

**Request for Proposal  
RFP # 20-007**

**Major Update to the LCI Downtown Master Plan  
City of Fairburn, GA**

**August 5, 2020**



# **Request for Proposal - RFP #20-007**

## **Major Update to the LCI Downtown Master Plan, City of Fairburn, GA**

The City of Fairburn, Georgia is soliciting responses to the above referenced Request for Proposal (RFP). This RFP seeks to identify one or more consultants who are qualified to conduct a major update to the LCI Downtown Master Plan for the city of Fairburn, Georgia. Information about this contract opportunity is provided below and on the City's website, located at [www.fairburn.com](http://www.fairburn.com).

Instructions for preparation and submission of proposals are included in this package. All proposals must be received at the City of Fairburn City Hall, located at 56 Malone Street, Fairburn, Georgia 30213, **no later than 3:00 p.m. on September 1, 2020** to receive consideration.

All questions concerning the RFP must be addressed in writing to Tarika Peeks at [tpeeks@fairburn.com](mailto:tpeeks@fairburn.com) **no later than 3:00 PM on August 19, 2020**.

### **STATEMENT OF QUALIFICATIONS, SUBMISSION REQUIREMENTS AND EVALUATION**

The complete original proposal must be submitted in a sealed package. All proposals shall be marked, **RFP # 20-007 & LCI Downtown Master Plan**. Respondents shall be responsible for the actual delivery of proposals during business hours to the City of Fairburn. It shall not be sufficient to show that the proposal was mailed in time to be received before scheduled closing time.

Firms should provide the following information related to this RFP:

1. One-page cover letter summarizing the consultant's interest in the Project and identifying the contact information of the project manager/key contact.
2. Names and résumés (including an email address) of a principal, the project manager/key contact (if different) and key staff members who will work on the Project.
3. Names of any subconsultants (including key personnel and résumés) and a summary of their scope of services.
4. A statement of project approach that addresses how the consultant will accomplish the identified scope of work.
5. A proposed schedule to complete the Project (timeline including key milestones for deliverables after Notice to Proceed).
6. A project budget and fee itemized by each work task/phase that identifies:
  - a) The standard hourly billing rate for each staff member (or employee classification) anticipated to work on the Project
  - b) The number of hours worked per staff member
  - c) The percentage of total work completed by the prime consultant and any subconsultant(s)
  - d) Total cost for all anticipated reimbursable expenses
7. For the consultant and any subconsultants: description of a minimum of four (4) similar or related projects successfully completed within the last five years including references

with names and contact information. Of particular interest would be any projects completed within large city downtowns.

8. A letter(s) from the consultant or any subconsultant(s) identifying the firm's DBE status (as applicable) and percentage of work proposed to be conducted for the Project.
9. As necessary, additional information demonstrating understanding and insights related to the project scope that will allow the City to accurately evaluate the firm's capability.

Responses to this RFP should be in the form of a written proposal not to exceed 25 pages, excluding the cover letter. The City will select the respondent that demonstrates the best combination of qualifications, price, and overall value to the City. Interviews may be required; however, the City reserves the right to award a contract based upon evaluation of the written proposals only, or evaluation of any other submitted materials alone or in combination with other materials.

All proposals must be in writing and must be received at the address below no later than **3:00 p.m.** on **September 1, 2020**. All proposals, delivered by hand or other methods, should clearly indicate the information below on the outside of the sealed package or envelope. One (1) unbound and four (4) bound original copies of the complete proposal are required.

**PROPOSAL:** LCI Downtown Master Plan - RFP # 20-007

City of Fairburn  
56 Malone Street  
Fairburn, Georgia 30213  
Attn: Tarika Peeks, Director of Planning and Zoning

Disadvantaged Businesses Enterprise (DBE) requirements of 49 CFR Part 26 applies to LCI projects since federal funds are utilized. The DBE goal for this project is 15.64 percent.

## **INTRODUCTION**

The City of Fairburn is soliciting proposals from qualified professional consultants to conduct a major update to the LCI Downtown Master Plan. While the initiative is considered a “major update” of the plan, given the significant changes that have occurred since the original plan, it is more of a complete revamp of the plan and vision. Fairburn was at the time of the original plan experiencing small increments of growth, but in the past few years it has undergone substantial growth in the downtown area and nearby commercial corridors. An increase in residential development, infrastructure improvements, and new businesses in the downtown area has resulted in a different community which supports the need to update the existing plan.

The City of Fairburn’s staff and elected officials understand that downtown is the “heart” of the city. Fairburn’s downtown area has an important and unique role in the City’s economic and social development. Downtown creates an area of activities where commercial, cultural, and civic activities are concentrated. This concentration facilitates business, social, and cultural exchange. The goal of the study is to provide a strategically focused, goal driven blueprint for growth and development that will invigorate the downtown area and make it an attractive place to live, work, and play.

Project funding has been provided through a federal grant from the Atlanta Regional Commission’s (ARC) Livable Centers Initiative (LCI) program.

## **BACKGROUND**

The City of Fairburn is in the southern metro region of Atlanta. The main access is through I-85, exit at route 74 and 138. Route US 29 (Broad Street) is the main arterial road that connects to the Union City, Palmetto and College Park. The City of Fairburn is located approximately 10 miles from Hartsfield Jackson Airport and 18 miles from downtown Atlanta. The downtown area is small and quaint, the core consists of two blocks with historical buildings located at the intersection of Broad Street and W. Campbellton Street. Fairburn’s Historic Downtown District is listed in the National Register of Historic Places.

The study area consists of the Historic Downtown and its vicinity including the Fairburn Education Campus, civic facilities, neighborhoods on the southside of the railroad tracks and the Lightning District. The study area extends from Highway 92 on the north of Brooks Drive on the south along Roosevelt Highway. The CSX railroad line divides the study area into two parts. To the southeast of the rail line, the study area extends all the way to Senoia Road to include the old Campbell County Courthouse, Landmark Christian School, and the neighborhoods around East Broad Street. Towards the north of the railroad line, the LCI study boundary encompasses the residential neighborhoods around Rivertown Road abutting Clarence Duncan Park and the Renaissance Festival grounds.

The study may incorporate recommendations from the City of Fairburn’s 2009 Livable Communities Initiative (LCI) Study as appropriate. The study will consist of five tasks, each with its own deliverable:

1. Existing Plan Assessment
2. Housing and Market Analysis
3. Public Input
4. Updated Plan
5. Prepare Project Deliverables

## **SCOPE**

The development plan's goals are to: 1) engage community stakeholders to seek input on the development and growth of the downtown LCI study area; 2) establish a vision for the physical development of the area including illustrated best practices for design standards that establish aesthetic guidelines supported by the stakeholders; 3) develop goals and strategies for implementing and accomplishing the vision; 4) identify key redevelopment sites and strategies to jumpstart development; 5) list and prioritize implementation strategies, specifically for public investment in the downtown area; and 6) review and update zoning regulations within the study area with emphasis placed on regulations that support the LCI priority area. Specific items the study shall include:

1. Summary of existing conditions and issues, including land use, zoning, transportation, housing, and infrastructure conditions
2. Assessment of current LCI plan and other relevant plans
3. Vision and goals for the downtown area
4. Recommended policies and programs to implement community vision
5. Detailed implementation strategy and action plan to move the plan forward that includes recommendations from the Market and Housing Analysis
6. Housing and Market Analysis
7. Transportation assessment and recommendations
8. Site specific recommendations for 2-3 catalytic sites in the downtown area
9. Funding Opportunities

These tasks are discussed in more detail below; however, within the Request for Proposals (RFP), Consultants are encouraged to recommend additional and/or different approaches to enhance the development and implementation of a master plan, inclusive of the following:

### **Task 1 – Existing Plan Assessment, Inventory and Recommendations**

For this Task, the Consultant will conduct a thorough review and assessment of existing condition within the study area including a review of the current LCI plans and other relevant studies. The focus of the assessment will include, at a minimum, the following:

- Review the most recent LCI action plan and identify the status of each item listed;
- Review existing plans' proposals for future land uses, development, zoning, transportation, and public facilities and compare to conditions "on the ground" today
- Conduct additional technical analysis on subareas that have changed significantly since the last plan update;
- Analyze and document existing conditions and issues related to land use, transportation, stormwater, housing, and infrastructure.

### **Land Use and New Development**

The Consultant shall inventory existing land uses in the study area, particularly in the downtown corridor and account for possible new developments or land uses that may impact future development. The data analysis should be based on community Land Use Plans and interviews with local governments, the public, the business community, ARC data, etc. Low and high growth scenarios may be used. As part of a previous initiative with ARC, a housing needs assessment inventory has been completed to support this effort.

Some new developments and initiatives to be included in the study include:

- *Economics of Higher Density* - There is trend in the City of Fairburn and neighboring jurisdictions for higher density. The study should identify probable impacts to traffic and the economy associated with low, moderate and high future density study area.
- *Catalytic Development Site* – The study should identify 2-3 sites in downtown that include a market analysis, regulatory recommendations, and visualization of key concepts.

### Overlay Zone

The Consultant shall evaluate the existing Highway 29 Overlay District standards and provide recommendations and different approaches that will facilitate the revitalization of the downtown corridor. Subject matter to be considered include permitted uses, zoning setbacks and buffers, landscaping, architectural standards, building heights, signage, parking, the use of sidewalks, etc.

### **Task 2 – Housing and Market Analysis**

For this Task, the Consultant will prepare a market and housing analysis that will support the plan recommendations and ensures the proposed plan is realistic.

The focus of the assessment should include the following:

- Level of market opportunity and depth by land use and product type (i.e. how much and what type of retail is needed)
- Demand and feasibility assessment for housing (by type and cost), retail, offices, and other uses within the downtown area, and an assessment of competing uses in districts near the downtown area;
- Develop customer profiles, which should include detailed demographics, lifestyle segmentation data, commuting patterns, actual customer spending habits, or other pertinent information;
- Identify where new development can be located to most effectively catalyze further reinvestment;
- Identify new housing development type that can be introduced within the LCI downtown study area that align with the guidance for development types, scale, and character in the study area;
- Develop the recommendations that identify best practices(s) and/or development incentives of financing mechanisms for housing and economic development that align with the Regional Housing Strategy and The Atlanta Region’s Plan.

### **Task 3 – Public Input**

For this Task, the goal is to develop a local planning outreach process that promotes the involvement of all stakeholders in the study area, with efforts and accommodations made to include low to moderate income, minority, and elderly or disabled citizens. As one of the first steps in the project, the Consultant shall develop a *Public Engagement Plan*. This document shall establish the means and methods for conveying information and encouraging and incorporating input from the aforementioned target groups, other stakeholders, property owners, elected officials, etc. The use of technology, social media and/or other progressive ideas for engaging the public is encouraged.

The plan shall have a schedule and description of the public/community engagement activities anticipated during the project and identify responsibilities. The plan shall identify all stakeholders and facilitate their involvement in the study process. These tasks will be documented through meeting notices, meeting summaries and other written communications. Responses and acknowledgement of public comments must be addressed in the study reports.

The public involvement process shall, at a minimum, include the following components:

a) *Project Management Team*

A Project Management Team must be established that includes a representative from the City of Fairburn, the consultant, and ARC. This team shall meet or hold a conference call monthly to discuss the study progress and advise on public involvement and other planning process issues.

b) *Core Team*

A Core Team must be established to include the members of the Project Management Team along with representatives from key stakeholder groups in the study area. The Core Team must include representatives from relevant state, regional, and local government departments responsible for land use planning, transportation, and housing (including applicable housing authorities/agencies). The key responsibility of the Core Team is to review and comment on materials to be presented at public meetings, help advertise meetings, provide strategic direction to the plan, and distribute information to the larger community.

c) *General Public Engagement*

During the study process, the Consultant shall make a reasonable effort to involve all stakeholders in the study area, including property owners, residents, business owners, and employers/employees. The public involvement process should include a variety of methods, times, and techniques to reach the broadest range of stakeholders possible (i.e. workshops, charrettes, forums, surveys, open houses). The Project Management Team, including the representative from ARC, and the Core Team must be notified of all meetings taking place in a timely manner.

A minimum of three (3) public engagement activities, in a format determined by the Project Management Team, the following topics/milestones should be covered by the public engagement activities (at a minimum):

- Provide an overview of the study process, the goals of the study, key dates, and opportunities for public input;
- Solicit opinions on goals and objectives of the study, stakeholder needs, strengths, weaknesses, opportunities, and threats in the study area
- Review preliminary findings, present a draft plan, and gather comments
- Seek approval of final plan documents and concepts

Virtual meetings and/or digital engagement activities can be used to meet the above activities.

d) *Final Plan Review and Transportation Coordination Meetings*

A transportation project coordination meeting is required to be conducted prior to finalizing the LCI plan recommendations. To ensure the transportation projects are feasible, the coordination meeting should include all affected organizations (such as GDOT, County Government, City Public Works, MARTA, etc.) to discuss potential projects prior to the transportation improvement list being finalized. The final plan review is to be at the ARC offices to discuss the plan process, issues or unique activities that occurred, and future projects that the area needed to implement the plan once the plan is complete.

#### **Task 4 – Updated Plan**

Review the existing LCI Downtown Master Plan and update the goals, policies and action strategies based on the findings of Task 1, 2, and 3 and prepare a detailed development concept plan. At a minimum, this plan will assess and update the study area’s current land use patterns, environmental constraints, transportation patterns and urban design elements, including pedestrian, bicycle, and transit access; access to jobs, retail and neighborhood services; diversity of dwelling types; and design for healthy living and social interaction. This analysis should be coordinated with other completed studies, programs, developments, and organizations. At a minimum, this plan and study will contain the following components:

1. Summary of existing conditions and issues identified in Task 1. This includes land use, zoning, transportation, housing, and infrastructure conditions.
2. Assessment of the current LCI plan and other relevant plans that have an impact on the plan update, also covered in Task 1.
3. Vision and goals for the downtown area that address the following:
  - a) Mix of land uses appropriate for future growth including new and/or revised land use regulations needed to complete the development program
  - b) Mixed-income housing, job/housing match and social issues such as access to healthy foods and aging in place
4. Recommended policies and programs to implement community vision.
5. Recommended revisions to the zoning ordinance and development of regulations to support the vision which includes street design standards.
6. Detailed implementation strategy and action plan to assist the city in moving the plan forward that includes the recommendations from the Market and Housing Analysis
7. Site-specific recommendations for 2-3 catalytic sites in the downtown that include a market analysis, regulatory recommendations, and visualization of key concepts.
8. Short-term and long-term Creative Placemaking Strategies
9. Transportation assessment and recommendations which include:
  - a) Transportation demand reduction measures
  - b) Internal mobility improvements including traffic calming, pedestrian and bicycle circulation, transit access, and safety and security of all modes
  - c) Placemaking strategies including but not limited to public art, wayfinding, lighting, and streetscapes
  - d) Continuity of local streets in study area and extension of the street grid
  - e) Conceptual renderings of the key transportation recommendations
  - f) Temporary and interim transportation improvements
  - g) Opportunities for green infrastructure within transportation recommendations
  - h) Parking analysis



## **Task 5 – Prepare Project Deliverables**

The goal of this task is to compile the results of the overall work effort, the study process, relevant findings, and recommendations into a final study/plan document. The final study document shall include the following (not necessarily in this order) into an easy to read format:

- I. Executive Summary**
- II. Assessment of Existing Plan and Conditions from Task 1**
  - a) A description of the findings from Task 1 including the status of key LCI recommendations from the previous plan.
- III. Summaries of the plan development process from Task 3:**
  - a) A description of the study process and methodology, data gathering techniques and findings, and general outcomes.
  - b) A description of the public participation process used to achieve a community-supported program of improvements.
- IV. Updated Concept Plan and Study, including:**
  - a) Maps, concept illustrations, and other graphic representations to support the plan including (but not limited to): the study area, existing land use, future land use, existing transportation facilities, and proposed transportation improvements.
  - b) Catalytic Projects locations with renderings to depict the redevelopment concept of the sites
  - c) Identify locations of transportation recommendations.
- V. Housing and Market Analysis from Task 2:**
  - a) Include a summary of the Housing and Market analysis and economic development recommendations in the planning document and executive summary and provide the full report as an appendix.
- VI. Implementation Strategy:**
  - a) Describe the organizational structure and processes that will be used to ensure the action plan items are implemented. Focus should be given to collaboration opportunities with other organizations and strategies to ensure continued support from local elected officials, citizens, and businesses.
  - b) Recommendations from the Market and Housing Analysis
  - c) A 100-day Action plan shall be developed to include no-cost or very low-cost actions and organizational steps needed to keep momentum going and the stakeholders involved and sharing responsibility for the plan's success. This action plan should include short term creative placemaking measures and temporary transportation installations that the City of Fairburn can undertake to test out concepts in a lighter, cheaper, faster manner.
  - d) A description of the changes required within the zoning ordinance, development regulations, and/or other locally adopted policies to support the concept plan and

street design standards, with revised language for adoption, and including a committed schedule for adopting such changes.

- e) An evaluation process used to monitor plan implementation and update the action plan every five years (or more often if need), should be identified.

**VII. Five-year Implementation Plan (aka Schedule of Actions):** Using the “5 Year Implementation Plan” template provided by ARC, create a list of all actions and projects that are planned in the study area to implement the study goals, programs, and projects. Schedules should include estimated start date, completion date, cost estimate and responsible party. This short-term implementation plan should include specific actions with start and end dates that implement the LCI plan, including, but not limited to:

- a) A prioritized description of transportation improvement projects (local, state and federal) that will support the study area goals;
  - i. A prioritized description of housing strategies, particularly for affordable and mixed income housing developments, that support a job-housing match, aging in place, and efficient utilization of transportation facilities in the study area. These should align with the Regional Housing Strategy recommendations and the Regional Housing Demand Forecast
  - ii. A prioritized description of economic development and placemaking strategies
- b) A prioritized description of transportation improvement projects that are long term in nature five-year implementation plan.

#### **Appendix**

- The full market/fiscal feasibility report
- Detailed transportation assessment
- Revised Land Development regulations to implement the concept plan including the street design standards.
- Assessment of existing plan.

#### **Format of Final Deliverables:**

- Four (4) printed copies of the final report and appendices (8.5”x11”)
- PDF file of Final Report and all appendices
- The 5-Year Implementation Plan in Excel using the ARC template.
- All electronic files in their original formats (e.g. MS Word, Excel, InDesign, etc.) with supporting graphics and GIS shape files.

#### **SELECTION CRITERIA FOR PROSPECTIVE CONSULTANTS:**

To receive consideration, the respondent’s proposal should be responsive to the project requirements described in the Submission Requirements section of this document. The contract will be awarded to the respondent determined to be the most qualified to perform the work based on established evaluation criteria. The City of Fairburn reserves the right to split a contract award such that multiple respondents receive at least a portion of the award.

A selection committee will be convened to evaluate the proposals based on the following weighted criteria:

<u>Firm/Staff Qualifications.</u>	30%
<u>Similar Clients/Contracts.</u>	20%
<u>Project Understanding.</u>	15%
<u>Fee Proposal.</u>	25%
<u>Project Administration</u>	5%
<u>Local Presence</u>	5%
<i>Total:</i>	100%

Local Presence is defined as follows:

- The business has a physical structure (dwelling) located in the geographical boundaries of the city. A business with a post office box only, does not qualify for such credit. The business must be performing a commercial useful function within the dwelling.
- The majority owner of the business lives within the geographical boundaries of the city, but the business is not geographically located in the city. The owner must own, manage, and control at least 51% of the business to be deemed the majority owner.
- At least 50% of the business’s employees are residents within the geographical boundaries of the city.

**NOTICE OF AWARD**

The primary intent of this RFP is to identify a single source to provide all the needed services; however, the City of Fairburn reserves the right to make split awards.

If the City of Fairburn decides to split the award, it will do so to the top highest scoring respondents. The highest scoring respondent(s) will be sent a Notice of Award. The Notice of Award is not a notice of an actual contract award; instead, it is the notice of the City of Fairburn’s expected contract award(s) pending resolution of the protest process. The Notice of Award (“NOA”) is the City of Fairburn’s public notice of actual contract award(s) and must be approved by City Council.

**SCHEDULE**

The schedule of events set forth herein represents the City of Fairburn’s best estimate of the schedule that will be followed. However, delays to the procurement process may occur which may necessitate adjustments to the proposed schedule. If a component of this schedule, such as the close date, is delayed, the rest of the schedule may be shifted as appropriate. Any changes to the dates, up to and including the closing date of the RFP, will be publicly posted prior to the closing date of this RFP. After the closing date of the RFP, the City of Fairburn reserves the right to adjust the remainder of the proposed dates, including the dates for evaluation, negotiations, award, and the contract term on an as needed basis with or without notice.

Description	Date	Time
Release of RFP	August 5, 2020	N/A
Deadline for written questions to City of Fairburn	August 19, 202	3:00 p.m. ET
Responses to Written Questions	August 26, 2020	5:00 p.m. ET
Proposals Due/Close Date and Time	September 1, 2020	3:00 p.m. ET
Proposal Evaluation Completed (on or about)	September 21, 2020	N/A
Notice of Award (on or about)	September 30, 2020	N/A
Work Begin (on or about)	November 1, 2020	N/A
Completion (est. 12 months)	December 1, 2021	N/A

### **CONFLICTS OF INTEREST**

Each respondent must include a full disclosure of all potential organizational conflicts of interest for each member of its team. The responder is prohibited from receiving any advice or discussing any aspect of the project or its procurement with any person with whom it has a conflict of interest. By submitting its proposal, each respondent agrees that, if a conflict of interest is thereafter discovered, the respondent must make an immediate and full written disclosure to the City of Fairburn that includes a description of the action that the respondent has taken or proposes to take to avoid or mitigate such a conflict. If the respondent was aware of a conflict of interest prior to award and did not disclose the conflict to the City of Fairburn, The City of Fairburn may terminate the award for default.

### **RESTRICTIONS ON COMMUNICATING WITH STAFF**

From the issue date of this RFP until the results are announced, respondents are not allowed to communicate about this solicitation or scope with any City staff except for the submission of questions as instructed in the RFP. Prohibited communication includes all contact or interaction, including but not limited to telephone, emails, faxes, letters, or personal meetings, such as lunch, entertainment, or otherwise. The City of Fairburn reserves the right to reject the request of any respondents violating this provision.

### **INFORMATION & INSTRUCTIONS**

**Responsibility:** It is the sole responsibility of the Respondent to assure that they have received the entire Request for Proposal (RFP).

**Changes or Modifications to RFP:** Respondents will be notified in writing of any change in the specifications contained in this RFP.

**Interpretations:** No verbal or written information that is obtained other than through this RFP or its addenda shall be binding on City of Fairburn. No employee of City of Fairburn is authorized to interpret any portion of this RFP or give information as to the requirements of the RFP in addition to that contained in or amended to this written RFP document.

**Right of Rejection and Clarification:** City of Fairburn reserves the right to reject any and all proposals and to request clarification of information from any respondent. City of Fairburn is not obligated to enter into a contract on the basis of any proposal submitted in response to this document.

**Request for Additional Information:** Prior to the final selection, the respondent may be required to submit additional information which the City may deem necessary to further evaluate the respondent's qualifications.

**Denial of Reimbursement:** City of Fairburn will not reimburse respondents for any costs associated with the preparation and submittal of any proposal, or for any travel and/or per diem

costs that are incurred.

Gratuity Prohibition: Respondents shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of City of Fairburn for the purpose of influencing consideration of this proposal.

Right of Withdrawal: A proposal may not be withdrawn before the expiration of ninety (90) days from the proposal due date.

Right of Negotiation: City of Fairburn reserves the right to negotiate with the selected respondent the fee for the proposed scope of work and the exact terms and conditions of the contract.

Exceptions to the RFP: It is anticipated that respondents may find instances where they may take exception with certain requirements or specifications of the RFP. All exceptions shall be clearly identified, and written explanations shall include the scope of the exceptions, the ramifications of the exceptions for City of Fairburn, and a description of the advantage to be gained or disadvantages to be incurred by the City as a result of these exceptions.

Indemnification: The Respondent, at their own expense and without exception, shall indemnify, defend and pay all damages, costs, expenses, including attorney fees, and otherwise hold harmless the City of Fairburn, its employees, and agents, from any liability of any nature or kind in regard to the delivery of these services. The Respondent shall secure and maintain General Liability Insurance as will protect him from claims under the Workers Compensation Acts and from claims for bodily injury, death, or property damage which may arise from the performance of his services under this contract. Further, the respondent shall provide City of Fairburn with evidence and the amount of Errors and Omissions Insurance, i.e. Professional Liability Insurance currently in effect.

Rights to Submitted Material: All proposals, responses, inquiries, or correspondence relating to or in reference to this RFP, and all reports, charts, and other documentation submitted by respondents shall become the property of City of Fairburn when received.

Title VI/Nondiscrimination Statement: No person shall on the grounds of race, color, national origin, sex, age and handicap/disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the City. The City does further commit that it will affirmatively ensure that disadvantaged business enterprises as defined in 49 CFR Part 23 will be afforded full opportunity to submit in response to this request and will not be discriminated against on the grounds of race, color, national origin, sex, age, handicap/disabled in consideration of an award.

Termination of Contract: City of Fairburn may cancel the contract at any time for breach of contractual obligations by providing the successful respondent with a written notice of such cancellation. Should City of Fairburn exercise its right to cancel the contract for such reasons, the cancellation shall become effective on the date as specified in the notice of cancellation.

Assignment: The successful respondent shall not sell, assign, transfer or convey any contract resulting from this RFP, in whole or in part, without the prior written consent of City of Fairburn.

Conflict of Interest: The Respondent covenants that they presently have no interest and shall not acquire any interest, directly or indirectly, which would conflict in any manner or degree with the performance of the services hereunder. The Respondent further covenants that no person having any such known interest shall be employed or conveyed an interest, directly or indirectly, in the contract.

Independent Contractor: The Respondent represents itself to be an independent contractor offering such services to the general public and shall not represent himself or his employees to be an employee of the City of Fairburn. Therefore, the Respondent shall assume all legal and financial responsibility for taxes, FICA, employee fringe benefits, workers compensation,

employee insurance, minimum wage requirements, overtime, and other expenses, and agrees to indemnify, save, and hold the City of Fairburn, its officers, agents, and employees, harmless from and against, any and all loss; cost (including attorney fees); and damage of any kind related to such matters. The Respondent shall further understand that the City of Fairburn cannot save and hold harmless and or indemnify the respondent and/or the Respondent's employees against any liability incurred or arising as a result of any activity of the Respondent or any activity of the Respondent's employees performed in connection with the contract.

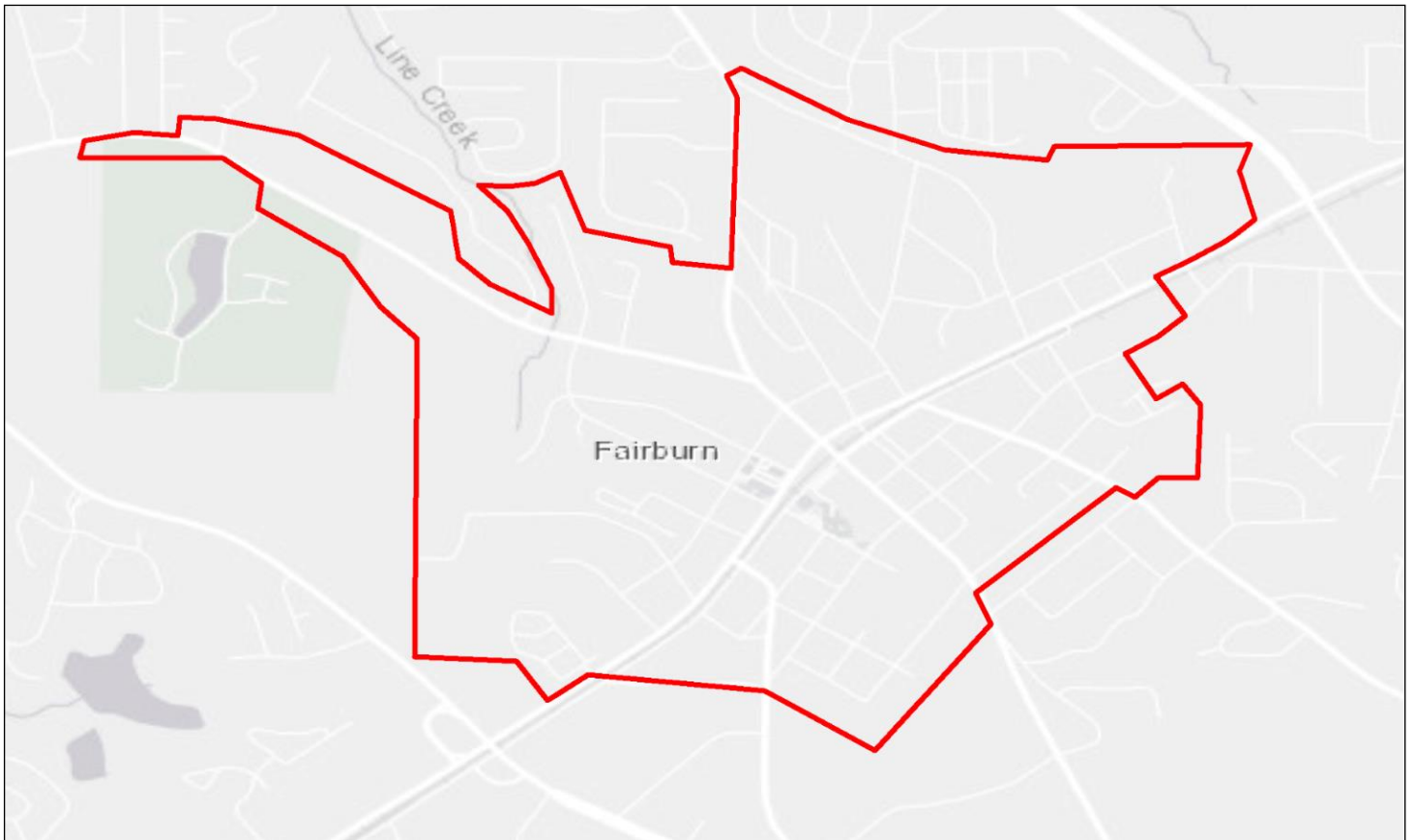
Contract: The contract between the City of Fairburn and the respondent shall consist of (1) the RFP and any amendments thereto, (2) the proposal submitted by the respondent to the City in response to the RFP, and (3) executed contract (Consultant Agreement) between the City of Fairburn and the successful respondent. In the event of a conflict in language between the documents referenced above, the provisions and requirements set forth and/or referenced in the Consultant Agreement shall govern. However, the City of Fairburn reserves the right to clarify any contractual relationship in writing with the concurrence of the respondent, and such written clarification shall govern in case of conflict with the applicable requirements stated in the RFP or the respondent's proposal. In all other matters not affected by the written clarification, if any, the RFP shall govern.

Compliance with Laws: In connection with the furnishing of supplies or performance of work under the contract, the respondent agrees to comply with the Fair Labor Standards Act, Equal Opportunity Employment Act, Georgia Security and Immigration Compliance Act, and all other applicable Federal and State laws, regulations, and executive orders to the extent that the same may be applicable and further agrees to insert the foregoing provision in all subcontracts awarded hereunder.

Disadvantage Business Enterprise (DBE) policy: The DBE goal is 15.64%. The percentage is not a quota. DBE requirements are governed by 49 CFR Part 26 and apply to all federal funded projects.

**ATTACHMENT A**

**Project Study Area**





# ATTACHMENT B

## Highway 29 Overlay District Boundary and Nodes

