

I. GENERAL INFORMATION

A. Overview of Services Requested and the Submission Process

The Athens County Port Authority (ACPA) needs the services of one or more Architectural Firms, consisting of a lead firm and subcontractors, to provide architectural services in connection with the design of (a) speculative building(s) to be located at the Bill Theisen Industrial Park at 6000 Poston Road in Athens, Ohio.

The selection process for this RFP will involve the ACPA Board Members, Athens County Economic Development Council Board Members and staff, and additional subject matter experts at the invitation of the ACPA.

The initial contract will be for the design/build of Building #1 and/or Building #2 ACPA may contract with the chosen Architectural Firms to continue the design process after the schematic design phase, but shall have no obligation to do so. [A more detailed scope of work can be found in section II.]

ACPA may select one or more Architectural Firms to provide some of the requested services, or ACPA may select a single firm/team to provide all services requested. ACPA reserves the right to contract only for some of the requested services. At any point in time, the ACPA may contract with additional subcontractors to perform work related to the design of the project.

Firms interested in submitting proposals to provide such services are required to follow the recommended guidelines and instructions contained in this Request for Proposals (“RFP”). In the event it becomes necessary to revise any part of this RFP, revisions will be provided by addenda posted on the ACPA web site: <http://athenscountyoehedc.com/retention-expansion/athens-port-authority/speculative-buildings/>

Proposals should provide a straightforward, complete and concise description of the firm’s capabilities to satisfy the requirements of the RFP. Please prepare fifteen (15) copies of your proposal and work samples. Each copy of the proposal should be bound in a single volume and include any documentation you may wish to submit. By submitting a written proposal, each firm will be deemed to agree that ACPA shall thereby be assigned ownership of the drawings and other documents and materials prepared for the RFP and submitted with the proposal and any design concepts expressed therein (and all copyright or other rights pertaining thereto), excluding of course the firms’ brochures, and any designs or materials relating to other projects included as examples or for reference to the firm’s work for other clients.

Firms submitting a proposal in response to this RFP may be required to give an oral presentation of their proposal to the ACPA. This oral presentation may provide an opportunity for the firms to clarify or elaborate on the proposal but will in no way change the original submission. Engagement staff should be present at the oral presentation. ACPA’s request for an oral presentation shall not constitute acceptance of a proposal.

Proposals must be received no later than 5pm est., March 4, 2020. Deliver all proposals to:

Athens County Port Authority
c/o Athens County EDC
Attn: Architectural Services RFP

340 West State Street, unit 26
Athens, Ohio 45701

ACPA reserves the right to reject any or all proposals submitted if such election is deemed to be in the best interest of ACPA. ACPA assumes no obligation, no responsibility, and no liability for costs incurred by the responding firms prior to the issuance of a contract. ACPA reserves the right to negotiate with one or more firms submitting proposals and to accept any bid or negotiated proposal which ACPA deems best or most appropriate for purposes of the project and the public interest, whether or not lower in the aggregate or in any detail than any other proposal.

The current schedule for this effort is as follows:

- 1/10/2020 – RFP Issued
- 1/22/2020 – Deadline for submitting questions; AthensCoRFP@athenscountyohedc.com
- 2/5/2020- Addendum and answers to questions posted on ACEDC Website:
<http://athenscountyohedc.com/retention-expansion/athens-port-authority/speculative-buildings/>
- 3/4/2020 – Responses Due
- 4/15/2020 – Oral Presentations Conducted
- 4/24/2020 – Firms Selected

B. Mission and Structure of the Athens County Port Authority

The Athens County Port Authority is a quasi-public entity established by a resolution adopted by the Athens County Commissioners on November 20, 1995. The charge of the ACPA is to lead Athens County into a new era of economic development. The ACPA holds power to own land, set fees and levy taxes – placing it in an excellent position to stimulate growth within the county.

Missions and Objectives

- Encourage and facilitate economic development projects in Athens County
- Develop facilities in a manner that will attract new business and industry of economic benefit to Athens County
- Encourage development of residential, commercial, recreational, industrial, research and distribution facilities within the boundaries of the Authority
- Acquire, sell or lease property and facilities for any use allowed by law
- Construct and/or operate those facilities necessary to achieve and enhance the success of the four preceding objectives.
- Cooperate and coordinate efforts with agencies and organizations in the shipping, transportation and economic development of industry.
- Continually monitor and assess potential sites and facilities and their feasibility for development.
- Acquire and improve land, construct facilities and operate such facilities on a sound financial basis, while preserving the integrity of the land and its resources.

- Secure the interest, support and participation of the residents of the Authority and the surrounding area in the activities and development of the Authority’s facilities.
- Expand and develop the scope of the Authority’s facilities as required to keep pace with changing technological improvements.

Preliminary Design

In December of 2017 , ACPA engaged an architectural firm to complete a limited site analysis to develop conceptual layouts of 2 speculative buildings on 2 parcels of land (P01001000118, P010010000119) located in the Bill Theisen Industrial Park, York Township, Athens County, Ohio. The information gathered through this process was used to apply for grant funding to complete environmental and technical studies.

Environmental and Technical Studies

- ***Constraints to Development Study*** – <http://athenscountyohedc.com/wp-content/uploads/2020/01/1-CDSA-Bill-Theisen-BN-2020.01.06.pdf>
- Preliminary Readiness Study
- Cultural Resources
- Endangered species
- Phase 1 and 2 VAP review
- The grading of the site is estimated to be approximately \$170k.
- Wetlands and Geotech are the areas where the most costs are expected. The site has 3 acres of wetlands., and the initial estimate to remediate is around \$200 – 250k utilizing in lieu of fees.
- Utilities are in good shape at the park with all present at site boundaries and with adequate capacities.

II. ANTICIPATED SCOPE OF SERVICES

ACPA is seeking one or more Architectural Firms to assist ACPA in its planning, design and development of two speculative buildings at the Bill Theisen Industrial Park ACPA requests proposals for one or more Architectural Firms to provide services including but not limited to the scope of work described generally below.

A. Purpose and Project Area

The Architectural Firms, selected through this RFP process, will begin work with ACPA upon award of contract. ACPA anticipates utilizing the services of 1 or more Architectural Firms to design Buildings #1 & #2 to be located on 2 parcels of land in the Bill Theisen Industrial Park in Athens County, Ohio.

1) Building # 1 Industrial Manufacturing/ Warehouse - North Building



Proposed location: There will be one building at the northwest curve of Industrial Drive parcel # P01001000118 000000. The building will be west of the Athens Hocking Recycling Center (5991 Industrial Drive) and diagonally across the street from the Quickloadz Building (5850 Industrial Drive).

Proposed size/volume: Approximately 60,000 square feet expandable up to 130,000 square feet with a maximum footprint of approximately 130,000 square feet.

Other Requirements: All metal construction, 34 ft ceiling minimum, 80-100-ft free span bay configuration.

2) **Building #2 Biomedical Labs and Office - South Building**

Proposed location: This building will be located between two existing buildings on parcel # P01001000119000000 with frontage on Poston Station Road.

Proposed size/volume: Approximately 33,000 square feet with a maximum footprint of approximately 15,000 square feet.

B. Scope of Project

ACPA seeks the services of a(an) Architectural Firm(s) to provide, to the satisfaction of ACPA, all services necessary and required for the design of the Bill Thiesen Industrial Park Buildings #1 & #2.

The Architectural Firms will work with ACPA and the Athens County Economic Development council from the beginning of schematic design and will contract directly with ACPA for the schematic design; but ACPA may assign the agreement to another entity for later stages of the Firm's services. The Architectural Firms must demonstrate the ability to work with ACPA and the Athens County Economic Development Council in the design of the speculative buildings. The ACPA will develop and refine requirements for schematic design. These requirements will be further refined during schematic design. The Architectural Firms will have regular design meetings with ACPA and the Athens County Economic Development Council and there will be a series of formal design reviews during the schematic design period. Subsequent to these formal design reviews, the Architectural Firms will receive comments from the ACPA and Athens County Economic Development Council.

The Architectural Firms will be required to demonstrate an understanding and commitment to our goal of design excellence. The design should incorporate a cost effective design approach fully considering life cycle analysis in selection of materials and systems, a balance of innovative and traditional design while considering the history and culture of the region, and maintenance practices including durability and ease of maintenance, layout and systems that provide safety, high performance systems that provide value while protecting citizen's health and environment, and accessibility for all citizens.

The Architectural Firms will be required to design to the budget approved by ACPA initially for the schematic design and then at the prior stage of design for work of the next.

The form of agreement to be used will be ACPA's form of agreement for architectural services. The specific scope of work of the Architectural Firm may include, but is not limited to, the following:

Schematic Design

1. The Architectural Firm will be responsible for working with ACPA and the Athens County Economic Development Council to develop a schematic design for the core and shell of the respective speculative building(s).
2. The Architectural Firm will be responsible for working with ACPA and the Athens County Economic Development Council to develop a schematic design for the interior spaces fit-out for each speculative building and other operational needs for the anticipated tenants.
3. The Architectural Firm will be responsible for producing all schematic design documents for the respective speculative building.
4. The Architectural Firm will be responsible for issuing schematic design documents that compliance with the uses, the budget, and the schedule as set forth by ACPA.
5. Upon the completion of the schematic design phase, the Architectural Firm will work with the ACPA and the Athens County Economic Development Council to prepare presentation materials of the design. The Architectural Firm will actively participate with the ACPA and the Athens County Economic Development Council in the public presentation of the designs.

Design Development

6. The Architectural Firm will be responsible for working with ACPA and the Athens County Economic Development Council to complete design development for the core and shell of the respective speculative building.
7. The Architectural Firm will be responsible for working with ACPA and the Athens County Economic Development Council to complete design development for the interior spaces fit- out for each speculative building and other prospective tenant needs for the respective speculative building.
8. The Architectural Firm will be responsible for producing all design development documents for the respective speculative building.

9. The Architectural Firm will be responsible for issuing design development documents in compliance with the budget, and the schedule as set forth by ACPA.

Construction Documents

10. The Architectural Firm will be responsible for working with ACPA and the Athens County Economic Development Council to complete all construction documents for the core and shell of the respective speculative building.
11. The Architectural Firm will be responsible for working with ACPA and the Athens County Economic Development Council to complete all construction documents for the interior spaces fit-out for each speculative building and other tenant needs for the respective speculative building.
12. The Architectural Firm will be responsible for producing all construction documents for the respective speculative building.
13. The Architectural Firm will be responsible for ensuring that all construction documents for the respective speculative building are signed by a State of Ohio licensed professional.
14. The Architectural Firm will be responsible for issuing construction documents for the respective speculative building in compliance with the program, the budget, and the schedule as set forth by ACPA.
15. The Architectural Firm will be responsible for all liability with respect to the full project and will be the Architect of Record for the respective speculative building.

Subcontractors

16. If the proposed design architect is not licensed in State of Ohio or is located outside of State of Ohio and in either event will associate with another firm who will act as the architect of record, or if two or more firms propose to create a joint venture for this project, in each such case please indicate clearly and in reasonable detail how the scope of services will be allocated between or among the respective firms.
17. Each Architectural Firm will be responsible for selecting subcontractors for their design team for the respective speculative building through an open and competitive process. These selections will be made in collaboration with the ACPA and the Athens County Economic Development Council. At any point in time, the ACPA may contract with additional subcontractors to perform work related to the design of the speculative building.

18. Architectural Firms should submit potential subcontractors in their proposal and be prepared to start work with subcontractors in early May 2020. The evaluation of proposals will be based solely on the Architectural Firm's qualifications and not on the qualifications of the subcontractors. However, the Architectural Firm's ability to identify potential subcontractors with the necessary qualifications for a project of this significance and magnitude, the experience of the Architectural Firm in working with subcontractors with the necessary qualifications, and the potential ability of the Architectural Firm to develop a team which meets ACPA's requirements for diversity will be considered in the evaluation process.

19. Each Architectural Firm should identify the following potential subcontractors. Potential subcontractors may include one or more firms that the Architectural Firm has contacted regarding this RFP and that have expressed an interest in working with the Architectural Firm on this project. The Architectural Firm will be responsible for coordination and management of services, design, and all other work product of the subcontractors for the respective speculative building. The services and descriptions listed below are based upon preliminary understandings of potential scope, and should not be interpreted by proposers as defined requirements.

The Prime Subcontractors that may be required for these projects include but are not limited to:

- i. Mechanical Engineering (Mechanical, Electrical, Plumbing)
- ii. Structural Engineering - Including but not limited to foundation, superstructure, blast and specialized structural design.
- iii. Geotechnical Engineering – Including but not limited to soils analysis and recommendations.
- iv. Civil Engineering
- v. Lighting Designer
- vi. Lab Design consultant
- vii. IT/Telecom consultant
- ix. Commissioning agent for projects of this size
- x. Security – Including but not limited to security planning, technical and physical security.
- xi. Code Compliance / Life Safety - Including but not limited to code analysis, recommendations, and scenario modeling.
- xii. Cost Estimating – Including but not limited to cost estimating and value engineering.

Architectural Firm and all subcontractors will be required to participate in events to explore opportunities for subcontractors to contract with minority- and women- owned sub- subcontractors.

ACPA will have the right to add subcontractors in addition to those listed above. If ACPA so elects, the architect will contract directly with any such subcontractors; and the fees and charges of such subcontractors will be passed through to ACPA. Alternatively, if ACPA desires to contract directly with such subcontractors, the Firm will be required to coordinate and manage the services and work product of the particular subcontractors and (as necessary) to integrate that work product into the Firm's own work product.

Construction Administration

20. The Architectural Firm for the respective speculative building will be responsible for final approval of and ensuring compliance with the construction documents of all construction submittals including shop drawings, product specifications, and samples.
21. The Architectural Firm will be responsible for all contract administration services during construction of the respective speculative building including, but not limited to, responding to requests for additional information, change order request review and approval, issuing supplemental drawings and specifications, evaluation of the work, and submittal review.
22. The Architectural Firm will be responsible for developing facility maintenance and operations plans for the respective speculative building including, but not limited to, record drawings, warranty review, and commissioning.

Project Management and Administration

23. The Architectural Firm will assign a project manager responsible for coordination of all of the design work for the respective speculative building including development and maintenance of a production schedule for all documents through all stages of design.
24. The Architectural Firm will be responsible for all project administration services related to the project including, but not limited to, cost estimating, scheduling, document management, progress meetings, and regulatory approvals.
25. The Architectural Firm will participate in work sessions, project team meetings, public meetings, and Client meetings throughout each phase to assure full understanding of all aspects of the project
26. The Architectural Firm may be required to provide consulting services for other projects as requested by the Client.

C. Anticipated Project Schedule

Contract RFP Issued: 1/10/2020

Consultant Selection Complete: 4/2020

Contract Execution Complete: 5/2020

Approved Schematic Design Complete: 6/2020

Approved Design Development Complete: 7/2020

Approved Construction Documents Complete: 8/2020

Construction Complete: 6/2021

Project Close-out Complete: 8/2021

III. SUBMISSION REQUIREMENTS

Please letter your responses exactly as the questions are presented herein. Please limit your submission to fifteen (15) one-sided pages, not including work samples, which must be included in a separate, bound, appendix. Proposals will be evaluated based on qualifications, experience, proposed team members, methodological approach, and proposed fee. **Proposers should not propose a design solution or submit images representing a possible design for the respective speculative building.**

Interested Architectural Firms are invited to submit proposals that contain the following information:

If an Architectural Firm would like to submit on both the Bill Theisen Industrial Park Speculative Buildings – Building #1 and Building #2, a separate independent proposal must be submitted for each speculative building. **Do not submit one proposal which includes more than one speculative building.**

ALL COPIES OF ALL PROPOSALS AND FEE PROPOSALS MUST CLEARLY INDICATE ON THE OUTSIDE ENVELOPE THE RESPECTIVE SPECULATIVE BUILDING. ALL PROPOSALS SUBMITTED MUST HAVE ONE OF THE FOLLOWING ON THE OUTSIDE ENVELOPE:

1. PROPOSAL FOR ARCHITECTURAL SERVICES FOR THE BILL THEISEN INDUSTRIAL PARK BUILDING #1; or
2. PROPOSAL FOR ARCHITECTURAL SERVICES FOR THE BILL THEISEN INDUSTRIAL PARK BUILDING #2.

Please letter your responses exactly as the questions are presented herein. Sections A-E should be bound in a single volume. Please limit your answers to Sections A and B to fifteen (15) one- sided pages. Examples of relevant projects and resumes should be included in Section C: Additional Information. Interested Architectural Firms are invited to submit proposals that contain the following information:

- A. Experience, Structure, and Personnel

1. Each proposer is asked to submit materials that highlight its unique strengths, design talents, architectural philosophy, sensitivity to the public realm, approach to creating space, breadth of knowledge and experience, and experience with the specific industrial and biotech industry uses.
2. A history of the firm's experience providing Architectural services to economic development organizations, municipalities, other governmental entities, private developers, not-for-profits and civic organizations.
3. A description of the firm's organizational structure noting the principals, project manager(s), and professional staff who would work directly with ACPA on this project. Include resumes of key people in Section C: Additional Information.
4. Overall description of the firm's relevant work. In Section C: Additional Information, include examples of up to five (5) major projects that the firm has completed involving major public projects.
5. Innovative and outstanding work experience and unique qualifications. Firms or individuals with superlative buildings or competition entries shall present examples of work that address one or more of the following list:
 - a. Experience in Designing economic development projects for rural, industrial parks; projects that create spaces and communities that balance traditional heavy industry with high tech industry sectors.
 - b. Experience with Sustainability Projects that exhibit extraordinary design excellence with an emphasis on environmental consciousness and sustainability to create long-lasting economic and social value.
6. Architectural Firms should provide an overview or synopsis of projects where the firm worked as Architect. Include the client, the name of contact persons who are able to provide references from the client, a description of the nature of the work, the size and complexity of the project, total budget, construction cost, design cost, the dollar amount of fees for the firm, and the agreed fee arrangements.
7. Provide references of clients and subcontractors. Include the projects worked on and the names of contact persons who are able to provide references. Limit of three references per category.
8. A representation that the firm can devote significant and appropriate design staff and support staff to the project for all phases of design and construction.
9. Any other information that you believe would make the firm's work on behalf of ACPA superior to that of other firms or information about your firm's specialty or particular skill to perform a specific requested service. (This must be included in the 15-page limitation.)

B. Methodological Approach

1. A description of how the firm would work with ACPA and the Athens County Economic Development Council in the design of the speculative building.
2. A statement explaining the firm's design philosophy.
3. A description of how the firm intends to address the anticipated scope of services set forth in Section II of this RFP.
4. While preserving the unity of an overall building design, please address how you would approach the challenge of providing two separate buildings, within the same industrial park, a strong sense of their own physical presence that reinforces their individual, unique identities.
5. A statement explaining the firm's approach to Architectural services, including methods, analytical techniques, or models, etc. that would be employed.
6. A list of potential subcontractors in the disciplines listed in Section II of this RFP.
7. Please describe how your firm will promote the participation of Minorities and Women on this project. If appropriate, please identify M/WBE subcontractor business participation outlining responsibilities, key staff and qualifications.
8. Please describe how your firm will promote the participation of Athens County, Ohio businesses on this project. If appropriate, please identify local subcontractors business participation outlining responsibilities, key staff and qualifications.

C. Additional Information (NOTE: does not count toward 15-page limit)

1. Resumes of key staff (principals, project manager(s) and senior professional staff).
2. Examples of up to five (5) major projects that the firm has completed in its specific discipline(s) involving major public projects in rural environments. Include the client, the name of a contact person who is able to provide a reference, a description of the nature of the work, the size and complexity of the project, construction cost, design costs, the dollar amount of the design fee for this firm, and the agreed fee arrangements.

D. Fee (NOTE: does not count toward 15-page limit)

1. A proposed fee curve for all Architectural Services.
2. The normal hourly rate of each principal and staff member whose resume is provided or whose job category may be required, and the rate used in the proposal.
3. A list of anticipated reimbursable expenses and the rate charged for each without markup. Please indicate in reimburseables a detailed list of working models, presentation models, renderings, or other work product to be furnished during each state of services which is not included in basic services covered by the proposed fee schedule and the cost for each. Alternatively, if some or all of these are included as basic services, please so indicate.
4. Any reduced fees offered to other municipalities, governmental entities, economic development or nonprofit organizations, and civic organizations.
5. Any other fees or charges.

NOTE: The fee proposal must be submitted in a separate, clearly marked, sealed envelope. The fees will not be opened until all proposals have been initially evaluated. Although proposed fees will be taken into account, ACPA reserves the right to negotiate a lower or different fee structure with any firm that is selected.

E. Contact Information (NOTE: does not count toward 15-page limit): On a single cover sheet in your proposal, please provide:

1. The lead firm or individual name;
2. The lead firm's contact person;
3. License or certification information of lead firm principal or individuals working on the ACPA project;
4. Office telephone, and wireless numbers for firm principals or individuals working on the ACPA project;
5. E-mail address for firm principals or individuals working on the ACPA project;
6. The Street address of lead firm or individual;
7. The year the firm or individual practice established;
8. The MBE/WBE status of the firms (Minority-owned Business Enterprise or Women-owned Business Enterprise, as certified by State of Ohio);
9. The type of work or specialty and size of firm; and
10. The signature of the lead individual, and the date of the signature.

F. Conflicts of Interest (NOTE: does not count toward 15-page limit)

1. Submit a statement describing any potential conflict of interest or appearance of impropriety, relating to other clients of the firm, or officers, directors, and employees of ACPA or the Athens County Economic Development Council that could be created by providing services to ACPA.
2. Indicate what procedures will be followed to detect and notify ACPA and to resolve any conflicts of interest.
3. Indicate any pending litigation and/or regulatory action by any oversight body or entity that could have an adverse material impact on the firm's ability to serve ACPA.
4. Indicate if the firm has ever had a prior contract with any governmental entity terminated for any reason, and provide an explanation.

G. Non-discrimination Policy (NOTE: Does not count toward 15-page limit)

1. Firms with 50 or more employees shall submit a copy of their nondiscrimination or affirmative action plan.
2. Firms with less than 50 employees shall submit a statement of their commitment to equal opportunity and affirmative action from their chief executive officer.
3. Each responding firm must also complete and submit both
 - a. Attachment #1 relating to the anticipated workforce to be utilized on the contract; and
 - b. (b) Attachment #2 relating to the anticipated participation of minority and women-owned business enterprises as subconsultants, if any.

All information and documents described in subsections A through G above must be included or addressed in the submission.

IV. CRITERIA FOR SELECTION

In evaluating proposals submitted pursuant to this request, ACPA requires the following minimum qualifications of Architectural Firms submitting proposals to be considered for evaluation:

- Ten years' experience providing architectural services for projects of similar scope, complexity, and visibility.
- Experience on five projects of a high profile including at least one with a total construction cost over \$10 million.

- Experience on three projects of a similar nature (i.e. industrial building, biomedical centers) and scale.
- Experience managing large subcontractor teams.

In evaluating proposals submitted pursuant to this request, ACPA places high value on the following factors, not necessarily in order of importance:

For Building # 1 – Industrial Manufacturing & Warehousing/Logistics

- Work samples that demonstrate experience
 - Co-location of office and manufacturing space
 - Office space as appendage
 - Warehousing and high bay loading docks
 - Bond Beam foundation
 - 80-100 ft Free-span bay
 - Hook rack system
 - All metal building

For Building #2 – Biomedical Labs/Office

- Work samples that demonstrate experience:
 - Clean rooms
 - Other biomedical, research lab, or healthcare space

For All Proposals

- Quality of work product as demonstrated in submitted work samples of past architecture projects.
- Quality of work product including client satisfaction and problems that may have arisen during construction reflecting on the constructability of the design drawings.
- Firms or individuals whose efforts represent outstanding principles of design quality.
- Experience working with multiple clients/ institutions.
- Experience working with governmental, quasi-governmental and non-profit organizations.
- Ability of the Architectural Firm to identify potential subcontractors with the necessary qualifications for a project of this significance and magnitude and the experience of the Architectural Firm in working with subcontractors with the necessary qualifications.
- The ability of the Architectural Firm to complete projects with fast-track design schedules and to maintain project budgets.
- Experience of firm and employees to be assigned to the project in general, and in particular, providing consulting services to municipalities, economic development organizations, or other governmental entities. Experience of firm on projects in Athens County and/or Ohio. Selected firm's staff availability.
- Commitment of principals to lead the team and devote time to the project.

- Quality of experience as demonstrated in submitted relevant project examples.
- Innovative or outstanding work by firm that demonstrates the firm's unique qualifications to provide consulting services.
- Conformity with or exceeding of applicable ACPA policies as noted herein, including specific policies relating to nondiscrimination and affirmative action subcontracting goals.
- Projected cost of services.
- Approaches in methodology with respect to the anticipated scope of services that demonstrate maximum comprehension of and ability to provide such services to ACPA.
- Selected firm's staff ability, availability and facility for working with ACPA directors, officers, staff and consultants.

V. CONTRACT TERMS AND REQUIREMENTS

The contents of the proposal prepared by the successful firms, with any amendments approved by ACPA, may, at ACPA's election, become a part of the contract that is signed as a result of this RFP Process.

The selected Architectural Firms will be required to:

- Work with ACPA staff and its consultants to provide Architectural services to ACPA on matters that may arise in connection with the planning, development of the Bill Theisen Industrial Park.
- Maintain accurate accounting records and other evidence pertaining to costs incurred in providing services, and on ACPA request, to make such records available to ACPA at all reasonable times during the contract period and for seven (7) years after the date of the final payment to the firms under the contract.
- Assume sole responsibility for the complete effort as required by this RFP, and be the sole point of contact with regard to contractual matters.
- Refrain from assigning, transferring, conveying, subletting or otherwise disposing of the contract or its rights, titles or interest therein or its power to execute such agreement to any other person, firm, partnership, company, or corporation without the prior consent and approval in writing of ACPA.
- Comply with applicable law governing projects initiated or supported by ACPA.

ACPA may hire more than one Architectural Firm for each speculative building that responds to this RFP. ACPA has no preference that all services be provided by the same firm and firms may choose to submit qualifications to provide less than all of the anticipated scope of services. Responding firms must specify which services they are proposing to provide. ACPA will review all proposals without prejudice regarding which services are proposed.

ACPA reserves the right to terminate any contract entered into as a result of this RFP at any time, provided that written notice has been given to the firm at least thirty (30) days prior to such proposed termination date.

VI. MISCELLANEOUS CONDITIONS

A. Obligation Only on Formal Contract

The issuance of this RFP, the submission of a response by any firm, and the acceptance of such response by ACPA do not obligate ACPA in any manner. Legal obligations will only arise on the execution of a formal contract by ACPA and the firm(s) selected by ACPA.

Responses to this RFP will be prepared at the sole cost and expense of the proposing firms. No materials submitted in response to this RFP will be returned.

B. ACPA Reservation of Rights

ACPA may (i) amend, modify, or withdraw this RFP, (ii) revise requirements of this RFP, (iii) require supplemental statements or information from any firm, (iv) accept or reject any or all responses hereto, (v) extend the deadline for submission of responses thereto, (vi) negotiate or hold discussions with any respondent and to waive defects and allow corrections of deficient responses which do not completely conform to the instructions contained herein, and (vii) cancel this RFP, in whole or in part, if ACPA deems it in its best interest to do so. ACPA may exercise the foregoing rights at any time without notice and without liability to any proposing firm or any other party for their expenses incurred in the preparation of the responses hereto or otherwise.

C. Nondiscrimination and Affirmative Action Policies

It is the policy of the ACPA to comply with all federal, state and local laws, policies, orders, rules and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, and to take affirmative action in working with contracting parties to ensure that Minority and Women- owned Business Enterprises (“M/WBEs”), Minority Group Members and women share in the economic opportunities generated by ACPA’s participation in projects or initiatives, and/or the use of ACPA funds. As a subsidiary of Athens County, ACPA follows Athens County’s non-discrimination and affirmative action policy will apply to any contract entered into as a result of this RFP. ACPA has established a 20% M/WBE participation goal for its entire redevelopment project. The selected firm(s) shall be required to use best efforts to provide for the meaningful participation of United States M/WBE’s, Minority Group Members and women in the execution of this contract. A copy of each responding firm’s equal employment opportunity policy statement, Attachment 1 relating to the anticipated workforce to be utilized on the contract and Attachment 2 relating to the anticipated participation by M/WBEs as subcontractors, shall be included as part of the response to the RFP.