

# **REQUEST FOR QUALIFICATIONS**

## **Consultant Services for Gorge SS4A Safety Action Plan**

**RFQ Published: August 28, 2024**

**Proposals Due: September 18, 2024**

**Issued by:**

**Southwest Washington Regional Transportation Council  
1300 Franklin Street, Suite 185  
Vancouver, WA 98660  
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# 1 GENERAL INFORMATION

## 1.1 INTRODUCTION

The purpose of this Request for Qualifications is to hire a Firm or Firms (Consultant) interested in providing professional consultant services to support the Southwest Washington Regional Transportation Council (RTC) in developing a comprehensive safety action plan for the Skamania and Klickitat two-county Columbia River Gorge region. Development of the safety action plan is included in RTC's adopted FY 2025 Unified Planning Work Program (UPWP).

RTC is the regional transportation planning organization (RTPO) designated for the three-county region of Clark, Skamania and Klickitat counties. As a product of the regional transportation planning process, safety has been identified as a priority regional goal. To help meet this goal, RTC applied for and successfully received \$300,000 in federal funding from the United States Department of Transportation (USDOT) Safe Streets and Roads for All (SS4A) grant program.

## 1.2 PURPOSE

The purpose of SS4A grants is to improve roadway safety by significantly reducing or eliminating roadway fatalities and serious injuries for all transportation system users, including people walking, biking, using transit, drivers, and micromobility users. This can be achieved through the development of safety action plans that must include the following elements:

- I. Planning Structure: Establishment of a specific committee or task force that will lead the implementation of the action plan that needs to have good representation from all of the E's (equity, engineering, engagement, enforcement, etc.)
- II. Safety Analysis: Completion of a robust baseline crash analysis—including information by mode, time of day, contributing factor, etc.—for existing conditions and historical trends. To the extent practicable, the analysis should include all roadways within the jurisdiction, without regard to who manages the roadways. Based on the analysis performed, a geospatial identification of higher-risk locations should be developed (a High-Injury Network or equivalent).
- III. Engagement and Collaboration: Ensure a robust, equitable engagement process with the public and relevant community members that allows for both representation and feedback. Information received from engagement and collaboration must be analyzed and incorporated into the action plan.
- IV. Equity Considerations: Include equity throughout the data- and needs-analysis process and the relationships of race, ethnicity, and houselessness to crashes. The analysis should include both population characteristics and initial equity impact assessments of the proposed projects and strategies.
- V. Policy and Process Changes: Review existing policies and show how these policies can be changed/improved/updated to meet the targets for reducing fatalities and serious injuries and show how they will adapt and change over time. The action plan needs to

address implementation through the adoption of revised or new policies, guidelines, and/or standards, as appropriate.

- VI. Strategy and Project Selections: Prioritized list of projects/strategies with associated timelines for implementation (e.g., short-, mid-, and long-term timeframes) that will likely support significant reduction or elimination of roadway fatalities and serious injuries and that ensure equitable investment in underserved communities. They should include specific projects and strategies, or descriptions of programs of projects and strategies, and explain prioritization criteria used. The list should support the Safe System Approach by containing interventions focused on infrastructure, behavioral, and/or operational safety.
- VII. Progress and Transparency: Ensure public transparency in the process and show how data will be shared over time and what evaluation criteria will be utilized. Must include, at a minimum, annual public and accessible reporting on progress toward reducing roadway fatalities and serious injuries, and public posting of the action plan online.

RTC has experienced leading safety planning efforts across the RTPO. In 2014 RTC completed a Safety Management Assessment for Clark County, Washington, to develop a process for the effective management of the transportation system. The goal of the assessment was the same as that of the Washington State's Strategic Highway Safety Plan: to reduce traffic fatalities and serious injuries to zero by 2030 for all road users, including pedestrians, bicyclists, public transportation users and operators, personal conveyance, micromobility users, motorists, and commercial vehicle operators.

In 2019 RTC provided support for Battle Ground, Camas, La Center, Ridgefield, and Washougal to develop local road safety plans. These plans were expanded upon in 2023 when RTC was awarded SS4A funding to complete a Safety Action Plan for Clark County. That project will update the existing safety plans, completed as part of the Safety Management Assessment, to review the original baseline analysis. The project will also create a comprehensive regional safety action plan for the Clark County metropolitan planning area.

With this new project RTC will lead the development of Local Road Safety Plans for Stevenson, Bingen, White Salmon, and Goldendale. Klickitat and Skamania counties each have existing safety plans. This project will establish a baseline analysis of the incorporated areas in the two-county region and create a comprehensive regional safety action plan for the region. In addition to the county and local jurisdictions, project partners will include WSDOT, Tribal Nations, transit agencies, police, fire, and human services.

### **1.3 BACKGROUND AND GENERAL INFORMATION**

This Request for Qualifications outlines a description of the professional services sought, as well as the required documents to be submitted by the interested Consultant. All responses shall be submitted by 3:00 p.m., September 18, 2024. *Any responses received after the deadline will not be considered.*

The responses received by the due date will be used to determine which Consultant, in RTC's sole opinion, best meets the requirements to support the *SS4A Safety Action Plan for Klickitat and*

*Skamania Counties*. An evaluation team will review responses, may interview Consultants, recommend a final rank order of qualified consultants, and select the Consultant. The final decision regarding contract award will be made by the RTC Board of Directors in an open public meeting.

For its own best interests, RTC reserves the right to accept any response or to reject any and all responses.

The successful Consultant will be required to comply with Equal Employment Opportunity laws, as well as other applicable federal, state, and local laws and requirements.

#### **1.4 AGENCY BACKGROUND**

The Southwest Washington Regional Transportation Council (RTC) is the designated Metropolitan Planning Organization (MPO) for Clark County, Washington. RTC is also the state-designated Regional Transportation Planning Organization (RTPO) for the region consisting of Clark County, Skamania County, and Klickitat County. As the MPO/RTPO, RTC conducts numerous regional transportation planning activities for the region.

RTC leads the development of an array of metropolitan and regional transportation planning functions, including preparation and management of programs such as the Regional Transportation Plan (RTP), the Transportation Improvement Program (TIP), ITS planning and management, transportation operations planning, the Congestion Management Process, air quality planning, transportation demand management planning, development of the regional travel forecasting models; conducts special regional transportation studies; and performs other data collection and analysis functions as directed by the governing board.

RTC will be solely responsible for administration and management of the Consultant contract.

#### **1.5 CONTRACT DURATION**

The contract awarded as a result of this RFQ will be for up to a three-year period from the beginning of the contract period. RTC reserves the right to terminate the contract based on unsatisfactory provision of services or lack of funding.

#### **1.6 FUNDING**

Funding for this project will be provided by federal USDOT SS4A funding, together with local matching funds. Consultants must comply with applicable administrative and funding regulations.

#### **1.7 LOCAL AGENCY ROLES**

Transportation planning activities may be closely coordinated with planning partners in the region. Deliverables produced may be presented to both technical and policy making committees, including, the Regional Transportation Advisory Committee (RTAC), the RTC Board, Klickitat County and Skamania County Transportation Policy Committees, local agencies, the Washington State Department of Transportation (WSDOT), and other groups as needed.

A qualified Consultant must be able to understand the current transportation planning, community consultation, implementation partner engagement, and plan reporting best practices. Consultants

must be cognizant of related activities of regional and local jurisdictions and interagency relationships when preparing and carrying out project work.

## **1.8 RELATIONSHIP TO OTHER REGIONAL PLANS AND PROGRAMS**

All of RTC's transportation planning activities support the delivery of the agency's Unified Planning Work Program (UPWP). When performing tasks, the successful Consultant must be cognizant of related planning work of the agency, to include the Regional Transportation Plan (RTP), the Transportation Improvement Program (TIP), ITS planning and management, transportation operations planning, the Congestion Management Process, air quality planning, transportation demand management planning, regional travel forecasting model, contemporary special transportation studies, and current data and community conditions.

## **2 SCOPE OF WORK**

### **2.1 CONSULTANT ACTIVITIES**

The tasks in this section describe the activities to be conducted by the Consultant as part of the technical assistance needed for the transportation planning programs.

#### **CONSULTANT ASSISTANCE OVERVIEW**

The Consultant Assistance Scope of Services is intended to identify specific tasks where assistance is needed to support the development of the Gorge SS4A Safety Action Plan for Skamania and Klickitat Counties.

Consultant assistance specifically requires developing all aspects of the tasks described in Section 2.2. Assistance required in this scope of work relies on the expertise and knowledge of the Consultant to assist RTC.

The Consultant will provide a Project Manager for the Gorge SS4A Safety Action Plan, who will act as the principal contact with RTC. The Project Manager for the consultant will be responsible for ensuring that the appropriate consultant staff and resources are utilized for the discrete expertise required for the tasks described below.

This scope of work requires that the Consultant have expert knowledge of developing safety action plans, from policy development to effective and efficient use of resources for safety planning purposes.

### **2.2 STUDY TASKS**

#### **TASK 1: CONSULTANT COORDINATION WITH RTC**

This task will provide for consultant coordination with RTC on the overall project and work needed to develop the safety plans. Coordination between the Consultant and RTC will include implementation of partner outreach, draft and final Plan, and billing and provision of progress reports to RTC.

## **TASK 2: SAFETY ANALYSIS**

Task 2 is focused on data collection for the development of the safety action plan and local road safety plans, including crash data, traffic volumes, and other roadway data.

## **TASK 3: LOCAL ROAD SAFETY PLANS**

This task will include the development of the Local Road Safety Plans for Bingen, White Salmon, Stevenson, and Goldendale. For each plan, the safety analysis and project lists will be developed; and the work may also include establishing safety goals, safety priorities, and potential funding resources.

## **TASK 4: COMMUNITY ENGAGEMENT**

This task includes the development of a community engagement process for both the public and coalition members that allows for both community representation and feedback. This task will also include a regional safety forum for policymakers and implementing partners. The Consultant will be responsible for managing the logistics of the forum, with support from RTC staff.

## **TASK 5: SAFETY GOALS**

This task includes the analysis of safety needs, including the establishment of safety goals and priorities for reducing fatalities and serious injuries.

## **TASK 6: POLICY REVIEW**

This task includes the review of existing policies and provides recommendations on how these policies can be changed/improved/updated over time.

## **TASK 7: PROJECT LIST**

This task includes the development of a prioritized list of projects/strategies with associated timelines for implementation.

## **TASK 8: SAFETY ACTION PLAN**

This task will require the development of a Safety Action Plan for Klickitat and Skamania counties. The draft plan will be reviewed by RTC and project agencies before completion and adoption of the final plan. This task will include the development of a presentation(s) that can be presented by local staff to the RTC Board and other agencies in the adoption process.

## **TASK 9: SS4A IMPLEMENTATION GRANT APPLICATION**

This task includes the development of an implementation grant application for the SS4A program. The application will focus on regional priorities identified in the safety action plan.



## **2.3 RTC RESPONSIBILITY**

RTC will have overall responsibility for managing identification of the scope of work, management of scope delivery, and approval of all deliverables. RTC will provide direction to the Consultant, who will provide technical activities to support the Study Tasks as noted in the *Scope of Work* section above.

Unless otherwise directed, formal and informal communication following contract award shall be directed to the RTC Project Manager.

## **2.4 CONSULTANT'S ROLE**

The Consultant and RTC will work together to develop scope of work Task Orders, which identify detailed activities, timelines, and budgets. RTC approval is required before commencing Consultant work and/or any changes in assigned Task Orders. The Consultant will carry out activities specified in the scope of work. Coordination and communication will be required between the Consultant and RTC Project Manager.

## **2.5 PROJECT (TASK ORDER) SCHEDULE**

RTC intends that specific Task Orders and associated schedules will be negotiated with the Consultant.

## **2.6 REPORTS BY CONSULTANT**

The Consultant shall provide recurring progress reports and monthly written reports to RTC. The Consultant shall provide any draft deliverables for inspection and comment by RTC prior to submitting final deliverable(s) to RTC. Consultant shall utilize RTC design guidelines and templates.

## **2.7 SUBCONTRACTING**

The selected Consultant shall submit names of potential subcontractors to the Project Manager for review and approval prior to entering into proposed subcontracts. The Project Manager shall have the right to approve or reject subcontractors prior to execution of a contract with the lead Consultant.

# **3 GENERAL REQUIREMENTS**

## **3.1 RESPONSE DOCUMENTS**

Response documents shall include in fact or by reference the following:

- Request for Qualifications
- Addenda to RFQ (if applicable)
- Statement of Qualifications
- Project Understanding and Scope of Work

Provide a narrative demonstrating the consultant’s understanding of developing Local Road Safety Plans and SS4A-compliant Safety Action Plans. Address how the consultant will provide guidance and assistance in conducting associated tasks. Responses should be prepared simply and succinctly, providing straightforward descriptions of qualifications and work scope to satisfy the requirements of the RFQ. Outline of Scope should be clear and concise. RTC shall not be liable for any expense incurred in the preparation of responses. All responses and submissions will become the property of RTC and will not be returned to the respondent.

### **3.2 ADDENDA TO RFQ**

RTC reserves the right to make any changes in the RFQ as deemed appropriate. Any and all changes shall be made by written Addendum, which shall be issued by RTC to all interested firms who have been issued copies of the RFQ from RTC.

### **3.3 SUBMITTAL OF RESPONSES**

**Proposals will be received by RTC until 3:00 p.m. (Local Time), September 18, 2024. Any response received after the prescribed deadline will not be considered.**

Proposals may be mailed or hand-delivered and shall be addressed as follows:

Mail/Hand Delivery:  
Southwest Washington Regional Transportation Council  
ATTN: Adam Fiss  
1300 Franklin St., Suite 185  
P.O. Box 1366  
Vancouver, Washington 98666-1366

The Proposal shall be sealed in an envelope, box, or other suitable package. To ensure proper identification and handling, mark in the lower left-hand corner of the envelope: **“Gorge SS4A Safety Action Plan.”**

**One (1) hard copy and one (1) electronic file (PDF format on a USB drive) of the Proposal is to be furnished to RTC at the time and place specified above.**

RTC will send a confirmation e-mail once the file has been received by RTC in an acceptable format. RTC makes no special provision for receipt of documents. Proposal submittals should, therefore, be sent in ample time to arrive at RTC before the actual due date. RTC shall not be liable for documents that do not arrive by the deadline.

### **3.4 INQUIRIES ON RFQ**

Questions on this RFQ should be addressed to the above address or to [procurement@rtc.wa.gov](mailto:procurement@rtc.wa.gov) with a cc to [Adam.Fiss@rtc.wa.gov](mailto:Adam.Fiss@rtc.wa.gov). The Project Manager or designee shall be the single point of contact relating to this Work Program during the response period.

### **3.5 VALIDITY PERIOD**

Consultants shall be considered current and a valid offer to undertake the work, subject to successful negotiation of a contract, for a period of at least ninety (90) days and shall contain a statement to that effect.

### **3.6 RFQ EVALUATION PROCESS**

The following time line will be observed in selecting a consultant:

Release Request for Qualifications	August 28, 2024
Submittals Due to RTC	September 18, 2024
Interviews	Week of September 30, 2024*
Selection	October 2024

*\*Note: Interview and Selection schedule subject to change at the sole election of RTC*

A time schedule will be established after the Proposals are reviewed, scored, and a consultant selected. RTC and the selection committee reserve the right to determine the most qualified team based only on the submitted qualifications. For its own best interests and in its own discretion, RTC reserves the right to accept any response or to cancel this solicitation and reject all responses at any time during the procurement process.

### **3.7 ASSIGNABILITY**

To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.

This RFQ may be subject to Washington State Statute RCW 39.34.030. Therefore, RTC may be acting as lead agency for the Washington State Department of Transportation, which will be billed by RTC for service costs.

## **4 TERMS OF PAYMENT**

The contractor will be paid on a monthly basis for authorized and satisfactorily completed work and services as rendered under this contract. Such payment shall be full compensation for work performed and services rendered; for all supplies, materials, equipment, or use thereof; for all transportation, lodging, and meals; and for all other necessary incidentals. All expenses shall be detailed on invoices submitted by the contractor to RTC. Fees for services shall be detailed by date, type of service provided, hours per type of service, hours per day, hourly rate, and total per day. Reimbursable expenses shall be itemized and shall be detailed by copies of all invoices for all nontravel reimbursable expenses. An original invoice must be received by the 25th of the month for submittal to the RTC Board of Directors for approval and payment after the monthly Board meeting held on the first Tuesday of each month. Invoices must be addressed to Adam Fiss, Senior Planner, RTC, P.O. Box 1366, Vancouver, WA 98666-1366, or [Adam.Fiss@rtc.wa.gov](mailto:Adam.Fiss@rtc.wa.gov), and copy [RTC Accounting](#).

## **5 REQUEST FOR QUALIFICATIONS**

### **5.1 RESPONSE REQUIREMENTS**

Each response shall contain the following items:

- A letter of transmittal containing a statement addressing the required validity period (see Part 3.5 above) and a statement that the Consultant has received, read, and understands this Request for Qualifications
- An indication of review and understanding of the required certifications (see Appendix of this Request for Qualifications, Attachments 1 and 2). The successful contractor will be required to complete the certifications.
- Table of Contents
- Response documentation as outlined in 3.1
- A written response addressing the items listed in 5.2 through 5.6

### **5.2 COMPANY DESCRIPTION**

Include the number of years the Consultant has been in business, its size, specialties, and other relevant information responsive to this solicitation. Describe resources and capabilities that will be available to perform the services required under this contract and include a list of best practices the Consultant utilizes for project management and client relations. Include the name and address of any subconsultant(s) that may perform work under this contract and what services they may provide.

### **5.3 QUALIFICATIONS OF CONSULTANT**

Describe the depth of your team's relevant experience and skills and relate that experience to your understanding of the project. Outline past experience, including project description and date, working in the region. Emphasize the direct and related experience of your team's project personnel (not the reputation or experiences of the firms with which they are associated). Include a description of the project team, including the project manager, and an organizational chart showing responsibilities and decision-making authority. Project team members are to be identified by name and fields of expertise.

### **5.4 REFERENCES OF CONSULTANT**

Include a minimum of three (3) relevant client references. Provide the name and phone number of the individual to be contacted for each reference. References should include a written description of the work performed.

## **5.5 AVAILABILITY**

Include a statement of other work currently underway or anticipated to be in progress during the time frame of this project and show how the Consultant intends to schedule projects so this project is accomplished as well.

## **5.6 OTHER INFORMATION**

Consultants are free to provide other information that may assist RTC in determining the consultant's qualifications to undertake the work described.

# **6 CONSULTANT SELECTION**

## **6.1 EVALUATION**

Proposals received in response to this RFQ will be evaluated and numerically ranked by an evaluation team to consist of representatives from RTC and may also include local partners. The consultant team deemed to be the most highly qualified to provide the services required for the proposed project—based on overall score—and reference checks will be identified as the preferred consultant. Based on the evaluation team's input, RTC's Project Manager may, at his or her discretion, elect to interview the top two ranked teams to select the one with the highest qualifications. If interviews are conducted, 10 points will be added based on the interview.

Once selected, RTC's Project Manager will negotiate a scope of services and a fee that is fair and reasonable. If agreement cannot be reached on scope of services and a fair and reasonable fee, negotiations with that firm shall be formally terminated. At this point RTC has the option to select another highly qualified team and enter into contract negotiations.

## **6.2 EVALUATION TEAM**

Qualifications received in response to this RFQ will be evaluated by an evaluation team to consist of representatives from RTC and Transportation Policy Committee partners.

## **6.3 EVALUATION CRITERIA**

The evaluation team shall review the qualifications in accordance with the following criteria:

- Capabilities of Consultant Project Team (40 Points)
  - Qualifications and experience of key personnel
  - Experience and knowledge in regional and general transportation planning
  - Experience in working with multiagency and advocacy groups and teams
  - Level of proficiency for technical skills desired
  - Strategic knowledge of regional transportation agencies and local jurisdictions within RTC service area and their associated transportation programs and issues

- Experience in the public communications and contemporary online public engagement process
- Experience in Plan report writing and contemporary layout/design and graphic formats
- Proposed Project Approach (40 Points)
  - Project management expertise and philosophy
  - Proposed project management process and work program
  - Relevance of firm qualifications and work references to proposed work program
  - Commitment of Project Manager and team to project and experience of team working together
- Quality of Proposal and References (20 Points)
  - Readability and Presentation
  - Clarity
  - Communication of team strengths and overall approach
  - Previous client references

Total Points: 100

## **7 GENERAL TERMS AND CONDITIONS**

### **7.1 CONTRACT**

The successful Consultant must enter into a Professional Services agreement with RTC. The work shall be executed under the direction and supervision of the RTC Executive Director and his/her properly authorized agents, on whose inspection all work shall be accepted or condemned. The RTC Executive Director shall have the full power to reject or condemn any materials furnished or work performed under the Contract, that does not conform to the terms and conditions set forth.

### **7.2 LIMITATION**

This RFQ does not commit RTC to award a contract or to procure or contract for services or supplies.

### **7.3 REJECTION OF PROPOSALS**

RTC reserves the right to accept or reject any or all proposals received as part of this RFQ, to negotiate with any or all prospective contractors on modifications to proposals, to waive formalities, to postpone award, or to cancel in part or in its entirety this RFQ if it is in the best interest of RTC to do so.

### **7.4 PROCUREMENT PROTEST PROCEDURE**

Every effort will be made by RTC to resolve disputes relating to consultant selection. The option of informal mediation may be used for resolution. Any bidder may file a written complaint with the RTC's Executive Director. Upon receiving the written complaint, RTC will determine the most

reasonable way to resolve the dispute. Written complaints should be addressed to RTC – Purchasing, P.O. Box 1366, Vancouver, WA 98666-1366.

#### **7.5 NONDISCRIMINATION**

RTC, 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 proposers that it will affirmatively ensure that in regard to any contract entered into pursuant to this Request for Qualifications, minority business enterprises will be afforded full opportunity to respond to this request and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award. Persons with disabilities may request this information be prepared in alternate forms by calling RTC at (564) 397-5211.

#### **7.6 REIMBURSEMENT**

RTC will not reimburse suppliers for any costs involved in the preparation and submission of responses to the RFQ or in the preparation for and attendance at subsequent interviews. Furthermore, this RFQ does not obligate RTC to accept or contract for any expressed or implied services. RTC reserves the right to request any respondent to clarify its proposal or to supply any additional material deemed necessary to assist in the evaluation of the response.

#### **7.7 PROPOSALS BECOME PUBLIC RECORDS**

During the evaluation process, RTC treats all proposals with the highest level of confidentiality; however, once the evaluation process has been completed and a contract is awarded, the entire procurement becomes public information and subject to the Washington State Public Disclosure Act (RCW 42.17). Any proprietary information revealed in the proposal should, therefore, be clearly identified as such. RTC will notify any proposer before releasing the proprietary information to any request for public records.

## **APPENDICES**



CERTIFICATION REGARDING INELIGIBLE CONTRACTORS

The \_\_\_\_\_ (Name of Proposer) certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Where the Proposer is unable to certify to any of the statements in this certification, such Proposer shall attach an explanation to this proposal.

The Proposer certifies or affirms the truthfulness and accuracy of the contents of the statement submitted on or with this certification and understands that the provisions of 31 U.S.C. Section 3801 Et Seq. are applicable thereto.

\_\_\_\_\_  
Authorized Official

\_\_\_\_\_  
Attorney's Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title of Authorized Official

\_\_\_\_\_  
Date

SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL  
(RTC)

AFFIDAVIT CONCERNING CONFLICTS OF INTEREST  
AND NONCOMPETITIVE PRACTICES

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

The undersigned, being first duly sworn, on oath states on behalf of the contractor:

A. Conflict of Interest

That the contractor by entering into this contract with RTC to perform or provide work, services, or materials to RTC has thereby covenanted, and by this affidavit does again covenant and assure, that it has no direct or indirect pecuniary or proprietary interest, and that it shall not acquire any such interest, which conflicts in any manner or degree with the services required to be performed under this contract and that it shall not employ any person or agent having any such interest. In the event that the contractor or its agents, employees, or representatives hereafter acquire such a conflict of interest, it shall immediately disclose such interest to RTC and take action immediately to eliminate the conflict or to withdraw from this contract, as RTC may require.

B. Contingent Fees and Gratuities

That the contractor, by entering into this contract with RTC to perform or provide services or materials for RTC, has thereby covenanted, and by this affidavit does again covenant and assure:

1. That no person or selling agency bona fide employees or designated agents or representatives of the contractor has been employed or retained to solicit or secure this contract with an agreement or understanding that a commission, percentage, brokerage, or contingent fee would be paid; and

2. That no gratuities, in the form of entertainment, gifts, or otherwise, were offered or given by the contractor or any of its agents, employees, or representatives, to any official member or employee of RTC or other governmental agency with a view toward securing this contract or securing favorable treatment with respect to the awarding or amending, or the making of any determination with respect to the performance of this contract.

\_\_\_\_\_  
Company Name

By \_\_\_\_\_

Title \_\_\_\_\_

Subscribed and Sworn to Before Me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

residing at \_\_\_\_\_.