

Request for Proposals (RFP)

SUBJECT: Cube Cargo Model Development

CLOSING DATE: October 23, 2009

FORMAT: Hard copy, bound/stapled and signed

NUMBER OF COPIES: Twelve (12)

SUBMIT TO: Alan C. Clark, MPO Director
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Those responding to this solicitation may elect to either mail or personally deliver their proposals to H-GAC offices. Failure to submit the required number of copies as stated above may result in disqualification from the proposal process. H-GAC will not accept any proposals delivered by telephonic, electronic, or facsimile means.

The deadline for the submittal of proposals is no later than 3:30 PM on October 23, 2009. H-GAC will date and time stamp all proposals upon receipt. Proposals received after this date and time will not be accepted. Respondents may submit proposals to the H-GAC office any time prior to the deadline.

Submission of a proposal will constitute acknowledgement and acceptance of all the terms and conditions contained in this RFP. Proposers, their authorized representatives, and their agents are responsible for obtaining, and will be deemed to have, full knowledge of the conditions, requirements, and specifications of this Request for Proposal at the time a proposal is submitted to H-GAC.

PRE-PROPOSAL COMMUNICATIONS

A Pre-Proposal Meeting is to be held on Thursday, September 24, 2009, from 2:00 - 3:00 p.m. in the H-GAC 2nd Floor, Conference Room B. Please notify Chris Van Slyke no later than Monday, 3:30 p.m., September 21, 2009, if you plan to attend the meeting.

It will be assumed that potential Proposers attending this meeting have reviewed the RFP in detail and are prepared to raise any substantive questions, which have not already been addressed by H-GAC. H-GAC requests that, as much as is practical, respondents submit all questions in advance in writing, via email or fax, prior to the Pre-Proposal Conference. No additional questions regarding the RFP will be accepted after 5:00 PM on September 21, 2009. Questions submitted in advance should be sent to Chris Van Slyke, H-GAC Program Manager, via email at chris.vanslyke@h-gac.com or via fax at 713-993-4508. All questions and answers from the Pre-Proposal meeting will be compiled and provided to participating Proposers, as well as posted on the H-GAC web site.

ADDITIONAL INFORMATION AND SPECIFICATIONS

Requests for additional information and questions should be addressed to Chris Van Slyke, Transportation Department, Houston-Galveston Area Council, telephone – 713.993.4574 fax - 713.993.4508, or e-mail–chris.vanslyke@h-gac.com, no later than September 21, 2009 at 5:00 PM local time. H-GAC will provide written responses to all questions received in writing on or before the written question submittal deadline (see Procurement Schedule). Questions received from all respondents, including those raised at the Pre-Proposal Meeting, shall be answered and sent to all respondents who are listed as having obtained Requests for Proposal, as well as posted on the H-GAC web site. Proposers shall be notified in writing (via email) of any changes in the specifications contained in this Request for Proposal, and any changes will also be posted on the H-GAC web site.

BACKGROUND

The Houston-Galveston Area Council (H-GAC) will soon be conducting a major update of its regional travel demand model. This update will include all elements of the modeling system, including networks, socioeconomic data, and passenger models. As part of this update, HGAC will develop a set of freight models to be integrated with the passenger models, using state-of-the-practice techniques applied within the Cube Cargo freight modeling software framework. The objectives of this study are to develop a freight data collection plan and freight model framework that HGAC can use in support of its regional travel model update. Some limited testing of the Cargo framework with the data will be required.

SECTION IV STUDY OBJECTIVES AND SCOPE OF WORK

PURPOSE AND NEED

The purpose of the study is to develop a tool that is fully integrated with the existing travel demand modeling system that may be used to test scenarios recommended in the Regional Goods Movement Plan. The geographical area for this analysis is the Houston-Galveston MPO region (Waller, Chambers, Montgomery, Fort Bend, Brazoria, Harris, Liberty, and Galveston Counties). Counties containing Seaports bordering this region

may also be analyzed if it is determined that the level of goods movement activity as an origin, destination, or through put is material.

Safe and efficient goods movement is critical to the economic well-being of the Houston-Galveston region. The study area's ports, airports, rail lines, inter-modal terminals, and logistic distributors have existing capacity constraints that undermine the efficiency and productivity of the system as a whole. Highway congestion, limited and outdated freight facilities impact the efficiency of the goods movement system and can pose a safety risk to all transportation system users. Additionally, the goods movement system directly affects this region's quality of life. This includes truck intrusion into neighborhoods, safety, land use compatibility, poor air quality and related health impacts, restricted mobility and delay at rail crossings, noise and visual impacts. Projected growth in freight volumes, rail cargo and truck traffic over the next thirty years will only exacerbate existing problems.

OBJECTIVES

The primary goal of the project is to identify available freight data and information and identify data gaps required to be filled to support development of a freight model. Critical data required to develop a freight model includes the following:

- Commodity flows,
- Truck Origins and destinations,
- Vehicle classifications, and
- Commercial vehicle registration data

A secondary goal is to identify and prioritize a set of additional development task required to run a fully functional and integrated freight travel modeling system. It is anticipated that this work would be conducted after the freight data collection is completed and parallel with H-GAC's planned regional travel demand update project.

Process

This plan will be conducted by the HGAC in cooperation with the Texas Department of Transportation (TXDOT). Agency staff will work with a steering committee composed of representatives from area ports, trucking and logistics interests, goods movement stakeholder organizations, and others as appropriate to complete the plan tasks.

Additionally, the consultant will work in collaboration with the concurrently running Regional Goods Movement Plan . The study will be conducted in 12 months. Milestone products and results will be required during the analysis process. The desired end product is the development of a validated , and calibrated Cube Cargo model that can be fully integrated into the existing travel demand modeling software currently utilized by H-GAC.

Procurement Schedule

Solicitation Date:

September 4, 2009

Pre-Proposal Meeting:	September 24, 2009
Deadline for Submissions of Written Inquires:	October 1, 2009
Response to Inquires Posted:	October 5, 2009
Deadline for Submission for Proposals:	October 23, 2009
Consultant Candidate Interviews:	November 16, 2009
H-GAC Board Consultant Contract Award:	December 15, 2009

SCOPE OF WORK

Task 1. Refine Work Program

The contractor will prepare for and attend a kickoff meeting with HGAC in Houston. The meeting purpose is to review the project objectives, work program, and schedule; clarify and address any outstanding technical issues; establish management protocol with the prime contractor and HGAC; determine the content and format of monthly progress reports; and refine the work program, as necessary.

Deliverables

- Final Work Program and Schedule; and
- Monthly Progress Reports.

Tasks 2. Review Available Data and Identify Data Gaps

The contractor will work with HGAC staff to obtain and review available and relevant data pertaining to truck/freight in the Houston-Galveston region. The review will focus on identifying available data and information, as well as identifying data gaps required to be filled to support development of the freight model. As stated previously, critical data required to develop a freight model includes the following:

- Commodity flows,
- Truck origins and destinations,
- Vehicle classifications, and
- Commercial vehicle registration data.

H-GAC's TRANSEARCH commodity flow database will be reviewed and analyzed, which will be the basis for developing freight model flows by type of goods moved. The review will augment this commodity flow information with the latest Freight Analysis Framework 2 (FAF2)¹ data from the Federal Highway Administration (FHWA). Truck origin and destination survey data will be required to develop trip rates for internal truck flows and to calibrate trip distribution models. Because these surveys are not currently available to HGAC, it is recommended that a review of and use of trip rates from other

¹ FAF2 is an update to the FHWA's commodity flow data developed in cooperation with the Bureau of Transportation Statistics (BTS) through Oak Ridge National Laboratory and MacroSys Research Technology.

similar regions, other studies conducted in the region, as well as those published in the latest Quick Response Freight Manual (QRFM)² and the National Cooperative Highway Research Program (NCHRP) Synthesis Report 298³ are substituted. Commercial vehicle registration data can be used for those sectors that are not adequately captured by commodity flows or borrowed trip rates.

The Consultant will review HGAC's regional travel model socioeconomic data and network (highway and rail) files and documentation; and also review data related to the generation of commercial vehicles, such as air cargo, ports, warehouses, and intermodal terminals. Upon completion of this review, the next step is to assess how the current regional travel model's input data can be applied for the freight model within Cube Cargo. This task include a review of HGAC's freight forecasts from their current model, commercial vehicle data from other regional sources, vehicle classification counts, and external cordon surveys as part of this process.

Working with HGAC, the consultant will review any of other ongoing or forthcoming truck/freight modeling and analysis activities, and will coordinate with these activities to the extent possible. Once the review of available data and models is completed, the consultant can develop an available freight data inventory to identify the data gaps and needs, and to guide the collection of new data to support ongoing freight modeling efforts by HGAC. To the extent possible, the inventory should include dimensions related to commodity flows by type, mode of travel, origins and destinations, truck counts by roadway, and rail movements, among others.

Deliverables

- Technical memorandum of the inventory of available data and expected data gaps

Task 3. Develop and Implement Data Collection Plan

The Consultant will develop and implement a data collection plan designed to fill the critical gaps of missing data identified in Task 2. Based on industry experience it is clear that important freight data for regional freight modeling are likely not be available to HGAC and other agencies. These data, identified below, include many system and intermodal elements (seaports, transportation logistics nodes) important to better understanding comprehensive freight movements in the Houston region. It would be beneficial to H-GAC to collect these data in a manner to take as much advantage as possible of the freight modeling analytics contained in the Cube Cargo software. This software can be applied to show transportation logistics nodes (TLNs) that capture the trip chaining behavior of freight movements in a given region. These TLNs can include rail intermodal facilities, distribution centers, warehouses, sorting, and transload

² Quick Response Freight Manual II, Federal Highway Administration, July 2007.

³ Fischer, M. J., and M. Han, *NCHRP Synthesis 298, Truck Trip Generation Data – A Synthesis of Highway Practice*, Transportation Research Board – National Research Council, Washington, D.C., 2001.

facilities. The rail intermodal facilities capture the truck/rail combination freight activities, while the rest of these TLNs capture a large fraction of truck traffic associated with long-haul, nonintermodal movements.

Much of the proposed new data collection surveys and efforts defined below include a combination of interviews with representatives of each agency/entity and formatting available data for input into the modeling system.

Rail Intermodal Facilities

There are more than 30 rail intermodal facilities in the Houston-Galveston region⁴, which involve commodity shipments changing modes between truck and rail before reaching their final destinations. The first step is to determine the major facilities that account for the majority of these shipments, and obtain contacts at these facilities to conduct surveys that describe a variety of business operations and freight movement characteristics.

The consultant will contact and obtain participation of a sample of the major railroad companies in the region to identify the largest customers for each facility. The consultant will design and use interview guides (or surveys) to obtain the location and operations of facilities, locations of major markets or customer concentrations, and patterns of truck trips between facilities and the rail intermodal terminals, among other travel demand characteristics. Relevant facility data also will be obtained that will include total acres, number of parking spaces, number of gates, number of employees, contractors, among others.

The consultant will work with participants to request available lift, gate, and train data, including current inbound and outbound trains by month, origins and destinations, number of containers (by type), weekly train schedules (to get day-of-week variation), and number of lifts by month. Other data to be acquired includes lifts by day; split out by containers (international versus domestic, if possible) versus trailers; and gate transactions by day by type (inbound, outbound, loaded, empty, bobtail).

Ports

There are four seaports in the region that include the Ports of Houston, Galveston, Texas City and Freeport and the two major airports. The seaports of Beaumont, Orange, Port Arthur, and Victoria should be addressed only where/if goods movement ends or begins within the Houston-Galveston TMA. Approximately fifty-six (56) percent of the freight flows occur at the Port of Houston. These data will be used to characterize the portion of the truck trips to and from the rail intermodal TLNs, including developing the required trip matrices in support of a port-specific model within HGAC's regional travel model.

⁴ http://climate.dot.gov/publications/impact_of_climate_change/csv/table_c_01.csv.

Other Data

Data gaps and potential requirements that may be useful to support freight model development for the region need to be identified. These data may include a variety of origin-destination, vehicle classification, and other data for collection and/or implementation in later phases of freight model development. Despite the presence of multiple pipeline farms within the region Cargo does not easily capture these commodity transfers and is excluded from this work.

Deliverables

- Technical memorandum of the data collection plan, including interview/survey guides, data collection activities, and other data obtained to support Cube Cargo model development.

Task 4. Prepare Freight Modeling Data

The data, models, and survey information collected in the previous tasks to support the development of the Cube Cargo model will be evaluated. This data can be formatted into a comprehensive freight modeling database. These data and models, as presented previously, include the following:

- HGAC regional travel model files for the base year and forecast years;
- HGAC socioeconomic data at the traffic analysis zone (TAZ) level;
- Base year and forecast years data of commodity flows (TRANSEARCH, FAF2);
- Available truck trip data from all the major special generators in the region (seaports and airports);
- Any previously conducted truck surveys, such as intercept surveys, external cordon surveys, and truck trip diaries in the region;
- Texas Motor Vehicle Registration data;
- NCHRP 298 Truck Trip Generation data;
- Trip generation and distribution data from QRFM-II;
- TLN data from rail intermodal facilities to capture trip chaining behavior;
- Port data to develop port trip tables;
- Origin-destination (O-D) truck travel data from recent travel surveys, intercept surveys, or external cordon surveys; and
- Truck counts available from recent vehicle classification count studies conducted by HGAC or other member agencies.

These models and data may be used to prepare network, socioeconomic, commodity flow, and behavioral databases for use in freight modeling. These databases include the following:

- **Prepare base year highway network and rail network.** The consultant will use the same highway networks as currently used in HGAC's base year travel model. A review of the network will be required to ensure that all truck-only and prohibition lanes are coded correctly. The rail network will be derived from FAF2. Some assumptions such as rail travel time and cost, pickup and drop-off time, transfer times, and average speeds; and review will need to be defined and updated with HGAC.
- **Prepare forecast year highway network and rail network.** The refinement of forecast year highway and rail networks could come from the same sources as mentioned above.
- **Prepare socioeconomic data.** A review of HGAC's socioeconomic data to determine how the existing data should be augmented with Standard Industrial Classification (SIC) or North American Industry Classification System (NAICS) data to prepare detailed employment data required for freight modeling should be performed. H-GAC seeks preparation of these data for both the base year and forecast years using detailed SIC or NAICS categorizations.
- **Compile TLN data.** The data collected through TLN surveys from rail intermodal facilities will be prepared for updating the TLN model. The Cube Cargo TLN model will be used to split the commodity flows into long-haul and short-haul flows. The long-haul flows will be generated at locations external to the region (for rail, water, or truck); and the short-haul flows will be internal to the region (truck). The TLN data may be used to develop parameters, such as long-haul rail and truck flows by direction; amounts (full, partial, and consolidated); and percentage of goods by load type, commodity class, and direction.
- **Compile Seaport-related freight data.** Freight data pertaining to generation, distribution, and mode choice will need to be gathered from the major ports in the region. These data will be used to develop port-specific trip tables that will supplement the development of later phases of model. The port data may be used to determine the amount of traffic going through TLNs in the region.
- **Compile Airport-related freight data.** The H-GAC region contains two commercial airports (George Bush -Intercontinental and William Hobby) from which the majority of goods movements occur. Freight data pertaining to generation, distribution, and mode choice will need to be gathered from the major ports in the region. These data will be used to develop port-specific trip tables that will supplement the development of later phases of model. The port data may be used to determine the amount of traffic going through TLNs in the region.

Deliverables

- A technical memorandum describing the freight data formatting process, including delivery of associated network and database files required for freight modeling.

Task 5. Develop and Test the Freight Modeling Framework

The consultant will input all the data collected and prepared in the previous tasks into the Cube Cargo modeling software. Additionally, the consultant will set-up the base year Cube Cargo model that will include trip generation, distribution, mode choice, the TLN model, and an assignment model. And lastly, limited testing will be performed to assess how the databases are operating and working to represent general freight movements in the Houston region. The calibration and validation of these modeling components will be conducted in later phases of this project. Since limited information exist relating to the data used to calibrate and validate Cargo, H-GAC request a specific work plan for this task. It is expected that as a minimum the consultant will conduct the following work steps as part of this task:

- Input the cleaned data obtained from earlier tasks into the Cube Cargo model structure;
- Retain the default Cube Cargo model parameters, such trip rates, gravity models, mode choice coefficients, and volume-delay functions;
- Run the base year Cube Cargo model with the input data and default parameters;
- Review base year model outputs to test the workings of the Cube Cargo model structure; and
- Input forecast year model data, run the model, and review the forecast year model outputs.

Deliverables

- Provide a technical memorandum presenting the test results of the Cube Cargo modeling framework, including providing an estimate of annual tons of goods produced and consumed by zone by commodity class for base year and forecast years; commodity flow matrices by commodity class for truck, rail, water and air modes; O-D matrices of commodity flow to and from the TLNs by commodity by mode; and vehicle flow matrices by vehicle type.

PROPOSAL CONTENTS AND SPECIFICATIONS

Proposals should, at a minimum, include the information described in Sections A-G below:

A. Cover Letter

This letter should include a brief summary of key aspects of the consultant's (team's) qualifications and approach to achieving project within the available budget and timeframe. The letter should also include the primary contact name, mailing address,

telephone number, and email address for each firm in the proposed team. (Maximum 2 pages)

B. Project Work Program and Schedule

The consultant (team) should detail their approach to undertaking the tasks listed in this RFP. A recommended methodology for performance of each task identified in the scope of work should be included, along with a timeline for completion. The timeline should illustrate key milestones and anticipate necessary meetings with H-GAC staff, the project steering committee, and with the freight community. This contract will be completed within 12 months of execution. (Maximum 5 pages)

C. Project Organization and Management

A project organization and management plan should be developed. The plan should include project staffing with an indication of the personnel to be involved, their respective roles, and person-hours by task dedicated to the project. A general summary of the approach to be used in accomplishing the work should be given. The consultant (team) should describe functions and responsibilities of the firms and staff involved. Proposals should clearly delineate all individuals, by names and titles that will be working on this plan and their areas of responsibility. If substitutes or back-up personnel are planned on a contingency basis, they should be indicated in the plan. H-GAC requests the prime contract signatory be specified, with title, to facilitate the preparation of the contract. (Maximum 5 pages)

D. Disadvantaged Business Enterprise (DBE) Goal

For projects funded by grants from the U. S. Department of Transportation (DOT), H-GAC has established a goal of 24 percent DBE participation in its total annual third party consulting opportunities. Each respondent is encouraged to take affirmative action and make every effort possible to use DBE firms in the performance of work under this contract. Nothing in this provision shall be construed to require the utilization of any DBE firm that is either unqualified or unavailable.

E. Title VI Requirements, EEO and Conflict of Interests/Debarment

Successful respondents will be required to demonstrate compliance with all requirements imposed by Title VI of the Civil Rights Acts of 1964 (49 U.S.C. Section 2000d), the Regulations of DOT issued hereunder (49 C.F.R. part 21), and the assurances by H-GAC thereto.

Equal Employment Opportunity – Successful respondents will be required to comply with all applicable Equal Employment Opportunity laws and regulations. Proposals should state whether there is a potential conflict of interest and be cognizant of the requirement for executing a debarment certification stating that they have not been barred from doing work involving federal funds. A signed Debarment Certification will be required for each of the consultant team members prior to contract execution.

F. Conflict of Interest Questionnaire

Chapter 176 of the Texas Local Government Code requires vendors and consultants contracting or seeking to contract with H-GAC to file a conflict of interest questionnaire (CIQ) if they have an employment or other business relationship with an H-GAC officer or an officer's close family member. The required questionnaire is located at the Texas Ethics Commission website <http://www.ethics.state.tx.us/> . H-GAC officers include its Board of Directors and Executive Director, who are listed on this website. The CIQ must be completed and filed with a bid/proposal response if an employment or business relationship defined in the law exists.

G. Budget

Funding for this contract, estimated at **\$600,000**, is dependent upon the successful execution of an interagency agreement between H-GAC and the Texas Department of Transportation (TxDOT). H-GAC reserves the right to expand the total budget and scope of the contract. Respondents are not required to submit a budget of categorical costs in their proposals, but should indicate the approximate percentage of the available funding that will be required for each task. Respondents should be prepared to provide a detailed budget in a timely fashion should they be selected. (Maximum 3 pages)

H. Responsibility and Qualifications

The project manager and other key staff members must be specified and a clear indication given as to their involvement in the project, the amount of time they will be on-site and the percent of their time dedicated to this project. Brief resumes of staff members should be included. The successful respondent to this RFP must understand they are expected to provide qualified personnel to accomplish each portion of the work in this planning study. Substitutions for essential personnel involved in the study will not be allowed without H-GAC's prior approval and resulting delays will be the responsibility of the consultant. H-GAC retains the right to request the removal of any personnel found, in H-GAC's opinion, to be unqualified to perform the work. (Maximum 10 pages)

IN SUMMARY

While the above items provide a general description of what sections and information are expected in the proposal, they are not meant to limit or exclude other pertinent information.

EVALUATION PROCEDURES

A Selection Committee consisting of selected staff from H-GAC, the Port of Houston, Port Galveston, the City of Houston, TXDOT, and the Port of Freeport will review the responses to the RFP received by the designated closing date (**October 23, 2009 at 3:30 pm**), using the Evaluation Criteria described in the following section. The Selection Committee reserves the right to contact respondents for clarification of information submitted and to contact references to obtain information regarding past performance, reliability, and integrity.

Consortiums, joint ventures, or teams submitting proposals will not be considered responsive to this RFP unless they have demonstrated in a "management plan" that all

contractual responsibility rests solely with one “prime” contractor or legal entity of the “team”. A duly authorized official of the prime respondent must sign the cover letter and other pertinent certifications.

EVALUATION CRITERIA

The proposal evaluation criteria for the ranking (and possible short-listing) of the consultant will include:

Capabilities (30 percent)

Consultant (team) must have demonstrated capabilities in freight planning, freight and rail modeling, freight stakeholder outreach and creating a multi-modal transportation environment. Consultant (team) must be able to analyze data from a variety of sources, including databases, GIS, travel surveys, traffic counts and plan documents. Consultant (team) must possess knowledge of “best practices” for regional goods movement modeling systems and an understanding of their characteristics including strengths and weaknesses.

Approach (30 percent)

The proposal must delineate an effective approach to achieving project objectives within available time frame and budget. Consultant (team) should provide a project schedule and timeline for achieving key milestones, such as project meetings with H-GAC staff and the contract policy and technical committees. An estimated budget for achieving major project tasks should also be provided.

Project Management, Organizational Structure and Key Personnel (20 percent)

The Consultant (team) must have a qualified Project Manager. Proposal must demonstrate an effective organizational structure. Key personnel assigned to the project must possess necessary qualifications and be available to perform the work within the project time frame.

Past Performance (10 percent)

The Consultant (team) must have a demonstrated track record of timely performance, quality and integrity, as evidenced by a list of client references. **Contact information for client references, including email addresses is required to be included.**

Other Elements (10 percent)

H-GAC’s Proposal Evaluation Team may also evaluate other elements in the proposal that it deems pertinent to the Consultant’s (team) capability to perform the required tasks.

CONTRACT AWARD

Evaluation team scores for each RFP respondent will be averaged using a methodology of H-GAC’s choosing. The ranked respondents may be reduced to a shortlist of no less than two and no more than four by score. H-GAC reserves the right to NOT conduct interviews with the short-listed respondents.

H-GAC will provide short-listed respondents with instructions as to how the final Consultant (team) ranking will be determined. These questions will not be limited to questions about elements of the proposal submitted, specific scope of work questions and/or interviews. A recommendation will be presented to the Budget and Finance Committee of the H-GAC Board of Directors for approval to negotiate, and execute, a contract with the ranked Consultants (teams) in descending order. The targeted date for Board approval is **December 15, 2009**. H-GAC reserves the right to delay that date as needed and to reject any and all proposals as deemed in its interest.

COMPLIANCE WITH FEDERAL REGULATIONS

Respondent's attention is called to the fact that any contract between H-GAC and the selected respondent(s) will be subject to financial assistance contracts between the H-GAC and the Texas Department of Transportation (TxDOT). The contract to be awarded, therefore, is subject to the terms of these agreements and will not proceed without these agreements having been duly executed. The successful respondent will be required to comply with, in addition to other provisions of the agreement, the conditions required by applicable federal regulations, including those regulations which must be documented in the proposal, as indicated in sections E, F, & G of the Proposal Contents section of this RFP.

RESOLUTION OF PROTESTED SOLICITATIONS AND AWARDS

Any Proposer who is aggrieved in connection with a purchase transaction may file a grievance. The grievance may be filed at any phase of the procurement, up to 10 working days after first action by H-GAC Board of Directors to authorized negotiation with top-ranked Proposers. Grievances filed more than 10 days after action by H-GAC Board of Directors will not be deemed timely and will not be considered. In order for a Proposer to enter the grievance process, a written complaint must be sent to the Chief Financial Officer of H GAC by certified mail which includes the following:

1. Name, mailing address and business phone number of the complainant.
2. Appropriate identification of the procurement being questioned.
3. A precise statement of the reasons for the protest.
4. Supporting exhibits, evidence or documents to substantiate any claims.

The grievance must be based on an alleged violation of H-GAC's Procurement Procedures, a violation of State or Federal Law (if applicable), or a violation of applicable grant or contract agreements to which H-GAC is a party. Failure to receive a procurement award from H-GAC in and of itself does not constitute valid grievance. Upon receipt of grievance, the Chief Financial Officer will initiate the informal resolution process.

The Procurement Officer or Departmental Director responsible for the solicitation shall contact the complainant and all interested parties and attempt to resolve the allegations informally within ten (10) working days from the date of complaint. If the allegations are successfully resolved by mutual agreement, documentation will be forwarded to the

Office Services Manager of the resolution with specifics on each point addressed in the original complaint.

If the Procurement Officer or Departmental Director is not successful in resolving the allegations, the complaint along with the comments will be forwarded to the Chief Financial Officer immediately. The Chief Financial Officer will review all documentation. All interested parties will be given written notice of the date, time, and place of hearing and an opportunity to present evidence. A written decision will be issued within five (5) working days after the hearing along with notice of appeal rights. The complainant may appeal the Chief Financial Officer's decision by submitting a written appeal, within five (5) working days, to the Executive Director of H-GAC. The Executive Director, upon receipt of a written notice of appeal, shall contact the complainant and schedule a hearing within ten (10) working days. The Executive Director of H-GAC has the option of appointing a Hearing Officer to preside over the hearing. If appointed, the Hearing Officer shall conduct a hearing and forward a summary and recommended resolution to the Executive Director.

The decision reached by the Executive Director or his designee shall be final and conclusive. This decision will be forwarded to the complainant in writing within thirty (30) working days.

The Proposer may, if it elects to do so, appeal the final and conclusive decision of the Executive Director to a Court of competent jurisdiction.

H-GAC RESPONSIBILITIES

H-GAC is responsible for project administration and final decisions on all contractual matters. All responses to inquiries about the RFP and attachments will be posted on the H-GAC website as often as possible:

Log on to <http://www.h-gac.com/rfp> to access the RFP page.

No inquiries about the Scope of Work, specifically, will be answered prior to the pre-proposal meeting on September 24, 2009. Inquiries about the Scope of Work or other sections of this RFP should be directed to:

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