



REQUEST FOR PROPOSALS

RISE Ohio Legal and Technical Assistance for Regional Opportunity Zone Planning

Summary and Background

The RISE Ohio (Resilience Initiative for Southeastern and Eastern Ohio) is a U.S. EDA Assistance to Coal Communities program initiative led by Ohio University's Voinovich School, BHRC, and OMEGA focused on economic diversification; Opportunity Zone planning, development, and investment; and assistance to communities impacted by coal fired power plant closures.

Buckeye Hills Regional Council (BHRC) is a council of governments established in 1968 and serves the counties of Athens, Hocking, Meigs, Monroe, Morgan, Noble, Perry and Washington in rural Appalachian Ohio. Buckeye Hills administers funding from multiple State and Federal sources in the areas of community and economic development, transportation planning and aging services in order to address the needs of member communities.

The Ohio Mid-Eastern Governments Association (OMEGA) is a council of governments also established in 1968 and serves the counties of Belmont, Coshocton, Columbiana, Carroll, Guernsey, Harrison, Holmes, Jefferson, Muskingum, and Tuscarawas in eastern Appalachian Ohio. OMEGA provides opportunities in economic and community development through networking, education, planning, research, and allocation of resources and is a Regional Transportation Planning Organization for eight of the ten counties. OMEGA's mission is to provide a pathway to enhance community and economic growth in the region.

Project Description

Given the proliferation of Opportunity Zones, the most competitive Opportunity Zones across the nation generally offer additional investment incentives (e.g. TIF, SID, JEDD or other credits) and wrap-around services such as workforce development training, educational access, small business development services, etc. Additionally, the optimal Opportunity Zones in our regions will be near the communities most heavily impacted by the Covid-19 pandemic and the decline in the coal industry.

This RFP is requesting proposals from qualified and interested parties to provide **technical assistance and training** for our local communities in the 18-county region and designated members of BHRC and OMEGA staff. Project oversight and advisement to the BHRC and OMEGA leadership may also be necessary.

Scope of Work

The successful consultant will be required to:

- Serve as lead technical/planning/legal consultant to assist BHRC, OMEGA and impacted communities in an 18-county region with understanding, integrating and implementing Opportunity Zone benefits with additional federal, state and local incentives and economic development wrap around services to attract external investment.

- Serve as advisor to BHRC and OMEGA staff as they undertake the creation of the regional Opportunity Zone Prospectus in their 8- and 10-county regions.
- Identify and coordinate with additional legal and technical assistance consulting partners as necessary and in accordance with federal guidelines to carry out project activities, including but not limited to:
 - Developing complimenting incentive components as well as local policy recommendations for communities that may catalyze investment
 - Identifying additional designations to make the Opportunity Zones competitive (e.g. TIF, SIDS, JEDs, foreign trade zones, enterprise zones, or other appropriate designation)
 - Making appropriate recommendations regarding zoning modifications to support development
 - Making appropriate recommendations regarding local legislation and policies to encourage investment
 - Providing support for partner communities seeking New Market Tax Credits, housing credits, and other financial incentives
 - Identifying federal grant programs and resources that are applicable to development within the identified areas. Please note that the preparation of grant applications is excluded from this RFP.
- Assist BHRC and OMEGA staff to identify and procure specialized technical assistance necessary to facilitate development in opportunity zones. This technical assistance is broadly defined to best meet the market opportunities to diversity these regional economies, facilitate recovery from the pandemic, develop resiliency and transition them from coal dependence amidst the regional decline in coal and final policies.
- Ensure strategies or policies created as a result of the specialized technical assistance are available to all opportunity zone communities through the provision of a library of information available for all communities in the BHRC and OMEGA regions.
- Advise BHRC and OMEGA staff in their efforts to coordinate opportunity zone investments and incentives with local planning efforts and objectives.
- Conduct regular status meetings with BHRC and OMEGA
- Facilitate meetings with community leaders, BHRC, and OMEGA as needed for program implementation
- Coordinate working efforts among project partners, including Ohio University

Period of Performance:

The period of performance for the U.S. EDA Assistance to Coal Communities funded RISES project is January 7, 2021 – January 7, 2024. The firm selected would be expected to serve as an advisor for the project team for the period of September 1, 2021 through December 31, 2023.

Requirements to be Responsive to RFP:

The Proposal shall be prepared IAW with the rules codified in 2 CFR 200 (Unified Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and submitted with the following listed sections completed as part of one singular document, in a digital format with print capabilities. BHRC and OMEGA may solicit additional information at a later time.

Part 1 – Company and Response Information Summary

The respondent must provide information as follows:

1. Company Name and Address to which to send contract/service agreement (if awarded)
2. Website Address

3. Phone Number
4. Proposal Price and Payment Terms (60 days is preferred)
5. Name, Address, Phone, Mobile, Email Address of Key Representative(s) Responsible for carrying out project activities, inclusive of billing for services

Part 2 – References

Provide a minimum of 3 and a maximum of 6 references. They should ideally be similar to BHRC and OMEGA – i.e., regional organizations or public entities who have contracted with the respondent for the same services and/or products. If such references are not available, list references which match as closely as possible.

Part 3 – Legal/Planning Consultant Qualifications and Experience (50%)

1. Provide a description of the qualifications and experience of key personnel and entities relative to attracting private investment for community-driven projects, utilizing economic development incentives, and providing wrap around services to enable increased economic development activity. Please include details on:
 - a. Successful track record in providing technical assistance resulting in increased investment to a community
 - b. Demonstrated experience working in and understanding of the unique challenges to spurring economic development in rural communities
 - c. Familiarity with Opportunity Zone designation and uses, federal and state tax credits, as well as other relevant funding opportunities
 - d. Proven ability to work with communities and the public sector in delivering projects and meeting development goals
 - e. Sufficient staff and consultant resources to deliver the Project
 - f. Demonstrated ability to collaborate with community stakeholders and local organizations
2. Provide descriptions of previous projects that the Respondent has undertaken that are similar to this Project. Please include References as detailed in Part 2 of this RFP.

Part 4 – Approach (30%)

1. Please provide overview of the approach to delivering the Scope of Work identified above, inclusive of both legal consulting services to communities, advisement of BHRC and OMEGA staff throughout the project period, and assistance to identify and procuring specialized technical assistance necessary to facilitate development in opportunity zones

Part 5 – Schedule (10%)

Provide a plan to develop a Project Schedule in coordination with BHRC and OMEGA staff to reach key milestones

Part 5 – Cost (10%)

BHRC and OMEGA anticipate entering into a three-party agreement for services. The successful respondent should expect to provide monthly invoices to both OMEGA and BHRC based upon actual percentage of work completed for each organization. The maximum budget available for this project is \$100,000.

Respondents should address the following in response to this RFP:

1. Overall total Lump Sum cost for services
2. Detailed breakdown of activities/tasks to be completed and cost associated with each

3. Rationale for tracking and billing BHRC and OMEGA monthly based upon actual percentage of work completed for each BHRC and OMEGA.

Timeline and Deliverables:

Interested firms should respond by email to Sam Miller, Development Director, smiller@buckeyehills.org. The subject line should read 'BHRC/OMEGA-Opportunity Zone Legal/Planning Consultant RFP'.

RFP Issued	May 14, 2021
Questions Concerning the RFP Due to smiller@buckeyehills.org	May 28, 2021
RFP DUE	June 11, 2021
Interviews	July 2021
Notification of Award	August 18, 2021
Work Commences	September 1, 2021

Any proposal received after the time and date specified, prepared or submitted, may not be eligible for consideration. ALL PROPOSALS MUST BE SIGNED.

Failure to provide this information may result in rejection of the proposal.

BHRC and OMEGA reserves the right to reject any proposal not prepared and submitted according to the provisions herein outlined, and may reject any or all proposals.

IMPORTANT NOTE: The respondent is cautioned against last minute attempts to meet the due date & time and BHRC and OMEGA will not be responsible for network outages, and other related internet malfunctions on the part of the respondent in submitting their proposal.

Evaluation and Selection

All qualified proposals submitted in accordance with the terms of the RFP will be evaluated to determine the most responsive entity. A uniform selection process will be used to evaluate all proposals.

Staff from BHRC, OMEGA, and Ohio University will review and evaluate all proposals received in response to this Request for Proposal. Based upon this evaluation, BHRC and OMEGA staff will make a recommendation to their respective Executive Boards for review and approval.

Proposals will be evaluated and ranked based on the selection criteria outlined below. The top ranked firms, groups, or persons to interview as part of the evaluation process. After the conclusion of the evaluation process, the firms, groups, or persons will be ranked in priority order with the highest-ranking firm, group, or person being selected to negotiate a contract and scope of services with BHRC and OMEGA. If a contract satisfactory to both parties cannot be negotiated, BHRC and OMEGA will then enter into negotiations with the next highest ranked firm, group, or person and so on until an agreement is reached.

In the event BHRC and OMEGA elect to negotiate a contract with a selected firm, group, or person, BHRC and OMEGA reserves the right to negotiate such terms and conditions of the contract, including, but not limited to scope, role, price, and staffing which may be in the best interests of BHRC and OMEGA.

Proposal evaluation will be based upon the following criteria:

- Project Approach, Scope, and Cost

- Experience and ability to successfully complete the scope of services
- Experience with developing opportunity zones in rural areas
- Demonstrated experience with economic and community development activities
 - Work experience within this 18-county Appalachian Ohio region

Discrimination

No person in the United States must, on the ground of race, color, national origin, handicap, age, religion, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under, any program or activity receiving Federal financial assistance.

To effectuate compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.); as amended, OMEGA is required to include the following in any solicitation or contract and these provisions will be incorporated into the contract between OMEGA and the selected consultant (CONSULTANT). The CONSULTANT will need to abide by these provisions:

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d *et seq.*) and DOC implementing regulations published at 15 C.F.R. Part 8 prohibiting discrimination on the grounds of race, color, or national origin under programs or activities receiving Federal financial assistance.
2. Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 *et seq.*) prohibiting discrimination on the basis of sex under Federally assisted education programs or activities.
3. The Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 *et seq.*) prohibiting discrimination on the basis of disability under programs, activities, and services provided or made available by State and local governments or instrumentalities or agencies thereto, as well as public or private entities that provide public transportation.
4. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), and DOC implementing regulations published at 15 C.F.R. Part 8b prohibiting discrimination on the basis of handicap under any program or activity receiving or benefiting from Federal assistance. For purposes of complying with the accessibility standards set forth in 15 C.F.R. § 8b.18(c), non-federal entities must adhere to the regulations, published by the U.S. Department of Justice, implementing Title II of the Americans with Disabilities Act (ADA) (28 C.F.R. part 35; 75 FR 56164, as amended by 76 FR 13285) and Title III of the ADA (28 C.F.R. part 36; 75 FR 56164, as amended by 76 FR 13286). The revised regulations adopted new enforceable accessibility standards called the “2010 ADA Standards for Accessible Design” (2010 Standards), which replace and supersede the former Uniform Federal Accessibility Standards for new construction and alteration projects.
5. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 *et seq.*), and DOC implementing regulations published at 15 C.F.R. Part 20 prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance.
6. Any other applicable non-discrimination law(s).

Disclaimers

Buckeye Hills Regional Council and the Ohio Mid-Eastern Governments Association reserve the right to accept or reject any and all responses received to this posted RFP and to re-advertise for new submissions.

Buckeye Hills Regional Council and the Ohio Mid-Eastern Governments Association will not be responsible for any costs incurred by respondents in the preparation of a response to this RFP.

Buckeye Hills Regional Council and the Ohio Mid-Eastern Governments Association reserve the right to delay or discontinue the selection process at any time.

Buckeye Hills Regional Council and the Ohio Mid-Eastern Governments Association reserve the right to award all, part, or none of the project in the best interest of the overall project, and will not be held responsible for any impacts on respondents resulting from this decision.

Buckeye Hills Regional Council and the Ohio Mid-Eastern Governments Association reserve the right to request modifications to any documentation submitted if it is in the best interest of the project prior to the time of selection.

Buckeye Hills Regional Council and the Ohio Mid-Eastern Governments Association reserve the right to request clarification or additional information from a respondent prior to selection.

Buckeye Hills Regional Council and the Ohio Mid-Eastern Governments Association reserve the right to negotiate with the selected respondent to provide additional services not outlined in this RFP if necessary and in the best interest of the project.

The evaluation and selection of the Consultant will be based on the information submitted in the entity's proposal including estimated cost, scope of work, and creativity. Failure to respond to each of the requirements in the RFP may be the basis for rejecting a response. Entities should respond clearly and completely on all requirements. Entities must be as concise as possible with respect to presenting a clear and complete proposal.

Deviations and exceptions from terms, conditions, or specifications from this RFP shall be described fully on the entity's letterhead, signed, and attached to the response. In the absence of such statement, the proposal shall be accepted as in strict compliance with all terms, conditions, and specifications and the entity shall be held liable.

This RFP is the official media governing proposal procedures. No other documents, letters, or oral instructions shall have any influence whatsoever, unless incorporated by reference herein, or unless an official AMENDMENT is made to this document by the issuing office

Evaluation criteria contained herein shall be used in evaluating interested firms, groups, or persons for selection. BHRC and OMEGA may contact any RFP respondent after receiving its submittal to seek clarification on any portion thereof.

Proposals will not be returned to the RFP respondents.