

# **REQUEST FOR QUALIFICATIONS FOR ENVIRONMENTAL REVIEW AND ASSESSMENT SERVICES**

## **TOWN OF WILLIAMSTON**

### **1 INTRODUCTION**

#### **1.1 Purpose**

The Town of Williamston (TOW) is soliciting qualifications from one or more firm(s) with which to contract for the following services:

The Town is seeking a qualified Contractor to provide environmental review and assessment services for a federally funded community development project. A detailed scope of services is provided in section 4 of this document.

- 1.2 Procurement Method. This Request for Qualifications (RFQ) is conducted using a qualifications-based selection process consistent with the Brooks Act approach for professional services (environmental and engineering services) permitted under 2 CFR 200.320. Fees, cost or price information will not be requested, considered, or evaluated during the qualifications phase. Fee negotiation will occur only with the highest-ranked firm following completion of the qualifications evaluation. Following selection of the highest-ranked firm, the Town shall negotiate a fair and reasonable fee consistent with 2 CFR §200.404 (Reasonable Costs) and §200.405 (Allocable Costs). If the Town is unable to negotiate a satisfactory contract with the highest-ranked firm, negotiations shall be terminated and the Town may proceed to negotiate with the next most qualified firm.

All questions related to this solicitation must be submitted in writing (via email) to the following individual:

<b>Contact Name</b>	<b>Email Address</b>
Shay Baggett	sbaggett@townofwilliamston.com

#### **1.3 Background**

The Town of Williamston, a city located in Eastern North Carolina, is a town that is looking to sustainably develop its community.

The Town is seeking a qualified Contractor to perform environmental review and assessment services as required by the National Environmental Policy Act (NEPA) and Code of Federal Regulations (24 CFR Part 58). The Town has received federal funds from the U.S. Housing and Urban Development (HUD) in Fiscal Year 2023 and plans to use these funds for various activities to support community development. The Town seeks an environmental review for the following activities: change in land use, property demolition, site clearance and improvements, and public infrastructure improvements. The Contractor will complete all environmental review work for each activity and

collaborate with Town staff to submit environmental review records in the HUD Environmental Review Online System (HEROS). The Contractor will be responsible for preparing complete, accurate, and compliant environmental review records in accordance with NEPA, 24 CFR Part 58, and HUD guidance, and for collaborating with Town staff to facilitate HUD review and acceptance, recognizing that final approval authority rests with HUD and the Responsible Entity.

The Contractor will perform the following levels of environmental reviews:

- Tiered Review of the site
- Environmental Assessment (EA) if needed
- Environmental Impact Statement (EIS) if needed

Completing the reviews will require the Contractor to complete assessments including, but not limited to, noise, endangered species, and environmental justice assessments, and produce appropriate mitigation recommendations.

The Contractor will perform the following levels of environmental site assessment to identify existing and potential site contamination liabilities:

- Phase I ASTM Environmental Site Assessment
- Phase II ASTM Environmental Site Assessment
- Potential “non-scope” items such as radon, lead, asbestos, mold, and agricultural uses

1.4 Request for Qualifications (RFQ) Timeline

Provided below is a list of anticipated schedule of events related to this solicitation. The Town of Williamston reserves the right to modify and/or adjust the following schedule to meet the needs of the service. All times shown are Eastern Time (EST):

RFQ Process	Date and Time
RFQ Advertisement Date	April 30, 2026
Deadline for Written Questions	May 12, 2026 @ 5PM EST
Town Response to Questions (anticipated)	May 15, 2026
<b>Qualifications Due Date and Time</b>	May 21, 2026 @ 5PM EST
Evaluation Meeting (anticipated)	May 22, 2026
Select Firm and Negotiate Contract (Contract is subject to Board approval)	May 22, 2026

1.5 Questions Regarding the RFQ

Requests for clarification and questions to this RFQ must be received by the Town not later than the date shown above in the RFQ Timeline (Section 1.4) for the submittal of written inquiries. The firm’s failure to request clarification and submit questions by the date in the RFQ Timeline above shall be considered to constitute the firm’s acceptance of all Town’s terms and conditions and requirements. The Town shall issue addenda reflecting questions and answers to this RFQ, if any, and shall be posted to North Carolina electronic Vendor Portal (eVP). No information, instruction or advice provided orally or informally by any Town personnel, whether made in response to a question or otherwise in connection with this RFQ, shall be considered authoritative or binding. Respondents shall be entitled to rely only on written material contained in an Addendum to this RFQ.

It is important that all Respondents submitting to this RFQ periodically check eVP for any Addenda. It is the Respondents responsibility to ensure that all addenda have been reviewed and, if required signed and returned.

All questions related to this solicitation must be submitted in writing (via email) to the following individual:

Contact Name	Email Address
Shay Baggett	sbaggett@townofwilliamston.com

1.6 Qualifications Submission Requirements and Contact Information

Qualifications must follow the format as defined in Section 2 (QUALIFICATIONS), and be addressed and submitted as follows:

DELIVERED BY US POSTAL SERVICE MAIL OR OTHER DELIVERY SERVICES
Town of Williamston  ATTN: Jackie Escobar  P.O. Box 506 102 E Main Street Williamston NC, 27892  RFQ TITLE: Environmental Review & Assessment Services

If mailing a submission, please clearly mark the name of the submitting company and the RFQ Title.

Proposers must submit **either** of the following:

- A. Three (3) signed originals delivered by U.S. Postal Service or other delivery service; or
- B. Three (3) signed originals hand-delivered to the address listed above.

Submission by either method shall satisfy the Town's requirements.

Qualifications received after the RFQ due date and time will not be considered.

Firms must respond to the entire Request for Qualifications (RFQ). Any incomplete Statement of Qualifications may be eliminated from competition at the discretion of the Town of Williamston. The Town reserves the right to reject any or all proposals for any reason and to waive any informality it deems in its best interest. Qualifications that arrive after the due date and time will not be accepted or considered for any reason whatsoever. If the firm elects to mail in its response, the firm must allow sufficient time to ensure the Town's proper receipt of the package by the time specified in the RFQ Timeline (Section 1.3). Regardless of the delivery method, it is the responsibility of the firm to ensure that their proposal arrives at the designated location specified in this Section by the due date and time specified in the RFQ Timeline (Section 1.3).

#### Cost Information Prohibition

Cost, fee, or pricing information shall not be submitted as part of the qualifications response and will not be considered during evaluation. Inclusion of such information may result in the submission being deemed non-responsive.

#### 1.7 MWBE Participation Form

SMALL AND/OR MINORITY FIRMS ARE ENCOURAGED TO SUBMIT QUALIFICATIONS. The Town of Williamston prohibits discrimination in any manner against any person based on actual or perceived age, race, color, creed, national origin, sex, mental or physical disability, sexual orientation, gender identity or expression, familial or marital status, religion, economic status, or veteran status. The Town maintains an affirmative policy of fostering, promoting, and conducting business with women and minority owned business enterprises.

Complete and submit the MWBE Participation Form with your proposal.

#### 1.8 Rights to Submitted Material

All proposals and supporting materials, as well as correspondence relating to this RFQ, shall become the property of the Town. The content of all submittals will be held confidential until the selection of the firm is made. Submissions will be reviewed by the Evaluation Team, as well as other Town staff and members of the general public who submit public record requests. Any proprietary data must be clearly marked. In submitting, each Prospective Firm agrees that the Town may reveal any trade secret materials contained in such response to all Town staff and Town officials involved in the selection process and to any outside consultant or other third party who serves on the Evaluation Team or who is hired by the Town to assist in the selection process. The Town reserves the right to retain all qualifications submitted and to use any ideas in a statement regardless of whether that firm is selected. Submission of qualifications indicates acceptance by the firm of the conditions contained in this Request for Qualifications. Proposals marked entirely as "confidential", "proprietary", or "trade secret" will be considered non-responsive and will be removed from the evaluation process.

## 1.9 Lobbying

By responding to this solicitation, the firm certifies that it has not and will not pay any person or firm to influence or attempt to influence an officer or employee of the Town or the State of North Carolina, or any elected official in connection with obtaining a contract as a result of this RFQ.

## 1.10 Conflicts of Interest

Town of Williamston contracts are controlled by the following conflict of interest provisions.

### A. Federal procurement standards (2 CFR 200.318 (c)(1))

The recipient or subrecipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, agent, or board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract. An employee, officer, agent, and board member of the recipient or subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors.

### B. North Carolina General Statute § 14-234(a):

(1) No public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in this section, or as otherwise allowed by law. (2) A public officer or employee who will derive a direct benefit from a contract with the public agency he or she serves, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract. (3) No public officer or employee may solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency he or she serves.

### C. Town of Williamston's Conflict of Interest Policy

Duty to Disclose: "Each Covered Individual expected to be or actually involved in the selection, award, or administration of a Contract or Subaward has an ongoing duty to disclose... real or apparent conflicts of interest arising..."

Determining Whether a Conflict of Interest Exists: If, after completing the Compliance Checklist, the COI Point of Contact identifies a potential real or apparent conflict of interest relating to the proposed contract or subaward, the COI Point of Contact shall disclose such finding in writing to each member of the Governing board.

Conflict of Interest Management: The Governing Board may:

- (1) Accept the finding of the COI Point of Contact and direct the COI Point of Contact to obtain authorization to enter into the Contract or Subaward from (a) if Unit is a Recipient of Federal Financial Assistance, the Federal awarding agency with appropriate mitigation measures, or (b) if Unit is a Subrecipient of Federal Financial Assistance, from the Pass-Through Entity that provided a Subaward to Unit; or
- (2) Reject the finding of the COI Point of Contact and enter into the Contract or Subaward. In rejecting any finding of the COI Point of Contact, the Governing Board shall in writing document a justification supporting such rejection.

**Disclosure Requirement**

All Respondents must complete and submit the appropriate Conflict of Interest Disclosure form: **Attachment C** (Federal Funds)

Failure to submit the appropriate form may result in the Respondent being deemed non-responsive.

1.11 Firm Expenses

The Town of Williamston will not be responsible for any expenses incurred by any firm in the development of a response to this Request for Qualifications or any other activities associated with this procurement including but not limited to any onsite (or otherwise) interviews and/or presentations, and/or supplemental information provided, submitted, or given to Town of Williamston and/or its representatives. Further, the Town of Williamston shall reserve the right to cancel the work described herein prior to issuance and acceptance of any contractual agreement/purchase order by the recommended Firm even if the awarding authority for each entity has formally accepted a recommendation.

The selected Contractor shall perform all services as an independent contractor and shall not be considered an employee or agent of the Town.

1.12 Firm Acceptance

Submission of any qualifications indicates a Firm's acceptance of the conditions contained in this RFQ. Furthermore, the Town of Williamston has the sole discretion and reserves the right to cancel this RFQ, and to reject any and all proposals, to waive any and all informalities and/or irregularities and reserves the right to re-advertise this RFQ with either the identical or revised scope and specifications if it is deemed to be in the best interests of the Town of Williamston to do so. The Town reserves the right to accept or reject any or all of the items in the stated qualifications, and to award the contract in whole or in part and/or negotiate any or all items with individual Firms if it is deemed in the best interest of the Town of Williamston to do so. Moreover, the Town reserves the right to make no selection if subsequent negotiated prices are deemed to be outside the fiscal constraint or not in the best interest of the Town of Williamston.

### 1.13 Federal Contract Provisions

Any contract awarded as a result of this RFQ shall include all applicable federal contract provisions required by 2 CFR Part 200, Appendix II, as well as any and all conditions of the HUD funding award. These provisions include, but are not limited to, access to records, termination for cause and convenience, civil rights compliance, and environmental compliance requirements. These provisions may include, as applicable, Equal Opportunity requirements (Executive Order 11246), the Byrd Anti-Lobbying Amendment, Contract Work Hours and Safety Standards Act, and other applicable federal statutes and regulations.

### 1.14 Procurement Protest

Any actual or prospective Respondent may submit a written protest concerning this procurement within five (5) business days of the award notification. Protests must be submitted in writing to the Town and must clearly state the grounds for the protest.

### 1.15 E-Verify Requirement

CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if CONTRACTOR utilizes a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

## 2. QUALIFICATIONS

Responses must follow the format outlined below.

### 2.1 Request for Qualifications Required Document Format

Responses should be divided using tabs to separate each section, listed sequentially as follows:

#### **Tab 1: Cover Letter/ Introduction**

Provide an introduction letter summarizing the qualifications of your firm to meet the needs of this service requirement. It is preferred to have this letter on the firm's official letterhead and signed by an authorized representative who has the authority to enter into the contract with the Town on behalf of the firm. Also, please include the name, address, telephone number, and email address of the main point of contact for this solicitation.

#### **Tab 2: Corporate Background and Experience**

Include background information of the firm and provide detailed information regarding the firm's experience with similar projects, and note the total amount invoiced for the project, the length of the project, and a list of those involved with the project who are proposed for the subject project in the solicitation. Please include three (3) references and their contact information. The evaluation team reserves the right to contact any or all listed references, and to contact other public entities regarding past performance on similar projects.

**Tab 3: Project Understanding, Approach, and Schedule**

Provide a comprehensive narrative, outline, and/or graph demonstrating the firm's understanding and approach to accomplishing the tasks outlined in the Scope of Work section of this RFQ. A description of each task and deliverable and the schedule for accomplishing each shall be included.

**Tab 4: Team and Firm Experience and Certifications**

This section must include the proposed staffing, deployment and personnel to be assigned to this project. The firms shall provide qualifications and experience of all executive, managerial, legal, and professional personnel to be assigned to this project, citing experience with similar projects and the responsibilities to be assigned to each person. A project-specific firm chart which clearly illustrates the roles, responsibilities, and the reporting relationships of each team member should be included.

**Tab 5: Forms**

Please include the following completed forms:

- Attachment A: Certification Regarding Debarment and Suspension
- Attachment B: MWBE Participation Form
- Attachment C: Conflict of Interest Disclosure (Federal Funds)

**Tab 6: Insurance**

The selected Contractor will be required to provide a certificate of insurance evidencing coverage, including at a minimum:

- Commercial General Liability
- Professional Liability (Errors and Omissions)
- Workers' Compensation
- Automobile Liability

Coverage must be maintained for the duration of the Contract. Minimum coverage limits will be specified in the final contract.

The selected Contractor will be required to provide a certificate of insurance certifying that they have insurance coverage that will cover their employees while on Town property and proposed site, and will protect the Town of Williamston from liability for the actions of their employees

Minimum insurance requirements, including general liability, professional liability, workers' compensation, and automobile liability coverage, shall be specified in the final contract and must be maintained for the duration of the Contract.

## 2.2 RFQ Documents

This RFQ is comprised of the base RFQ document, any attachments, and any addenda released before Contract award. All attachments and addenda released for this RFQ in advance of any Contract award are incorporated herein by reference.

## 3 QUALIFICATIONS EVALUATION

### 3.1 Qualifications Evaluation Criteria

The Qualifications received in response to this RFQ will be evaluated and ranked by the Evaluation Committee, made up of 3 members, in accordance with the process and evaluation criteria contained below. Responses will be evaluated in light of the material and substantiating evidence presented in the response, and not on the basis of what is inferred. After thoroughly reading and reviewing this RFQ, each Evaluation Committee member shall individually conduct his or her independent evaluation of the qualifications received and grade the responses on their merit in accordance with the evaluation criteria set forth in the following table. Each evaluation will be aggregated to get a total score.

For purposes of evaluation, **Project Understanding** refers to the firm's demonstrated knowledge of HUD environmental review requirements, NEPA, 24 CFR Part 58, and HEROS procedures. **Project Approach** refers to the firm's proposed methodology, sequencing of tasks, coordination with Town staff, and execution plan.

Criteria	(a) Weight	(b) Score (0-3)	(a) X (b) Weighted Score
Corporate Background and Experience	20%		
Project Understanding	30%		
Project Approach	30%		
Team and Firm Experience	20%		
Final Score			

#### Score Points

- 0- Missing or Does Not Meet Expectation
- 1- Partially Meets Expectation
- 2- Meets Expectation
- 3- Exceeds Expectation

Scorers may also use tenths of points to provide more nuance in responses, such as 2.1, 2.2, 2.3, etc.

### 3.2 Final Selection

Qualifications will be evaluated and ranked according to the criteria and weighted values set forth in Section 3.1. A final selection for recommendation will be made at this time.

After which negotiations of a contract with the most qualified firm will commence. If negotiations are unsuccessful, the Town will then pursue negotiations with the next most qualified firm. All Firms will be notified of their standing within 10 days of the Town's decision. The Town shall not be bound or in any way obligated until both parties have executed a contract. The Town also reserves the right to delay the award of a contract or to not award a contract.

### 3.3 Contract Term

The Contract shall have a term of one (1) year, beginning on the date of the Contract award (the "Effective Date"). Continuation of the Contract beyond the initial term, or issuance of task orders thereunder, shall be contingent upon the written agreement of the Town and Contractor, continued availability of HUD funds and compliance with all federal requirements.

## 4 SCOPE OF SERVICES

Awarded Contractor shall provide services, all as set forth in this RFQ and more particularly described in this Section 4.

The Town is seeking a qualified Contractor to provide environmental review and assessment services for a federally funded community development project undertaken by the Town as required by the National Environmental Policy Act (NEPA) and the Code of Federal Regulations (24 CFR Part 58). Environmental Review may be subject to regulations 24 CFR 58.5, 24 CFR 58.6, and environmental assessment factors under NEPA.

The Contractor will:

- Review project information provided by Town staff and determine the appropriate level of environmental review.
- Create a preliminary scope of work and schedule for the environmental review. Any cost or budget estimates developed shall be for planning purposes only and shall not be used for selection or evaluation.
- Include recommendations for potential non-scope items during the scoping stage. Any non-scope studies shall require prior written approval by the Town and, if authorized, shall be addressed through a separate written amendment or task order.
- Furnish all labor, personnel, supervision, materials, supplies, tools, equipment, computers, transportation, travel, and incidentals necessary to perform all authorized work. Contractor may use subcontractors as needed (see Appendix I).
- Complete all necessary consultations with local, state, and federal agencies. These may include consultations to determine compliance with NEPA and related laws and authorities and consultations to address environmental assessment factors.

- Initiate and facilitate Section 106 Historic Review.
- Complete all studies needed for environmental review to determine project compliance with NEPA and related laws and authorities.
  - o Phase I ASTM
  - o Phase II ASTM
  - o Such studies that may be related to air quality, endangered species, noise, explosive and flammable hazard, historic preservation, site contamination, environmental justice, sole source aquifers, and any others required.
  - o Contractor must identify and disclose any recommended non-scope studies during the project scoping stage. No non-scope work shall be performed without prior written authorization from the Town.
- Prepare and enter the required environmental review record in HEROS, and assign the environmental review appropriate to Town staff in HEROS.
- Prepare all notices required to finalize environmental reviews, including but not limited to the Notice of Intent to Request a Release of Funds (NOI-RROF) and the Notice of Finding of No Significant Impact. The grantee will publish all required notices.
- Prepare and compile all necessary information in the format specified by HUD for the level of environmental review and provide the Town of Williamston with one copy for execution by the Certifying Officer. The final environmental review record will include all necessary source documentation presented in an orderly, easily understandable manner.
- Assist the Town staff for responses to any public comments or questions received from HUD or any other federal or state regulatory agencies pertaining to the environmental review process.

The Consultant shall be responsible for all costs incurred in performing services within the agreed-upon scope of work and negotiated contract price, including approved travel, studies, and subcontracted services, in accordance with the cost principles set forth in 2 CFR Part 200 and as authorized in writing by the Town.

About the site:

The location of the environmental review's main address is 405 S Haughton St, Williamston, NC 27892. The Contractor will provide an environmental assessment and consulting services for the following addresses/parcel numbers (as recorded on Martin County GIS):

- 405 S Haughton Street (Parcel ID: 0502118)
- 202 S Elm Street (Parcel ID: 0501710)
- 104 Railroad Street (Parcel ID: 0502120)
- 104 Railroad Street (Parcel ID: 0502121)
- Washington Street (Parcel ID: 0502119)

- Washington & Railroad Street (Parcel ID: 0505795)

Contractor will need to work with land owners to ensure smooth scheduling and minimize disruption to landowner activities.

ALL AWARDS PURSUANT TO THIS PROCUREMENT ARE CONTINGENT UPON RECEIPT AND APPROVAL OF THE APPLICABLE FUNDING AWARD AND REQUIRED ENVIRONMENTAL CLEARANCE. NO FUNDS WILL BE OBLIGATED UNTIL APPROPRIATE CONTRACT DOCUMENTS ARE EXECUTED AND ALL REQUIRED CONDITIONS ARE SATISFIED. ALL CONTRACTORS MUST COMPLY WITH ALL APPLICABLE FEDERAL LAWS, REGULATIONS, EXECUTIVE ORDERS, AND TERMS AND CONDITIONS OF THE HUD FUNDING AWARD.

Contractor shall retain all records related to this contract for a minimum of five (5) years after final payment, or longer if required by HUD, the U.S. Department of Housing and Urban Development Office of Inspector General (HUD OIG), or applicable federal or state law.

ATTACHMENT A

FEDERAL DEBARMENT CERTIFICATION FORM

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**Certification Regarding Debarment, Suspension, Ineligibility and  
Voluntary Exclusion**

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This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension (1986) and Executive Order 12689, Debarment and Suspension (1989) at 2 C.F.R. Part 180.

**(BEFORE COMPLETING CERTIFICATION, READ THE INSTRUCTIONS ON THE  
WHICH ARE AN INTEGRAL PART OF THE CERTIFICATION)**

- (1) The prospective recipient of Federal assistance funds certifies, by Response, that it is in compliance with the requirements of 2 C.F.R. Part 180 and that neither it, its principals, nor its subcontractors are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this Response.

**ATTESTATION**

By signing this report, I certify to the best of my knowledge and belief that the foregoing is true, complete, and accurate. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Sections 3729-3730 and 3801-3812).

Company Name

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Name and Title of Authorized Representative

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Signature

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Date

## **FEDERAL DEBARMENT CERTIFICATION FORM (CONTINUED)**

### **Instructions for Certification**

1. By signing and submitting this Response, the prospective recipient of Federal assistance funds is providing the certification as set out below.
2. The certification in this class is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department of Labor (DOL) may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the person to which this Response is submitted if at any time the prospective recipient of Federal assistance funds learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The prospective recipient of Federal assistance funds agrees by submitting this Response that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DOL.
5. The prospective recipient of Federal assistance funds further agrees by submitting this Response that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion" without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

ATTACHMENT B

# MWBE PARTICIPATION FORM

This Identification of MWBE Participation Form is for the purpose of capturing information regarding the utilization of MWBEs (Minority and Women-Owned Business Enterprise) and other subcontractors and suppliers on Town of Williamston Contracts. MWBE participation is encouraged for all Town of Williamston contracting opportunities.

COMPANY NAME	
PROJECT NAME	
BID SUBMITTAL DATE	

Prime is MWBE

Classification:

Certified with NCHUB

Certified with NCDOT-DBE

WORK TO BE SELF PERFORMED

Check this box ONLY if you intend to perform 100% of the work for this Contract with your own work forces, and you normally perform and have the capability to perform all elements of this work for this Contract with your own current work forces

### MWBE SUBCONTRACTORS

Complete the chart below for all MWBE subcontractors that you intend to use for this Contract regardless of dollar amount.

COMPANY NAME	MWBE CLASSIFICATION	DESC. OF SERVICES	PERCENTAGE OF TOTAL CONTRACT

\*MWBE Classifications: American Indian (AI), Asian American (AA), Black/African American (B), Hispanic (H), Non-Minority Female (NMF), Socially/Economic Disadvantaged (D)

Percent Estimated MWBE Utilization \_\_\_\_\_%

The bidder has made good faith efforts to include MWBE participation but was unable to secure participation. Documentation of efforts is attached.

## ATTACHMENT C

# Town of Williamston Conflict of Interest Disclosure Form

### Procurement with FEDERAL FUNDS

The Town of Williamston Board of Commissioners strives to provide full and open competition that is free of real or perceived unfair competitive advantage or conflict of interest. In this document, "Offeror" means the person(s) or entity submitting a bid or proposal to any solicitation, any subcontractors, and all related entities including parent companies, subsidiaries, and companies owned, controlled, or owned and controlled by the same or closely related people. This document is intended to meet expectations as laid out in NCGS 14-234 as follows:

G.S. § 14-234(a)(l). A Public Officer or employee of the Unit Involved in Making or Administering a Contract or Subaward on behalf of the Unit shall not derive a Direct Benefit from such a Contract or Subaward.

G.S. § 14-234(a)(3). No Public Officer or employee of the Unit may solicit or receive any gift, favor, reward, service, or promise of reward, including but not limited to a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a Contract or Subaward by the Unit.

G.S. § 14-234.1. A Public Officer or employee of the Unit shall not, in contemplation of official action by the Public Officer or employee, or in reliance on information which was made known to the public official or employee and which has not been made public, (1) acquire a pecuniary interest in any property, transaction, or enterprise or gain any pecuniary benefit which may be affected by such information or other information, or (2) intentionally aid another in violating the provisions of this section.

For federally funded procurements, please see: 2 C.F.R. 200.319(b)(5); and the Federal Transit Administration Circular 4220.1F Chapter VI paragraph 2.a(4)(h), Rev. 4, 3/18/2013, for additional information.

The Offeror must determine if a conflict of interest exists. Offerors and their subcontractors or subconsultants must complete and submit a Disclosure and Certification Regarding Conflict of Interest form as part of the bid or proposal, including forms for all proposed first-tier subcontractors. If the Offeror determines that a conflict of interest exists, it must notify RFP Point of Contact and the Town Clerk. Offerors may disclose a potential conflict of interest at any time by submitting the Disclosure of Conflict of Interest form to Jackie Escobar, Town Clerk. The Board of Commissioners, in its sole discretion, will make the final determination as to whether a conflict of interest exists.

#### When does a conflict of interest exist?

Conflicts of interest may exist at an organizational level, at a personal level, and at a financial level. Conflicts of interest may be "actual," meaning they currently exist, or they may be "apparent," meaning a reasonable person with all the material facts believes there appears to be a conflict, whether or not the organizations or individuals involved are in relationships that actually create or experience bias or unfair advantage. Actual, potential, apparent, and perceived conflicts of interest are collectively referred to as "conflicts of interest" in this document.

### Disclosure of Conflict of Interest

An Offeror shall either: (1) disclose all organizational, personal, and financial conflicts of interest, including all material facts to the Board of Commissioners in a presentation; or (2) certify that the Offeror is unaware of any facts or circumstances which would give rise to a conflict of interest in performing work under this solicitation. An organizational or financial conflict disclosure will not automatically disqualify the Offeror from being awarded a contract. A personal conflict disclosure may disqualify the Offeror from being awarded a Contract. The Board will evaluate disclosed conflicts to determine whether they are material and whether mitigation is possible.

### Failure to Disclose

If, in the Board's sole discretion, a conflict is discovered after award or execution of a contract, the Board may terminate the contract or take other action as deemed appropriate by the Board in accordance with the law. In the event the Offeror was aware of a conflict of interest prior to the award of the contract and did not disclose the conflict to the Board, the Board, in its sole discretion, may terminate the contract for default.

## Disclosure and Certification Regarding Conflict of Interest

Name: \_\_\_\_\_ (the "Offeror")

Relationship (i.e: contractor, consultant, subcontractor, etc.)  
\_\_\_\_\_

1. Certification. The Offeror hereby acknowledges that it has read the Conflict of Interest Guidelines included in the solicitation and has, to the best of its knowledge and belief:

\_\_\_\_\_ Determined that there are no relevant facts or circumstances which could give rise to conflicts of interest (Offeror may provide an explanation or supporting documentation).

OR

\_\_\_\_\_ Determined that one or more conflict of interest exists (Offeror may provide an explanation or supporting documentation, must give disclosure to Board of Commissioners).

2. Flow-Down. The Offeror must include a signed copy of this certification form for each of its subcontractors with the terms "contract," "Offeror," and "Board" modified appropriately to preserve the Board's rights. The Offeror must submit all subcontractor forms with its proposal.
3. Continuing Obligations. The Offeror has a continuing obligation to the Board to disclose conflicts of interest during the solicitation phase or, if awarded a contract, throughout the duration of the contract. During the solicitation, the Disclosure and Certification Regarding Conflict of Interest Form(s) must be submitted to the RFP Contact Listed.

By signing below, the Offeror certifies that the information contained in this form is accurate to the best of its knowledge, and that the Offeror agrees to comply with the requirements herein. The Offeror has a continuing obligation to the Board to disclose conflicts of interest during the solicitation phase or, if awarded a contract, throughout the duration of the contract.

Signed:

Name:

Title:

Date: