



Missoula Urban Transportation District (MUTD)
1221 Shakespeare St
Missoula, MT 59802
Phone: 406-543-8386

REQUEST FOR PROPOSALS

FOR

ON-DEMAND TRANSIT STUDY

RFP 23-02

January 26, 2023

Advertised: January 26, January 31

TABLE OF CONTENTS

| | |
|---|----|
| Section 1: Solicitation Notice..... | 3 |
| Section 2: Scope of Work | 8 |
| Section 3: Submittal Requirements | 13 |
| Section 4: Evaluation Process and Award | 14 |
| Exhibits: | |
| A: Selected Areas of Interest (map) | 17 |
| B: Required Forms and Certifications | 18 |

SECTION 1: SOLICITATION NOTICE

1.1 Notice

Notice is hereby given that Missoula Urban Transportation District (MUTD) has released Request for Proposals RFP #23-02 and is seeking responses from qualified firms to analyze the potential for zero-fare on-demand transportation services in Missoula and to prepare MUTD to implement such services in the coming years. Responses to the RFP will be accepted via email until **5:00 pm MDT February 23, 2023**. To access the RFP documents and future addenda, please visit <https://mountainline.com/doing-business/current-solicitations/> or contact Vince Caristo, Procurement Specialist, vcaristo@mountainline.com.

1.2 Communications with MUTD

Upon release of this solicitation document, all communications concerning this procurement must be directed to:

Vince Caristo
Procurement Specialist
Missoula Urban Transportation District
1221 Shakespeare Street
Missoula, MT 59802
406-543-8386
vcaristo@mountainline.com

Unless authorized by the General Manager in writing, no other MUTD official or employee is empowered to speak for MUTD with respect to this Request for Proposals (RFP).

1.3 Submission of Proposals

Proposals shall be prepared as described in Section 3 of this RFP.

Submissions shall be sent via email in PDF format, and/or delivered in hard-copy or electronic media (CD, flash drive, etc.) to the MUTD offices, attention of:

Vince Caristo, Project Management Specialist
Missoula Urban Transportation District
1221 Shakespeare Street
Missoula, MT 59802
vcaristo@mountainline.com

1.4 Schedule

Dates preceded by an asterisk (*) are estimated dates, and are for informational purposes only.

| | |
|-------------------------------|-------------------|
| <u>RFP Issued:</u> | January 26, 2023 |
| <u>Written Questions Due:</u> | February 14, 2023 |
| <u>Proposals Due:</u> | February 23, 2023 |
| <u>*Interviews:</u> | March 6 – 8, 2023 |
| <u>*Board Approval:</u> | March 16, 2023 |
| <u>*Notice to Proceed:</u> | April 3, 2023 |

1.5 Nonresponsive Submittals

MUTD reserves the right to reject as non-responsive any submittal which is incomplete, obscure or irregular, or from Firms who have previously failed to perform properly, or to complete on time, contracts of any nature. MUTD reserves the right to reject any or all submittals, based on its discretion alone.

1.6 Late Submittals, Modifications of Submittals, and Withdrawals of Submittals

A modification of a submittal already received will be considered only if the proposed modification is received prior to the established deadline. Any submittal or modification

received at the office designated in the solicitation after the exact time specified for receipt will be considered non-responsive and will be returned to the Consultant not opened.

The time of receipt at MUTD is the time-date stamped on the email or submittal envelope, or other documentary evidence of receipt maintained by MUTD.

Submittals may be officially withdrawn from consideration only by a written request to MUTD's point of contact as identified in Section 1.3 prior to the response deadline.

1.7 Pre-contractual Expenses

MUTD will not be responsible for any expenses incurred in preparing, submitting, or negotiating this proposal, and such costs should not be included in the proposal.

1.8 Clarifications and Questions

Any explanation desired by a Consultant regarding the meaning or interpretation of the solicitation document must be requested in writing, via email to vcaristo@mountainline.com no later than the date listed in Section 1.4. Oral explanations or instructions given before the award of the contract shall not be binding.

Any answers to questions given to prospective Firms concerning the clarification of, or any changes to, the RFP solicitation document will be provided in writing to all prospective Firms as an addendum to the solicitation. All addenda will be posted on the MUTD website at www.mountainline.com.

1.9 Acknowledgement of Addenda

Please send an email to vcaristo@mountainline.com to state your interest in submitting a proposal and to receiving any issued Addenda.

While MUTD will make efforts to provide addenda to all interested parties, it is the Consultant's responsibility to ensure that they have received and understand any and all addenda issued.

A completed 'Addendum Acknowledgement' form (Exhibit A) shall be included with all proposals.

1.10 Protest Procedures

Grounds for Protest

A protest with may be filed by any interested party on the grounds that MUTD has:

- Failed to comply with its procurement procedures;

- Failed to comply with the terms of the solicitation in question, including the failure to adhere to the evaluation criteria set forth in the solicitation, if applicable;
- Issued restrictive or discriminatory specifications; or,
- Made an award to other than the lowest responsive and responsible bidder on formally advertised procurements.

Protest Contents

Written protests should be concise, logical, and clearly state the grounds for the protest. They must include the following information:

- Name, address, and telephone number of protestor
- Identification of the solicitation or contract number
- A detailed statement of the legal and factual grounds of the protest including copies of relevant documents
- A statement as to what relief is requested.

All protest documents received by the General Manager shall be stamped with date and time received and logged into a file folder with a copy to the Master File.

Pre-Bid and Pre-Award Protests

Protests addressing the solicitation process or the solicitation documents, including the specifications, must be received by the General Manager within seven (7) calendar days of the decision to award a contract. Thereafter, any protest based on such grounds will not be considered.

Post-Award Protests

Protests addressing the approval or award, including the evaluation of bids or proposals, must be received by the General Manager within five (5) days after the decision to award a contract. Thereafter, any protest based on such grounds will not be considered. MUTD will notify all unsuccessful bidders or proposers of its intent to award a contract at the same time it notifies the successful bidder or proposer.

Protest Response

MUTD will notify the protestor within 3 days of receipt that the protest is being considered. Upon receipt of a timely protest regarding the solicitation process, MUTD will postpone the opening of bids until resolution of the protest. The filing of the protest will not, however, change the date on which bids are due, unless otherwise noticed.

Upon receipt of a timely protest regarding the evaluation or award, MUTD will suspend contract approval or other pending action until resolution of the protest, unless the General Manager determines in writing that:

- The items to be procured are urgently required; or
- Delivery or performance will be unduly delayed by failure to make the award promptly; or

- Failure to make prompt award will otherwise cause undue harm to MUTD or the State or the Federal Government.

Protest Decision

The decision of the General Manager shall be issued in writing within fourteen (14) days of receipt of the protest, and shall be the final binding agency action. If the protest is upheld, MUTD will take appropriate action to correct the procurement process, such as a re-solicitation, revised evaluation, or termination of contract. If the protest is denied, MUTD will proceed with its procurement process.

The Federal Transit Administration will only entertain a protest that alleges the District failed to follow their protest procedures and such a protest must be filed in accordance with FTA Circular 4220.1F.

1.11 Disadvantaged Business Enterprise Participation

The Disadvantaged Business Enterprise (DBE) requirements of 49 CFR Part 26 applies to this contract. The requirements of this contract are to encourage DBE participation and to report race neutral accomplishments semi-annually. No preference will be included in the submission evaluation, no minimum level of DBE participation shall be required as condition for receiving an award and submissions will not be rejected or considered non-responsive on that basis.

Pursuant to the above requirements, MUTD has established an overall DBE goal of 5% for FFY 2023-2025 anticipated to be met fully by race-neutral measures.

1.12 Public Disclosure of Information

All the information contained in the submittal is subject to the State of Montana public disclosure laws. If a Consultant feels that any information is confidential or proprietary in nature, the Consultant must submit all such information in a separate sealed envelope prominently marked with the Consultant's name and "Exempt from Public Disclosure." MUTD shall not release or divulge such information to third parties without the consent of the Consultant unless required to do so by applicable law or order of a court of competent jurisdiction.

MUTD assumes no responsibility or liability for any losses or damages which may result from the information contained in the submittal. Furthermore, it will be the responsibility of the Consultant to protect the confidentiality of any information submitted in the submittal, and the Consultant will assume all liability and responsibility for any information declared confidential and shall defend and hold MUTD harmless for any cost, penalties, and/or fees (including attorney fees) incurred in any action regarding the disclosure of said information.

1.13 Federal Clauses and Requirements

MUTD receives funding from the Federal Transit Administration to assist with transit operations and capital expenses, and intends to use such funds for this project. As such, third party contracts involving the use of federal funds are subject to applicable federal requirements. A full listing of these requirements can be found at http://www.mountainline.com/wp-content/uploads/2017/07/MUTD-Federal-Clauses-and-Certifications_Master_July-2017.pdf.

SECTION 2: SCOPE OF WORK

2.1 Introduction

On-demand transportation, defined as a flexible, real-time-requested, and technology-enabled transportation service, has demonstrated the ability to effectively complement fixed-route transit systems throughout North America. While MUTD's zero-fare fixed-route transit system has seen impressive growth in ridership and customer satisfaction in recent years, there are still areas in its community that are unserved by or have low frequency and low demand for fixed-route transit. The purpose of this study is to analyze the potential for zero-fare on-demand transportation to provide service to selected areas of Missoula and to prepare MUTD to implement such services in the coming years.

2.2. Agency Profile

MUTD (MUTD) provides zero-fare fixed-route bus and paratransit service in and around the City of Missoula, Montana. It was named the top public transit agency in North America of its size in 2021, earning the American Public Transportation Association Outstanding Public Transportation System Achievement Award. MUTD helps employees get to work, students get to school, and seniors and those living with disabilities get to medical appointments and stay active and mobile. By reducing traffic congestion, improving air quality, and providing safe, accessible, and reliable transportation, MUTD benefits everyone in the Missoula Valley.

The agency has been at the forefront of transitioning to zero-emissions buses (ZEBs) in the United States and has become a valuable resource for other agencies – especially small urban networks – looking to make the same transition. As mandated by its Board of Directors in February 2020, MUTD will transition to a 100%-zero-emissions fleet by 2035. Its fixed-route fleet currently comprises 12 battery-electric buses (BEBs) and 17 diesel buses. It also maintains 15 cutaway paratransit vehicles and 10 service vehicles.

The agency has grown to provide an average of 1.5 million rides annually (pre-pandemic) on its fixed-route system, and over 200 individually scheduled rides per day on paratransit.

2.3 Task 1: Kickoff

Consultant will convene one or more virtual meetings with MUTD to introduce their team, collect information, establish goals, convey a preliminary project plan, etc. Following this meeting(s), consultant shall prepare and submit a project/plan timeline that outlines what work will be done, when it will be completed, and identifies required meetings and anticipated tasks for MUTD staff. This plan may be revised as necessary throughout the course of the project, but will be utilized by MUTD to manage the project.

- **Task 1 Deliverable:** Kickoff meeting(2); Project plan and timeline (PDF document)

2.4 Task 2: On-Demand Transit Review

Consultant shall provide a review of five (5) on-demand transit programs in communities of similar size and with similar transit characteristics to Missoula, highlighting successes, challenges, funding models, and operational models.

- **Task 2 Deliverable:** Memo summarizing the On-Demand Transit Review (PDF document)

2.5 Task 3: Service Assessment

Consultant shall assess the feasibility of a zero-fare on-demand transit program to meet the following goals:

- Increase geographic coverage
- Expand overall system service hours
- Increase ridership
- Improve customer satisfaction
- Increase productivity (cost per trip)
- Reduce VMT and/or GHG emissions

MUTD has identified four (4) zones for consideration in this study that are unserved by or have low frequency and low demand for fixed-route transit (Exhibit B). (Note that additional areas meeting this criteria are planned to be considered as part of future planning efforts). The feasibility of zero-fare on-demand transit in each of these areas shall be assessed, based on the program goals stated above:

- Target Range & Orchard Home (Route 9)
- Miller Creek and Linda Vista
- Sxwtpqyen Area
- Grant Creek

The assessment of each geographic area should determine the relative demand, probable ridership expectations, and expected productivity (cost per trip) for zero-fare on-demand transit. It should consider a variety of potential service parameters, including, but not limited to:

- First/mile last mile service to existing transit stops
- Seasonal Service
- Zone-to-zone service
- **Task 3 Deliverable:** Memo summarizing the Service Assessment (PDF document)

2.6 Task 4: Recommended Operational Plan

Based on the results of Task 2, the consultant shall prepare a recommended operational plan for zero-fare on-demand transit to serve the three (3) geographic areas with the greatest likelihood for success. For each area, the operational plan should provide key operational details such as:

- Hours of operation
- Pickup/drop-off locations
- Vehicle types and passenger capacity
- Trip booking
- Individual eligibility requirements

The assessment should also detail staffing and fleet requirements for the recommended service in each of the three (3) geographic areas. In coordination with MUTD staff, this assessment will include as estimate of the additional staff and vehicles that would need to be added.

The assessment should also provide recommendations on policy considerations including, but not limited to:

- Strategies to prevent abuse/overuse
- Coordination with Paratransit services
- Marketing and messaging the service
- **Task 4 Deliverable:** Memo summarizing the Recommended Operational Plan (PDF document)

2.7 Task 5: Financial Plan

Consultant shall prepare a three-year budget for each of the three (3) recommended zero-fare on-demand transit programs. The budget will include, but is not limited to the following considerations:

- Personnel
- Fuel
- Software and Technology
- Vehicles (as necessary)
- Maintenance

In instances where zero-fare on-demand transit service is proposed to replace or reduce existing fixed-route transit, the budget shall also include calculations of the net cost impact to MUTD.

- **Task 5 Deliverables:** Memo and associated spreadsheets summarizing the Financial Plan (PDF, Excel document)

2.8 Task 6: Performance Measures

The consultant shall recommend a set of performance measures that MUTD can use to track the success of zero-fare on-demand transit services over time, such as:

- ridership
- productivity (cost per trip)
- customer satisfaction
- % of district that uses the service
- reduced paratransit attributable to the service
- reductions in SOV trips
- reduced emissions and GHGs

For each recommended measure, consultant shall identify the required data sources and a recommended data collection methodology.

- **Task 6 Deliverable:** Memo summarizing the recommended Performance Measures (PDF document)

2.9 Task 7: Final Report and Powerpoint Presentation

Consultant shall prepare a final report and Powerpoint presentation, intended for to convey information to decision-makers and the general public, that compiles the results of Tasks 1-5.

- **Task 7 Deliverables:** MUTD (MT) On-Demand Transit Feasibility Study (PDF document); Powerpoint Presentation

2.10 Timeline and Budget

All project deliverables must be delivered to MUTD by September 30, 2023.

MUTD has a budget of \$75,000 for this project.

SECTION 3: SUBMITTAL REQUIREMENTS

3.1 Proposal Contents

To be considered responsive, each proposal shall contain the following:

1. Letter of Transmittal (Section 3.2)
2. Technical Proposal (Section 3.3)
3. Required Forms and Certifications (Section 3.4)

3.2 Letter of Transmittal

A brief introductory letter to introduce the proposal should contain the following:

1. Identification of the Consultant, including name and mailing address.
2. Acknowledgement of receipt of all RFP addenda, if any.
3. Name, title, email address, and telephone number of contact person during period of proposal evaluation.
4. A statement to the effect that the proposal shall remain valid for a period of not less than 90 days from the date of submittal.
5. Signature of a person authorized to commit the Consultant to the terms of the proposal.

3.3 Technical Proposal

The technical proposal shall fully address the following areas:

1. Qualifications of firm
 - Provide a description of your firm, including the year founded, the types of services offered, the number of employees, and the size and location of offices.
 - Describe the key personnel involved in the completion of the project requirements, including information on the government and transit agency auditing experience of each person. Please include copies of all professional resumes.

- If your submittal represents a joint effort on a prime/subcontracted submittal, provide the above for all members of the submittal team and the specific responsibilities of each project team firm.
- Provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three (3) years with state regulatory bodies or professional organizations.
- Required certifications and business licenses allowing the firm to do business in the city of Missoula and the state of Montana.

2. Past performance and quality of services

- Describe the firm's overall experience and past performance in providing services similar to those solicited in this RFP.
- Provide at least three (3) references for which similar services have been performed. Indicate the scope of work, dates of the engagement, and the name, email and phone number of a contact person who is willing to briefly discuss the Vendor's work with MUTD.

3. Response to scope of work

- Address the scope of work requirements listed in Section 4 of this RFP and how you will meet or exceed those requirements.

4. Cost

- Provide a fully developed cost for services required by the Scope of Work in Section 2 of this RFP.
- Indicate any additional direct and indirect costs relative to the project, including all out-of-pocket expenses.

3.4 Required forms and certifications

Each of the forms in Exhibit B of this document should be completed by the proposer and included in the submittal.

SECTION 4: EVALUATION PROCESS AND AWARD

4.1 Evaluation Committee

Evaluations will be performed by a committee comprised of MUTD staff, members of the MUTD Board of Directors, and representatives of partner organizations. The evaluation

committee will evaluate and select the proposal that best addresses the requirements of the project, in accordance with the criteria stated herein. MUTD reserves the right to reject any or all submittals.

4.2 Evaluation Criteria

Each proposal will be evaluated on the basis of the following factors and corresponding weights:

| Criteria | Weight |
|--|----------------|
| Price | Most Important |
| Project Understanding & Approach | Important |
| Qualifications of Staff | Important |
| Prior experience with similar projects | Important |

4.3 General Approach

This contract will be awarded in accordance with the regulations for a competitive sealed proposals process set forth in FTA Circular 4220.1F.

MUTD may hold interviews with all Vendors judged reasonably susceptible of being selected for an award (competitive range). However, MUTD also reserves the right to make an award without holding any discussions or interviews. In either case, MUTD may determine a Vendor to be not responsible and/or determine that a Vendor's proposal does not have a reasonable chance of being selected for an award (outside the competitive range) at any time after the proposal due date and MUTD's initial review of the proposals submitted.

5.4 Evaluation Process

The evaluation process will occur in the following manner and sequence:

1. The MUTD procurement officer (Section 2.5) will conduct an evaluation of each proposal to determine whether the basic procurement requirements listed in Section 1 were met.
2. All remaining proposals will be evaluated and ranked by the evaluation committee based on the criteria in Section 5.2.
3. MUTD may hold interviews with all Vendors whose proposals are within the competitive range. The purpose of such interviews will be to assure a full

understanding of MUTD's requirements and the Vendor's ability to perform and deliver those requirements.

4. Vendors must confirm in writing any substantive oral clarification of, or change in, their proposals made in the course of an interview or discussion. Any such written clarification will then become part of the Vendor's proposal.
5. MUTD reserves the right, if it has determined to be in its best interest, to permit all Vendors who have submitted acceptable proposals to revise their initial proposals and submit, in writing, best and final offers (BAFOs). There can be more than one round of BAFO submissions.

5.5 Award of Contract

- A. Upon completion of all interviews, reference checks, and scoring of technical proposals, the evaluation committee will recommend award of the Contract to the responsible Vendor whose proposal is determined to be the most advantageous to MUTD, considering the evaluation factors listed in the solicitation.
- B. MUTD may not necessarily make an award to the Vendor with the highest technical ranking, or to the Vendor with the lowest price proposal, if doing so would not be in the overall best interest of MUTD.
- C. MUTD reserves the right to make an award without holding any discussions or interviews.
- D. MUTD may reject all proposals if such action is determined to be in the best interest of MUTD.
- E. Within 30 days after the deadline for submittals, MUTD will either decide to award a contract or reject all submittals, unless extension is made.
- F. Prior to issuance of a Notice to Proceed, MUTD may issue a notice of intent to issue an award.
- G. Upon execution and submission of all required documentation, MUTD will issue a Notice to Proceed evidencing its formal acceptance and award of the contract.

5.6 Billing and Payment

Payment for services rendered under the contract will be based on milestones completed. Payment requests for partial milestone completion will not be accepted. Invoices should be submitted no more frequently than monthly.

Exhibit A:

Selected Areas of Interest for On-Demand Transit Study

MUTD staff have selected the following areas for consideration of on-demand transit services in this study. Additional areas are planned for consideration in future planning studies.

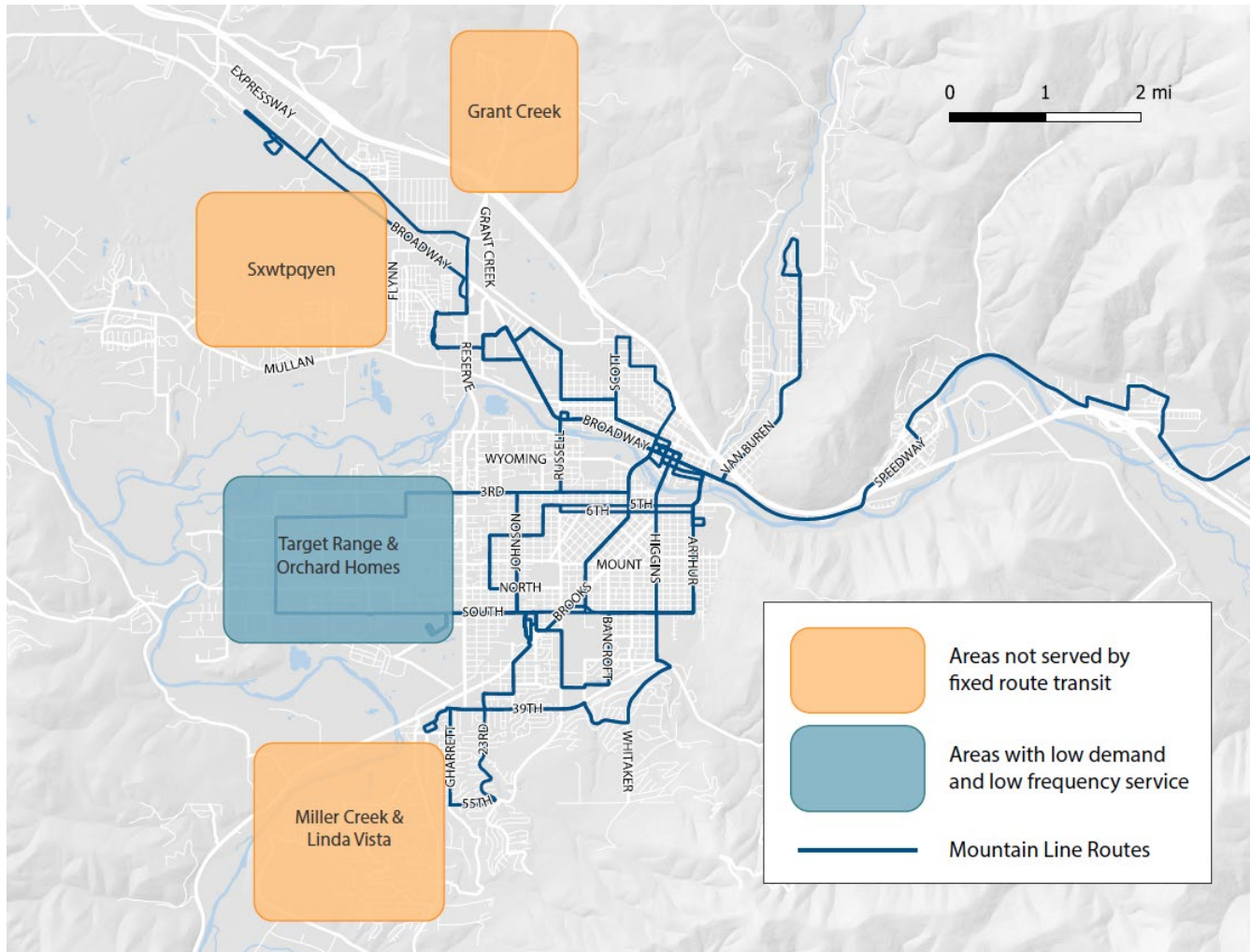


Exhibit B:

Required Forms and Certifications

For a proposal to be considered responsive, the following forms, certifications, and/or statements are to be executed and enclosed with each proposal. Proposals received without these forms/certifications completed will not be considered. Compliance with these requirements is mandatory for a contract award.

MISSOULA URBAN TRANSPORTATION DISTRICT

ADDENDUM ACKNOWLEDGEMENT

Proposer/Bidder acknowledges receipt of the following addenda which are attached to the proposal/bid:

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Failure to acknowledge receipt of all addenda may cause the proposal to be considered non-responsive and omitted from consideration.

MISSOULA URBAN TRANSPORTATION DISTRICT

Debarment and Suspension Certification

All Contracts over \$25,000

Instructions for Certification: By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below.

(1) It will comply and facilitate compliance with U.S. DOT regulations, "Nonprocurement Suspension and Debarment," 2 CFR part 1200, which adopts and supplements the U.S. Office of Management and Budget (U.S. OMB) "Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," 2 CFR part 180,

(2) To the best of its knowledge and belief, that its Principals and Subrecipients at the first tier:

- a. Are eligible to participate in covered transactions of any Federal department or agency and are not presently: (1) Debarred, (2) Suspended, (3) Proposed for debarment, (4) Declared ineligible, (5) Voluntarily excluded, or (6) Disqualified,
- b. Its management has not within a three-year period preceding its latest application or proposal been convicted of or had a civil judgment rendered against any of them for: (1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction, or contract under a public transaction, (2) Violation of any Federal or State antitrust statute, or (3) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property,
- c. It is not presently indicted for, or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in the preceding subsection 2.b of this Certification,
- d. It has not had one or more public transactions (Federal, State, or local) terminated for cause or default within a three-year period preceding this Certification,
- e. If, at a later time, it receives any information that contradicts the statements of subsections 2.a – 2.d above, it will promptly provide that information to FTA,
- f. It will treat each lower tier contract or lower tier subcontract under its Project as a covered lower tier contract for purposes of 2 CFR part 1200 and 2 CFR part 180 if it: (1) Equals or exceeds \$25,000, (2) Is for audit services, or (3) Requires the consent of a Federal official, and
- g. It will require that each covered lower tier contractor and subcontractor: (1) Comply and facilitate compliance with the Federal requirements of 2 CFR parts 180 and 1200, and (2) Assure that each lower tier participant in its Project is not presently declared by any Federal department or agency to be: (a) Debarred from participation in its federally funded Project, (b) Suspended from participation in its federally funded Project, (c) Proposed for debarment from participation in its federally funded Project, (d) Declared ineligible to participate in its federally funded Project, (e) Voluntarily excluded from participation in its federally funded Project, or (f) Disqualified from participation in its federally funded Project, and

(3) It will provide a written explanation as indicated on a page attached in FTA’s TEAM-Web or the Signature Page if it or any of its principals, including any of its first tier Subrecipients or its Third Party Participants at a lower tier, is unable to certify compliance with the preceding statements in this Certification Group.

Certification

Company _____

Signature of Authorized Official: _____ **Date:** / /

Name and Title of Authorized Official _____

Certification and Restrictions on Lobbying

All Contracts over \$250,000

I, _____, hereby certify
(Name and title of official)

on behalf of _____ that:
(Name of Bidder/Company Name)

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Section 3801, et seq., are applicable thereto.

Name of Bidder/Company Name _____

Type or Print Name _____

Signature of authorized representative _____ **Date** _____

Disadvantaged Business Enterprise (DBE) Form

In accordance with federal regulations, MUTD is required to set a goal for utilizing DBE's in federally-funded projects, and to demonstrate a good faith effort in meeting this goal. MUTD's goal for the period from October 1, 2022 through September 30, 2025 is 5%.

A listing of Montana-based DBE firms can be found at <https://app.mdt.mt.gov/dbe/dbe/search>.

A. DBE Certification. Mark below to indicate your firm's DBE status. If applicable, please provide a copy of your certification letter or certificate.

CERTIFIED as a DBE

NOT-CERTIFIED as a DBE

B. Subcontractors. Please list below all DBE firms that will perform work on this contract.

| Subcontractor's Name | Industry / Trade | Dollar Value of Contract |
|----------------------|------------------|--------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Bidder / Firm _____

Authorized Representative _____ Title _____

Signature _____ Date _____