



STATE OF VERMONT
LEGISLATIVE JOINT FISCAL OFFICE

REQUEST FOR PROPOSAL

**PROVIDING AN ANALYSIS OF AND REPORT ON PUBLIC
INFRASTRUCTURE FINANCING IN VERMONT AND OTHER STATES**

ISSUE DATE: October 10, 2023

QUESTIONS DUE BY: October 17, 2023

DUE DATE: October 23, 2023

CONTACT: Ted Barnett
Emily Byrne
Legislative Joint Fiscal Office
1 Baldwin Street
Montpelier, VT 05633
(802) 828-2295
JFORFP@leg.state.vt.us

The General Assembly will make no attempt to contact vendors with updated information. It is the responsibility of each vendor to periodically check the Joint Fiscal Office website for any and all notifications, releases, and amendments associated with the RFP.

1. OVERVIEW:

1.1. INTRODUCTION: The purpose of this Request for Proposal (RFP) is to define the scope, deliverables, and responsibilities for the engagement of the bidder (referred to as "the Contractor") with the Vermont Legislative Joint Fiscal Office (referred to as "JFO"). Act 72 of 2023 (H. 471) requires JFO or a contractor to submit a report on financing public infrastructure improvements in Vermont municipalities. To meet the statutory charge, the Contractor will review public infrastructure financing programs in other states that may be implemented in Vermont and issue recommendations both for aligning State and federal assistance for public infrastructure and for harmonizing or expanding existing infrastructure improvement programs and distribution of funding.

In the context of this report, "public infrastructure" shall refer to: water and sewer systems; improving streetscaping, traffic patterns, and pedestrian accessibility; constructing (non-educational) public buildings and amenities; and site acquisition and preparation, including remediating environmental contamination. It shall not include school construction, State and federal highway maintenance and construction, broadband network build-out, or access to/provision of childcare.

1.2 CONTRACT PERIOD: The proposed contract period is between October 30th and February 16th.

1.3 QUESTIONS: Any consultant requiring clarification of any section of this proposal or wishing to comment on any requirements or other portion of the RFP should direct their inquiry to JFORFP@leg.state.vt.us no later than 5:00 p.m. on October 17th, 2023. Early submission of questions is encouraged. Responses to questions will be posted on the JFO website.

1.4 INSTRUCTIONS FOR BIDDERS: See Sections 5 and 6 of this RFP.

2. DETAILED REQUIREMENTS:

2.1 SCOPE OF WORK: The Contractor's responsibilities and deliverables include the following:

- Collaboration and Communication
 - a. Collaborate with JFO to meet deadlines and incorporate feedback in the development of the final report.
 - b. Ensure all deliverables and communications are clear, concise, and effectively convey complex economic concepts to non-technical stakeholders.
- Report development

- a. Briefly summarize existing State and federal entities and programs in Vermont offering funding for public infrastructure and the amount of funding available for each. Examples include:
 - i. Tax Increment Financing (TIF);
 - ii. Clean Water and Drinking Water Revolving Loan Funds;
 - iii. USDA and USDA Rural Development loan and grant programs;
 - iv. Northern Border Regional Commission;
 - v. Economic Development Administration;
 - vi. Vermont Community Development Program (VCDP) Implementation Grants;
 - vii. Community and Recovery Revitalization Program (CRRP).
- b. Compare historical trends of Vermont's public infrastructure spending to that of other states, particularly rural and New England states.
- c. Issue recommendations for aligning State and federal assistance for public infrastructure.
- d. Conduct a thorough assessment of public infrastructure development programs in other states that could be implemented in Vermont, including:
 - i. Grant programs;
 - ii. Revolving Loan Fund programs;
 - iii. TIF programs designed for smaller infrastructure projects;
 - iv. Public-private partnerships;
 - v. Other holistic state-level programs supporting infrastructure development in rural areas and small towns that do not utilize the funding mechanisms listed above.
- e. Discuss advantages, disadvantages, and challenges of implementing selected programs from other states in Vermont.
- f. Issue overall recommendations for harmonizing or expanding existing infrastructure improvement programs in Vermont and the distribution of funding.
- g. The report could also explore other issues related to public infrastructure development, such as:
 - i. The multiplier effect of state and federal infrastructure spending;
 - ii. Defining who could benefit from public infrastructure and principles for thinking through who should pay for improvements;
 - iii. Potential property tax and revenue changes caused by public infrastructure development.

2.2. DELIVERABLES: The Contractor shall provide JFO with the following deliverables:

- A draft report that presents initial findings or recommendations by December 10th for review by JFO.
- The final report incorporating JFO feedback no later than January 12, 2024.

- The Contractor shall be available for up to two legislative briefings or committee meetings until the contract termination date. At these meetings, the Contractor will present relevant findings from the final report and answer questions from committee members.

3. GENERAL REQUIREMENTS:

3.1 INVOICING: All invoices must be submitted by the contractor on the contractor's standard billhead and forwarded directly to the Joint Fiscal Office. The invoice shall specify the address to which payments will be sent.

3.2 CANCELLATION: The State specifically reserves the right to cancel the contract, or any portion thereof, if, in the opinion of the Legislature's Chief Fiscal Officer, the services or materials supplied by the consultant are not satisfactory or are not consistent with the terms of the contract.

3.3 EVALUATION CRITERIA AND CONSULTANT INDEPENDENCE:

Proposals will be evaluated for their responsiveness to the scope of work and other specifications in this RFP listed in Section 3. In particular, the State intends to select a consultant or entity that is professionally qualified and has demonstrated independence from interest or advocacy groups.

3.4 CONFIDENTIALTY: The successful response will become part of the contract file and will become a matter of public record, as will all other responses received. If the response includes material that is considered by the bidder to be proprietary and confidential under 1 V.S.A., chapter 5, the bidder shall clearly designate the material as such, explaining why such material should be considered confidential. The bidder must identify each page or section of the response that it believes is proprietary and confidential with sufficient grounds to justify each exemption from release, including the prospective harm to the competitive position of the bidder if the identified material were to be released. Under no circumstances may the entire response or price information be marked confidential. Responses so marked may not be considered.

3.5 CONTRACT TERMS: The selected consultant will sign a contract with the Joint Fiscal Office to provide the evaluation named in their response at the price listed or agreed upon. The contract will include the standard State provisions described in Attachment B. The terms and conditions from this RFP, and the consultant's response will become part of the contract. This contract will be subject to review throughout its term. The State will consider cancellation upon discovery that the consultant is in violation of any portion of the agreement, including an inability by the consultant to provide the services offered in their response.

3.6 STATEMENT OF RIGHTS: The State reserves the right to obtain clarification or additional information necessary to properly evaluate a proposal. Failure of a bidder to respond to a request for additional information or clarification could

- result in rejection of that bidder's proposal. To secure a project that is deemed to be in the best interests of the State, the State reserves the right to accept or reject any and all bids, in whole or in part, with or without cause, and to waive technicalities in submissions.
- 3.7 TAXES: Most State purchases are not subject to federal or state sales or excise taxes and must be invoiced tax free. An exemption certificate will be furnished upon request covering taxable items. If taxes are to be applied to a purchase it must be so noted in the response.
- 3.8 ORDER OF PRECEDENCE: The order of preference for documentation will be the contract and attachments, the RFP, and the contractor's response and any amendments.
- 3.9 AMENDMENTS: No changes, modifications, or amendments in the terms and conditions of this contract shall be effective unless reduced to writing, numbered and signed by the duly authorized representative of the State and the consultant.
- 3.10.NO-COLLUSION: The State is conscious of and concerned about collusion. It should therefore be understood by all that in signing bid and contract documents they agree that the prices quoted have been arrived at without collusion and that no prior information concerning these prices has been received from or given to a competitive consultant. If there is sufficient evidence to warrant investigation of the bid/contract process by the Office of the Attorney General, all bidders should understand that this paragraph might be used as a basis for litigation.
4. BIDDER RESPONSE CONTENT AND FORMAT: The content and format requirements listed below are the minimum required for our evaluation. They are not intended to limit the content of the proposals; bidders may include additional information or offer alternatives that may be considered.
- 4.1 BACKGROUND AND EXPERIENCE: Provide a description of your technical experience and qualifications, including a list of any work done for other entities in Vermont.
- 4.2 PROJECT PLAN: Describe the project management structure, major project milestones, and timing of periodic updates to the Joint Fiscal Office. Describe the process for involving and soliciting input from key stakeholders.
- 4.3 PROJECT STAFFING: Describe the qualifications of key personnel and the role each of them is expected to play. Identify how team member(s) will acquire knowledge of Vermont's public infrastructure funding system, other state programs, and relevant data.
- 4.4 PRICING: Any and all costs that you wish to be considered must be submitted. The cost structure for the project should be described including billing rates and

estimated hours for key staff, payments to any subcontractors, overhead rates, and estimated non-salary expenses, including travel.

5. SUBMISSION INSTRUCTIONS:

5.1 CLOSING DATE: The closing date for the receipt of proposals is 5:00 p.m. October 23, 2023. Questions accepted until 5:00 p.m. on October 17, 2023.

5.2 SUBMISSION FORMAT: Please submit bids as a PDF file to the email address JFORFP@leg.state.vt.us:

6. ATTACHMENTS:

6.6. Attachment A: Legislation

6.3. Attachment B: State Contract Provisions

ATTACHMENT A: Act 72 (H.471) of 2023 Report Statutory Language

* * * Study of Financing Public Infrastructure Improvements * * *

Sec. 32. FINANCING PUBLIC INFRASTRUCTURE IMPROVEMENTS; JOINT FISCAL OFFICE; REPORT

(a) On or before January 15, 2024, the Joint Fiscal Office shall submit a report to the House Committee on Ways and Means and the Senate Committee on Finance on financing public infrastructure improvements in Vermont municipalities. The report shall include the following:

(1) a review of public infrastructure financing programs in other states and municipalities that may be implemented in Vermont;

(2) recommendations for aligning State and federal assistance for public infrastructure; and

(3) recommendations for harmonizing or expanding existing infrastructure improvement programs and distribution of funding.

(b) The Joint Fiscal Office is authorized to submit the report described in subsection (a) of this section in the form of an issue brief or hire a consultant to perform the research and draft the report. If a consultant is hired, then the Joint Fiscal Office may use an amount not to exceed \$50,000.00 for any associated costs from legislative funds.

ATTACHMENT B: Standard State Provisions for Contracts and Grants

For the Standard State Provisions for Contracts and Grants, please see:

<https://bgs.vermont.gov/sites/bgs/files/files/purchasing-contracting/Forms/ATTACHMENT%20C%20-%20rev%20Dec%202017%20CLEAN.pdf>