced during the past five years, including the other party's name, address, and telephone number. The response to this section must present the Contractor's position on the matter. The County will evaluate the facts and will score the Contractor's proposal accordingly. If no such termination for default has been experienced by the Contractor in the past ten years, so declare.

If at any time during the past ten years, the Contractor has had a contract terminated for convenience, non-performance, non-allocation of funds, or any other reason, describe fully all circumstances surrounding such termination, including the name and address of the other contracting party.

B) Cost Proposal Contents

1) Itemized Cost

- a) The cost for each subpart of the project should be itemized to allow the County to prioritize and choose subparts based on a cost/benefit analysis and to aid in cost comparisons between potential Contractors.

2) Total Budgeted

- a) The total budget should reflect the estimated cost for the entire project. If the proposal includes work that will be done by subcontractors, the cost for each subcontractor should be delineated. Indirect costs listed in the budget must be substantiated if the proposal is selected.

Because of budget constraints and appropriations of funds, additional funding is unlikely. Contractors should not anticipate budget expansions unless alternate means of funding are identified and procured.

C) Signature/Certification

The proposal must be signed by an official authorized to bind the offer and must contain a statement that the proposal is a firm offer for a ninety (90) day period from the proposal opening date.

The proposal must also provide the following information: name, title, address, and telephone number of the individual with authority to contractually bind the Contractor. This information may be included in the Request for Proposal for Contractual Services Form or in Form A.

## REQUEST FOR PROPOSAL FOR CONTRACTUAL SERVICES FORM

### CONTRACTOR MUST COMPLETE THE FOLLOWING

Mark any that apply:

<p>_____ RESIDENT BIDDER AFFIDAVIT: Contractor hereby attests that Contractor is a Nebraska Contractor. “Nebraska Contractor” shall mean any bidder who has maintained a bona fide place of business and at least one employee within this state for at least the six (6) months immediately preceding the posting date of this Solicitation.</p>
<p>_____ I hereby certify that I am a Resident disabled veteran or business located in a designated enterprise zone in accordance with Neb. Rev. Stat. § 73-107 and wish to have preference, if applicable, considered in the award of this contract.</p>
<p>_____ I hereby certify that I am a blind person licensed by the Commission for the Blind &amp; Visually Impaired in accordance with Neb. Rev. Stat. §71-8611 and wish to have preference considered in the award of this contract.</p>

By signing this Request for Proposal for Contractual Services form, the Contractor guarantees compliance with the procedures stated in this Solicitation and agrees to the terms and conditions unless otherwise indicated in writing

***FORM MUST BE SIGNED USING AN INDELIBLE METHOD (NOT ELECTRONICALLY)***

CONTRACTOR:	
COMPLETE ADDRESS:	
TELEPHONE NUMBER:	
FAX NUMBER:	
DATE:	
SIGNATURE:	
TYPED NAME AND TITLE OF SIGNER:	



**Form A**  
**Contractor Proposal**  
**Point of Contact**

Form A should be completed and submitted with each response to this solicitation. This is intended to provide the County with information on the Contractor's name and address, and the specific person who is responsible for preparation of the Contractor's response.

Preparation of Response Contact Information	
Contractor Name:	
Contractor Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number	
Telephone Number	
Fax Number:	

Each Contractor should also designate a specific contact person who will be responsible for responding to the County if any clarifications of the Contractor's response should become necessary. This will also be the person who the County contacts to set up a presentation/demonstration.

Communication with the City Contact Information	
Contractor Name:	
Contractor Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number	
Telephone Number	
Fax Number:	