



**REQUEST FOR QUALIFICATIONS (“RFQ”)
NO. 25-01.**

Program Management Services

**Lexington-Fayette Urban County Airport Board
4000 Terminal Drive
Lexington, KY 40510**

August 25, 2025

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SECTION I: NOTICE OF REQUEST FOR QUALIFICATIONS

- 1.1 **Request for Qualifications.** The Lexington-Fayette County Airport Board (“LFUCAB”) is issuing this Request for Qualifications (“RFQ”) for the purpose of obtaining firms qualified to perform Program Management Services at the Blue Grass Airport (“LEX”), 4000 Terminal Drive, Lexington, KY, 40510.
- 1.2 **Project Scope.** This RFQ is being issued to procure services for Program Management Services to support the execution of the Airport Capital Improvement Program (ACIP). The ACIP includes but is not limited to the Terminal Area Plan produced in 2025. The Terminal Area Plan is a comprehensive planning effort to define renovation and expansion of the airport terminal building and surrounding area. This plan comprises nearly all of the airport’s capital development program for the next five years and is the key strategic initiative carrying our organization through the term of this agreement. This scope of work includes five elements, which are discussed in more detail in Section 1.3.
- 1.3 **Scope of Services.** LFUCAB has identified the following scope of services. LFUCAB intends to work with the selected firm to refine this scope to ensure compatibility with existing airport structure and intended scopes of future solicitations.

General Advisory Services

Represent the strategic, administrative, and high-level program leadership functions performed throughout the life of the program. This includes developing overall program governance structures, supporting Airport leadership with decision-making, maintaining master program schedules and budgets, coordinating reporting and communication protocols, and acting as an extension of staff. These services help align program delivery with airport goals, stakeholder expectations, funding requirements, and risk management strategies.

1.3.1 Program Governance & Leadership

- (a) Establish and manage a dedicated Program Management Office (PMO), adhering to FAA AC 150/5100-14 guidance on consultant selection and program oversight.
- (b) Develop structured decision-making tools, escalation paths, and governance cadences to ensure timely, informed executive-level direction.
- (c) Create and implement best practices, policies, and procedures to integrate with existing airport structure. Build accountabilities, communication channels, and reporting structures to ensure successful program management and stakeholder engagement.

1.3.2 Program Controls & Performance Management

- (a) Implement integrated schedule, budget, change-order, risk-and-issue management, and earned value tracking systems—mirroring FAA/PMO standards.
- (b) Produce regular (weekly/biweekly/monthly) performance reports and scorecards to clearly communicate program status to senior leadership and stakeholders, driving transparency and accountability.
- (c) Assist in preparation of independent fee estimates (IFEs) and validate consultant/contractor fee proposals as required by FAA protocols

1.3.3 Schedule Management

- (a) Develop and maintain a living, integrated schedule that coordinates major procurements, design, enabling works, construction milestones, and commissioning activities.
- (b) Identify critical path risks and time-based contingencies based on detailed schedule analyses and risk identification workshops.

1.3.4 Budget & Funding Strategy

- (a) Support annual CIP preparation, including cash flow modeling and FAA AIP/PFC grant alignment in coordination with finance staff.
- (b) Assist with FAA grant applications, PFC filings, exhibit preparation, air carrier coordination, and tracking of required deliverables.
- (c) Continuously monitor cost trends; analyze variances; recommend corrective actions and realign funding sources as needed.

1.3.5 Risk Management

- (a) Facilitate risk workshops with leadership, revisiting high-priority risks at regular PMO reviews.

1.3.6 Stakeholder & Communication Management

- (a) Create a Communication Plan for internal/external stakeholders such as FAA, TSA, airlines, tenants, utilities, public agencies, and others, using structured protocols and best practices.
- (b) Lead and coordinate Program Committee and Owner–Architect–Contractor meetings; prepare executive-level briefings and clear decision-making materials.

1.3.7 Document Control & Quality Oversight

- (a) Set up a centralized document management system, defining clear naming, version control, and approval workflows.
- (b) Apply consistent quality assurance to ensure complete documentation, compliance, and consistency

1.3.8 Program Controls Manual & Continuous Improvement

- (a) Develop a Program Controls Manual tailored to the airport’s internal processes—defining roles, templates, processes, metrics, and escalation paths.
- (b) Regularly evaluate and refine PMO tools, workflows, and systems during the program lifecycle.

Design Management

Focuses on technical oversight of planning and design teams, ensuring that design deliverables meet program objectives, stakeholder expectations, code and regulatory compliance, and constructability requirements. The Program Manager will serve as a

liaison between the airport and A/E teams, review submittals, guide value engineering, and manage coordination with parallel design efforts.

1.3.9 Design Process Coordination & Oversight

- (a) Review third party execution of concept, schematic, detailed, and construction documentation stages. Ensure alignment with program schedule, scope, and budget.
- (b) Require use of shared tools (e.g. building information modeling, common data environment) to enable consistent document control and cross-discipline coordination.
- (c) Participate in structured technical peer reviews, including independent constructability, systems integration, cost and schedule validation.

1.3.10 Quality Assurance / Quality Control (QA/QC)

- (a) Monitor and validate design deliverables for completeness, code compliance, alignment with airport standards and sustainability criteria.
- (b) Coordinate with A/E teams to support permit acquisition and regulatory approvals, ensuring all design documents reflect those requirements.
- (c) Conduct ongoing reviews of evolving design elements against cost estimates, advising on value engineering opportunities while protecting program intent.

1.3.11 Risk & Change Management

- (a) Identify and communicate risks tied to design assumptions, constructability, stakeholder conflicts, and technical complexity.
- (b) Track design changes and anticipated impacts proactively; assess their potential effect on scope, cost, and schedule before moving into construction.
- (c) Encourage incorporation of sustainable design and flexibility for future phases or development.

1.3.12 Stakeholder Interface & Coordination

- (a) Facilitate design workshops with key stakeholders (airlines, TSA, tenants, utilities, airport operations) to vet critical design decisions and mitigate conflicts early.

- (b) Ensure design work is coordinated with other planning efforts and operations —e.g. landside, airside, customer impact, tenant operations, systems integrations.

1.3.13 Documentation & Design Controls Manual

- (a) Assist with preparation of a Design Management Guide with templates, naming conventions, deliverable milestones, design review criteria, coordination protocols, QA/QC checklists.
- (b) Continuously evaluate design workflows and tools, identify process improvements to increase efficiency and reduce design errors.

Preconstruction Management

Includes facilitation of construction phasing plans, cost modeling and guaranteed maximum price (GMP) development (for CMAR delivery), procurement support, and coordination with key stakeholders such as TSA, FAA, utilities, and airport operations.

1.3.14 Preconstruction Strategy & CMAR Integration

- (a) Assist the airport to engage a CMAR or preconstruction advisor early—ideally when design reaches ~15%— under a formal Preconstruction Services Agreement.
- (b) Define CMAR or advisor’s roles, responsibilities, and alignment with the PMO and design team roles.

1.3.15 Constructability, Value Engineering & Lean Collaboration

- (a) Conduct regular constructability reviews tied to ongoing design submittals.
- (b) Facilitate value engineering workshops and Lean tools to maximize cost efficiency and design efficacy
- (c) Integrate feedback into design to improve buildability, cost efficiency, sequencing and material options.

1.3.16 Cost Estimating & Schedule Development

- (a) Provide or review independent fee estimates (IFEs) at major milestones including alternative scenarios and packages.
- (b) Maintain a continuously updated, cost-loaded CPM schedule incorporating phasing, procurement and contingency.

1.3.17 Phasing, Logistics & Enabling Work

- (a) Develop detailed phasing and logistics plans to maintain safe airport operations—covering staging, access, utilities, traffic and material flow.
- (b) Identify early-award trade packages and enabling works; plan long-lead item procurement.

1.3.18 Procurement & Trade Package Strategy

- (a) Assist in defining scope for trade and supplier packages; support prequalification processes and outreach.
- (b) Develop structured sequencing and strategy for trade package bid packaging, aligned to DBE/MBE goals if applicable.

1.3.19 Risk & Change Management

- (a) Establish and maintain a preconstruction risk register, capturing design, procurement, schedule and logistical risks.
- (b) Facilitate risk workshops with the team; track anticipated changes and variance from budget/schedule.

1.3.20 Document & Process Controls

- (a) Define document naming, revision protocols, and establish workflows for RFIs, change orders, bid submittals, and progress reporting.
- (b) Deliver a Preconstruction Controls Manual outlining roles, reporting formats, and process baselines.

1.3.21 Safety & Quality Planning

- (a) Assist in development of site-specific safety and quality control plans tailored to airside/operational environments.
- (b) Establish protocols for contractor onboarding, airside credentialing, and multilingual safety toolkits as needed.

Construction Management

Encompasses oversight of the construction phase to protect the airport's interests in terms of quality, safety, cost control, schedule adherence, and contractor performance. The Program Manager collaborates with the resident project representative (RPR) firm, ensuring seamless integration and comprehensive coverage of all project needs.

1.3.22 Construction Oversight Integration

- (a) Integrate with the overall Integrated Program team including design and RPR/inspection consultants, contractors, and tenants.
- (b) Define clear roles and responsibilities between Program Management staff and Resident Project Representative (RPR) inspection teams, ensuring seamless coordination and no duplication of field vs. high-level management duties.

1.3.23 Site Supervision & Quality Assurance

- (a) **The Airport intends for the Program Management Services firm to contract with an independent, third-party firm to perform RPR services. However, the Airport reserves the right to review and approve the qualifications of any in-house personnel or subconsultants proposed by the Program Management Services firm to fulfill this role. If the Airport determines that the proposed team offers exceptional qualifications and alignment with Airport objectives, the RPR role may be fulfilled through the Program Management Services firm's team at the discretion of the Airport.**
- (b) Through coordination with a third-party RPR firm, ensure ongoing competent technical supervision of contractor work to confirm compliance with design, specifications, grant conditions and schedules; supplement RPR coverage where needed.
- (c) Oversee QA/QC testing to validate material and workmanship, coordinate closely with third-party QA/testing firm and inspection staff.
- (d) Conduct regular site review meetings, document daily field conditions, RFI logs, change events, and progress through formal logs and diaries.

1.3.24 Schedule, Cost & Change Management

- (a) Monitor contractor CPM schedules, earned value, and earned schedule using tools aligned with PMO dashboards and integrated schedule control systems.
- (b) Review and validate contractor change orders and claims; assess cost and schedule impacts against contingency and budget lines.

1.3.25 Construction Safety & Phasing

- (a) Enforce implementation of the Construction Safety and Phasing Plan (CSPP), requiring coordination with airport operations under AC 150/5370-2 guidelines.

- (b) Monitor construction work scheduling to minimize operational disruptions—for example, clustering airside activity during overnight or off-peak hours.

1.3.26 Stakeholder Coordination & Communication

- (a) Participate in owner-architect-contractor (OAC) and other coordination meetings; provide executive-level briefings, board/stakeholder updates, and conflict resolution support.
- (b) Manage coordination between contractors, operations, airlines, TSA, utilities, tenants, and FAA during construction operations to address interface issues promptly.

1.3.27 Documentation & Reporting Controls

- (a) Define document control protocols, including formatting for submittals, RFIs, change orders, daily reports, pay applications, and field logs.
- (b) Ensure consistent reporting to the PMO (e.g. weekly or monthly dashboards) incorporating quality, cost, safety, progress, and escalation items.

1.3.28 Commissioning Readiness & Closeout Integration

- (a) Coordinate closely with commissioning and closeout teams to ensure construction deliverables align with operational requirements and documentation needs.
- (b) Support preparation of punch lists, closeout submittals, as-built documentation, lien waivers, warranties, and final inspection coordination as part of turnover protocols.

Commissioning

The Airport anticipates that the Program Management Services firm will subcontract with a qualified independent Commissioning Agent to perform technical commissioning services. However, the Airport reserves the right to review and approve in-house staff or subconsultants proposed by the Program Manager for this role. If the Airport determines that the proposed individuals demonstrate the necessary qualifications, technical depth, and impartiality, the Commissioning scope may be fulfilled using the Program Manager’s team.

1.3.29 Commissioning Strategy & Planning

- (a) Facilitate development of a project-specific Commissioning Plan, aligned with the project requirements, design intent, and system performance expectations.
- (b) Support establishment of commissioning milestones, test procedures, checklists, and issue-resolution protocols.
- (c) Coordinate integration of commissioning activities with project design, construction, operational readiness, and handover timelines.

1.3.30 System Testing & Verification

- (a) Review construction team commissioning submittals and vendor documentation for compliance with commissioning scope.
- (b) Coordinate and oversee pre-functional and functional testing for all building systems (e.g., HVAC, fire alarm, life safety, lighting, baggage handling, IT, access control, special systems).
- (c) Track testing progress, system deficiencies, and retesting status, ensuring resolution prior to occupancy and handover.
- (d) Document factory acceptance tests (FATs), start-up activities, and mechanical completion milestones

1.3.31 Data Management & Documentation Systems

- (a) Establish a commissioning management and documentation system to track checklists, test logs, submittals, deficiencies, and closeout packages.
- (b) Maintain and deliver to airport staff traceable turnover documentation, including as-built records, O&M manuals, warranties, training logs, and vendor-provided documentation.
- (c) Coordinate document turnover process with design team, contractors, and airport maintenance personnel.

1.3.32 Stakeholder Coordination & Training

- (a) Facilitate training sessions for airport maintenance, operations, and security teams on new systems, working with vendors and contractors to ensure materials are complete and accessible.
- (b) Coordinate walk-throughs, demonstrations, and SOP finalization workshops to prepare internal staff for operational use.

- (c) Support communication with stakeholders such as TSA, FAA, IT/communications, airlines, tenants, and third-party vendors during commissioning

1.3.33 Operational Readiness (ORAT) Support

- (a) Provide strategic guidance and sample templates for developing the airport's Operational Readiness and Airport Transfer (ORAT) plan.
- (b) Advise on phasing of functional trials, simulation planning, stakeholder training schedules, and passenger or tenant move logistics.
- (c) Attend and support ORAT planning and readiness meetings to help Airport staff identify readiness gaps and coordinate across departments.
- (d) Monitor readiness milestones and provide recommendations for mitigation or adjustment, without taking direct ownership of ORAT execution

1.3.34 Integrated Systems Testing & Transition Readiness

- (a) Coordinate integrated systems testing across disciplines and vendors (e.g., MEP, security, baggage, FIDS, telecom, life safety) to verify full interoperability.
- (b) Support final operational handoff processes, including punch list coordination, occupancy certification, and readiness verification.
- (c) Assist the Airport in developing a smooth transition timeline from construction completion to full operational handover.

1.3.35 Post-Commissioning Support & Optimization

- (a) Lead warranty walkthroughs, post-occupancy check-ins, and systems performance evaluations during the first year of operations.
- (b) Recommend monitoring-based or continuous commissioning approaches for systems that require seasonal adjustment or fine-tuning.
- (c) Track ongoing performance metrics and support resolution of vendor or contractor issues identified after handover.

1.4 **Term.** The term of any contract awarded as a result of this RFQ will be for a period of five (5) years beginning in approximately December 2025.

1.5 **Procurement Schedule.** The schedule for this Procurement is as follows:

Date/Time	Activity
August 25	Request for Qualifications issued
September 11	Pre-Request for Qualifications Conference
September 19	Requests for Clarifications from Qualified Respondents are due
September 26	Responses to Requests for Clarification will be posted
October 8	STATEMENT OF QUALIFICATIONS DUE
October 30 – November 7	Finalists interviewed (tentative)
November 12	Recommendation/selection (tentative)
November 19	Projected Date Award of Contract
December 3	Anticipated Notice to Proceed

1.6 **Delivery.** Five (5) hard copies along with one (1) electronic copy of the proposal must be clearly labeled “Program Management Services SOQ” and submitted to LFUCAB no later than October 8 at:

**Lexington-Fayette Urban County Airport Board
4000 Terminal Dr.
Lexington, KY 40510
Program Management Services SOQ
ATTN: Tyler Miller, Chief Operating Officer**

Any Statements of Qualifications received after this deadline shall not be accepted.

1.8 **RFQ Questions.** All questions regarding this RFQ shall be directed via email to Tyler Miller at: tmiller@bluegrassairport.com. Questions submitted via email shall include in the subject line, “RFQ 25.01 Question.” Any questions shall be delivered no later than September 19, 2025.

SECTION II: INSTRUCTIONS TO QUALIFIED RESPONDENTS

- 2.1 **Pre-Request for Qualifications Conference.** Qualified respondents are encouraged, but not required, to attend the optional pre-request for qualifications conference. The conference will be in virtual format on Microsoft Teams at 11:00am EST on September 11, 2025.

PRE-REQUEST FOR QUALIFICATIONS CONFERENCE

September 11, 2025 11am EST

Microsoft Teams

Meeting ID: 241 308 191 563 9

Passcode: di7aF78p

- 2.2 **Qualification Statement Format and Content.** To facilitate review, Statements of Qualifications in response to this RFQ should include the following information and conform to the following format:
- 2.2.1 **Format and Length.** Statements of Qualifications packets shall be no more than 20 pages, not including a cover page or table of contents. Additional pages beyond the limit will not be reviewed and evaluated.
- 2.2.2 **Basic Information.** Responding firms shall include their legal name, address, contact information, and the name of the primary contract with respect to the submitted Statement of Qualifications.
- 2.2.3 **Firm Qualifications and Experience.** Respondents must demonstrate their ability to provide all services under one contract with LFUCAB. Respondents shall describe their prior experience and qualifications in airport program management services. Respondents shall also reference any experience in working with policies, regulations, and procedures propounded by the Federal Aviation Administration (“FAA”) and the Commonwealth of Kentucky (“State”).
- 2.2.4 **Staffing Plan.** Respondent’s Statement of Qualifications shall identify key personnel proposed for the Project. Respondents should include an organization chart and personnel bios and resumes for key personnel and support personnel.
- 2.2.5 **Past Performance.** Respondent’s Statement of Qualifications shall demonstrate its capability to meet schedule deadlines on projects of substantially similar size and scope as the Project, as well as its ability to complete projects of substantially similar size and scope without having major cost escalations or overruns.
- 2.2.6 **Project Understanding.** Responding firms shall demonstrate their understanding of the Project and identify any potential challenges to the Project or special concerns that may be encountered.

- 2.2.7 **Disadvantaged Business Enterprise (DBE) Information.** Responding firms shall submit DBE information as required in Section 5.7 herein.
- 2.2.8 **References.** Responding firms shall provide at least two (2) references from projects of substantially similar size and scope within the last five (5) years.

2.3 Weight of Factors for Consideration of Qualifications. In evaluating Respondents' Statements of Qualifications, LFUCAB will consider and weigh factors as follows:

<p>Firm's Qualifications and Relevant Experience at Airports of Similar Size</p> <p>Describe relevant experience managing airport capital programs at facilities of similar size, complexity, and operational environment. Include examples of past work on terminal expansions, renovations, or other major projects at comparable commercial service airports, with emphasis on program size, delivery method, and stakeholder coordination. Highlight experience with projects involving active airside operations, phased implementation, or funding through FAA programs.</p>	<p>20%</p>
<p>Staffing Plan and Qualifications of Personnel</p> <p>Provide an organizational chart and staffing plan that clearly identifies all proposed team members, with deployment strategies. Include resumes demonstrating relevant experience in managing airport terminal programs. Key personnel should have prior experience working on similar-size airport capital programs, FAA grant-funded projects, or terminal/concourses expansions, and roles should reflect a balance of senior leadership, technical specialists, and regional capability.</p>	<p>20%</p>
<p>Experience Working in State and FAA Policies, Regulations, and Procedures</p> <p>Describe experience applying State and FAA regulations in the delivery of airport capital programs. This includes familiarity with FAA Advisory Circulars, Airport Improvement Program (AIP) grant compliance, state permitting processes, state and federal environmental regulations and processes, and coordination with FAA Airports District Offices. Highlight specific examples where team successfully managed these regulatory frameworks on similar projects.</p>	<p>10%</p>
<p>Understanding of Project</p> <p>Demonstrate understanding of the Airport's Terminal Area Plan and overall capital improvement objectives. Describe key project challenges you anticipate, your approach to addressing them, and how your experience prepares you to support the Airport in delivering a successful program. Describe experience with projects with sustainability goals, such as electrification, VALE program, geothermal, etc. Responses should reflect an awareness of the Airport's scale, vision, and organizational capacity.</p>	<p>20%</p>
<p>Compatibility with Airport Organization, Structure, and Personnel</p> <p>Demonstrate ability to anticipate the Airport's evolving needs and proactively support internal leadership and staff. Provide examples of past projects where your team enabled smoother operations by assessing client needs, offering timely recommendations before issues arose, and adapting to organizational dynamics effectively. Highlight how your approach empowered airport personnel through clear</p>	<p>10%</p>

communication, advance planning, and hands-on support rather than reactive problem-solving.	
Planning and Organizing Practices of Personnel and Firm Describe internal practices for project planning, task coordination, and resource management. Explain how your team establishes priorities, monitors deadlines, and maintains alignment with client expectations over multi-year programs. Highlight specific tools, methods, or processes that demonstrate your ability to manage complex airport programs in a disciplined and organized manner.	20%

SECTION III – EVALUATION OF QUALIFICATIONS

- 3.1 **Selection Board.** LFUCAB has established a Selection Board composed of five (5) persons knowledgeable with the Project to objectively evaluate Statements of Qualifications submitted in response to this RFQ.
- 3.2 **Initial Evaluation of Statements of Qualifications.**
- 3.2.1 The Selection Board will evaluate the statements of qualifications received based on the criteria identified in Section 2.2 and 2.3 of this RFQ.
- 3.2.2 Based on the Selection Board’s evaluation of information received from respondents against the selection criteria, the Selection Board shall prepare a pre-selection short-list of the best qualified respondents for LFUCAB’s further consideration.
- 3.2.3 Following the Selection Board’s preparation of the pre-selection short list, LFUCAB shall notify all responding firms who were not included in that list that their qualification statements were not accepted.
- 3.3 **Evaluation of Short-List Firms.** Following the Selection Board’s submission of the short-list to LFUCAB, LFUCAB shall take the following further actions to determine the most qualified respondent:
- 3.3.1 **Further investigation into qualifications.** LFUCAB will seek detailed information regarding the qualifications and performance data of each respondent identified in the short-list. In doing so, LFUCAB may, but is not required to, contact former clients identified in respondents’ statements of qualification to ascertain quality of work, ability to meet schedules, ability to control costs, and consultant-client relationship.
- 3.3.2 **Requests for Proposals.** LFUCAB may, but is not required to, request more detailed information regarding the Project and scope of Services to be provided, including but not limited to:
- (a) Previous experience of team members and other key personnel and the roles such persons will fill on the Project.
 - (b) Qualifications and time commitments of the proposed project manager for the Project.
 - (c) The responding firm’s current workload.
 - (d) The responding firm’s technical approach to the Project, including tasks and steps the firm will take to accomplish its services on the Project.

- 3.3.3 **Interviews.** LFUCAB will schedule interviews with each firm identified on the short-list, provide each firm with a format for the interview, and inform each firm whether a formal presentation is required.
- 3.3.4 **Ranking.** LFUCAB will review the statements of qualifications, information received from references, general proposals, and other relevant data. Using the selection criteria developed for the Project, LFUCAB will rank the respondents on the short-list in order of preference.

3.4 **Negotiations with Highest-Ranked Respondent.**

- 3.4.1 **Notice.** Following the ranking of respondents, LFUCAB will notify the respondent with the highest-ranking score that they have been selected as the highest-qualified respondent, and will notify other respondents on the short-list that discussions have begun with the highest-ranking respondent.
- 3.4.2 **Detailed Scope Discussion.** LFUCAB and the highest-ranking respondent shall engage in discussions to fully define the scope of work and services to be provided on the Project such that the highest-ranking respondent is able to calculate a reasonable fee estimate. Anticipated information to be discussed regarding development of the Project scope will include:
- (a) Meetings consultant will be required to attend;
 - (b) Design schedule;
 - (c) Special services required;
 - (d) Complexity of design;
 - (e) Safety and operational considerations;
 - (f) Environmental considerations;
 - (g) Survey and geotechnical testing requirements;
 - (h) LFUCAB representation services during the Construction Phase;
 - (i) Preparation of forms, letters, documents, and reports.
 - (j) Airport Layout Plan updates;
 - (k) Property map preparation;
 - (l) Quality control during the Design Phase;
 - (m) Coordination with other consultants and agencies;
 - (n) Required deliverables;

- (o) Data and material being furnished by LFUCAB;
- (p) Testing and commissioning requirements;
- (q) Local government requirements;
- (r) Number of bid packages;
- (s) Complexity of construction phasing to minimize the impacts on airport operations;
- (t) Public outreach.

3.4.3 Fee Estimate Preparation. If the parties reach an agreement on the scope or work and services to be provided on the Project, then:

- (a) LFUCAB will prepare an Independent Fee Estimate (IFE) pursuant to 2 C.F.R. 200.324; and
- (b) LFUCAB will instruct the respondent to simultaneously prepare a cost proposal along with a detailed project proposal, with supporting cost breakdown.
- (c) Once LFUCAB has completed its IFE, it will notify respondent to submit its cost proposal and detailed project proposal to LFUCAB.

3.4.4 Fee Negotiations. Following LFUCAB's completion of the IFE and the highest-ranking respondent's submission of its cost proposal, the parties will engage in negotiations to reach a fair and reasonable fee for the Project.

3.5 Conclusion of Negotiations with Highest-Ranking Respondent.

3.5.1 Successful Negotiations. If LFUCAB and the highest-ranking respondent are able to reach a satisfactory contract and fee, then LFUCAB will promptly notified all other respondents on the short-list that a consultant has been selected for the Project.

3.5.2 Unsuccessful Negotiations. If LFUCAB and the highest-ranking respondent are unable to negotiate a mutually-satisfactory contract, then:

- (a) LFUCAB will notify the highest-ranking respondent that negotiations are terminated; and
- (b) LFUCAB will commence negotiations with the next-highest-ranking respondent.

SECTION IV – GENERAL CONDITIONS TO THIS RFQ

- 4.1 **Right to Terminate RFQ.** LFUCAB reserves the right to cancel this RFQ at any time and for any reason. Neither this RFQ, nor any negotiations or discussions that may result from this RFQ, obligate LFUCAB in any way to award a contract to a qualified respondent.
- 4.2 **Validity of Statements of Qualifications.** All Statements of Qualifications submitted in response to this RFQ shall remain valid for a period of six (6) months after the due date specified in Section 1.7 above.
- 4.3 **Modification or Withdrawal of Statement of Qualifications.** Responding firms may withdraw or modify their Statements of Qualifications by written notice to LFUCAB only if provided before the exact hour and date specified in Section 1.7 above.
- 4.4 **Addenda.** Any addenda or additional instructions issued by LFUCAB prior to the time set for receipt of statements of qualifications shall become a part of this RFQ. In the event LFUCAB issues addenda to this RFQ, such addenda shall be acknowledged in the responding firm's statement of qualifications. No modifications to the instructions or content of this RFQ will be binding unless set forth in a properly-issued addendum.
- 4.5 **Rights to Statement of Qualifications; Kentucky Open Records Act.** All materials submitted by responding firms to LFUCAB shall become property of LFUCAB upon its receipt. Prior to an award of contract, LFUCAB will not disclose any portions of responding firms' Statements of Qualifications to anyone outside of LFUCAB's or LEX's staff, members of the Selection Committee, if the Selection Committee is not comprised solely of LFUCAB's or LEX's staff, and the FAA. After an award of contract, LFUCAB will endeavor to keep Statements of Qualifications confidential; however, in submitting a Statement of Qualifications in response to this RFQ, the responding firm recognizes and acknowledges that LFUCAB is a public agency and, as such, is subject to the State's Open Records Act, as codified in KRS 61.870 through 61.884.
- 4.6 **Consideration and Rejection of Statements of Qualifications.** Until the time that LFUCAB awards a contract pursuant to this RFQ, LFUCAB reserves the right to reject any or all Statements of Qualifications, waive technicalities contained within Statements of Qualifications, and re-advertise for Statements of Qualifications for the work contemplated herein.
- 4.7 **Restrictions on Communications with LFUCAB and LEX.** From the issuance date of this RFQ and until the award of a contract pursuant to this RFQ, responding firms shall not communicate with any employee, representative, director, officer, or board member of LFUCAB or LEX except as specifically authorized in Section 2.4 herein. A responding firm's violation of this Section 4.5 may result in LFUCAB's rejection of that firm's Statement of Qualifications.
- 4.8 **Cost of Preparing Statement of Qualifications.** Any and all costs incurred by responding firms in the preparation and submission of their Statements of Qualifications

are the sole responsibility of such responding firms, and LFUCAB will not provide any reimbursement for such costs.

4.9 **Conflicts of Interest.** In submitting a Statement of Qualifications in response to this RFQ, the responding firm certifies and affirms that:

4.9.1 The signor of the Statement of Qualifications is authorized to sign and submit on behalf of the responding firm.

4.9.2 The Statement of Qualifications was prepared by the responding firm independently, and without collusion.

4.9.3 That the contents of the Statement of Qualifications have not been communicated to any persons not employees or agents of the responding firm prior to the closing date of this RFQ.

4.9.4 That the responding firm has not and will not offer, give, or agree to give any gratuity of item of value to LFUCAB or LEX in connection with LFUCAB's decision to award a contract under this RFQ.

SECTION V – FAA SOLICITATION REQUIREMENTS

During the solicitation process, responding firms agree to comply with the FAA’s requirements as set forth in this Section. For purposes of this Section V, any reference to “Contract” shall include this RFQ. Any reference to “Owner” or “Sponsor” shall mean “LFUCAB.” Any reference to “Offeror,” “Bidder,” or “Contractor” shall include the responding firm.

5.1 FAA BUY AMERICAN PREFERENCE.

The Contractor certifies that its bid/offer is in compliance with 49 USC § 50101, BABA and other related Made in America Laws, U.S. statutes, guidance, and FAA policies, which provide that Federal funds may not be obligated unless all iron, steel and manufactured goods used in AIP funded projects are produced in the United States, unless the Federal Aviation Administration has issued a waiver for the product; the product is listed as an Excepted Article, Material Or Supply in Federal Acquisition Regulation subpart 25.108; or is included in the FAA Nationwide Buy American Waivers Issued list.

The bidder or offeror must complete and submit the certification of compliance with FAA’s Buy American Preference, BABA and Made in America laws included herein with their bid or offer. The Airport Sponsor/Owner will reject as nonresponsive any bid or offer that does not include a completed certification of compliance with FAA’s Buy American Preference and BABA.

The bidder or offeror certifies that all constructions materials, defined to mean an article, material, or supply other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives that are or consist primarily of: non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall used in the project are manufactured in the U.S.

5.2 TITLE VI SOLICITATION NOTICE.

LFUCAB, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 USC §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and no businesses will be discriminated against on the grounds of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability in consideration for an award.

5.3 DAVIS-BACON REQUIREMENTS.

The tasks contemplated in this RFQ are subject to the Davis-Bacon Act (40 USC 3141-3144, 3146, and 3147) minimum wage determination established by the United States

Department of Labor for the Fayette County, Kentucky area. Applicable Davis-Bacon Wage Rates, as amended from time to time, are available at <http://www.sam.gov>.

5.4 **CERTIFICATION REGARDING DEBARMENT.**

By submitting a Statement of Qualifications under this RFQ, the responding firm certifies that neither it nor its principals are presently debarred or suspended by any Federal department or agency from participation in this transaction.

5.5 **CERTIFICATION OF LOWER TIER CONTRACTORS REGARDING DEBARMENT.**

The successful bidder, by administering each lower tier subcontract that exceeds \$25,000 as a “covered transaction”, must confirm each lower tier participant of a “covered transaction” under the project is not presently debarred or otherwise disqualified from participation in this federally-assisted project. The successful bidder will accomplish this by:

5.5.1 Checking the System for Award Management at website: <http://www.sam.gov>.

5.5.2 Collecting a certification statement similar to the Certification of Offeror /Bidder Regarding Debarment, above.

5.5.3 Inserting a clause or condition in the covered transaction with the lower tier contract.

If the FAA later determines that a lower tier participant failed to disclose to a higher tier participant that it was excluded or disqualified at the time it entered the covered transaction, the FAA may pursue any available remedies, including suspension and debarment of the non-compliant participant.

5.6 **DISADVANTAGED BUSINESS ENTERPRISES.**

5.6.1 Bid Information submitted as a matter of **responsiveness**:

LFUCAB’s award of this contract is conditioned upon Bidder or Offeror satisfying the good faith effort requirements of 49 CFR § 26.53.

The Airport has established a **DBE participation goal of 5.3% for this project**. In accordance with federal regulations, respondents must either meet this goal or demonstrate good faith efforts to do so, as outlined in Appendix A to 49 CFR Part 26.

As a condition of responsiveness, the Bidder or Offeror must submit the following information with its proposal:

(a) The names and address of DBE firms that will participate in the contract;

- (b) A description of the work that each DBE firm will perform;
- (c) The dollar amount of the participation of each DBE firm listed under (a);
- (d) Written statement from Bidder or Offeror that attests their commitment to use the DBE firm(s) listed under (a) to meet the Owner's project goal;
- (e) Written confirmation from each listed DBE firm that it is participating in the contract in the kind and amount of work provided in the prime contractor's commitment; and
- (f) If Bidder or Offeror cannot meet the advertised project DBE goal, evidence of good faith efforts undertaken by the Bidder or Offeror as described in appendix A to 49 CFR part 26. The documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract.

5.6.2 Bid information submitted as a matter of **responsibility**:

LFUCAB's award of this contract is conditioned upon Bidder or Offeror satisfying the good faith effort requirements of 49 CFR § 26.53.

As a condition of responsibility, every Bidder or Offeror must submit the following information on the forms provided herein within five days after bid opening.

- (a) The names and addresses of DBE firms that will participate in the contract;
- (b) A description of the work that each DBE firm will perform;
- (c) The dollar amount of the participation of each DBE firm listed under (a);
- (d) Written statement from Bidder or Offeror that attests their commitment to use the DBE firm(s) listed under (a) to meet the Owner's project goal;
- (e) If Bidder or Offeror cannot meet the advertised project DBE goal, evidence of good faith efforts undertaken by the Bidder or Offeror as described in appendix A to 49 CFR part 26. The documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract.

5.7 **FEDERAL FAIR LABOR STANDARDS ACT.**

All contracts and subcontracts that result from this solicitation incorporate by reference the provisions of 29 CFR part 201, et seq, the Federal Fair Labor Standards Act (FLSA),

with the same force and effect as if given in full text. The FLSA sets minimum wage, overtime pay, recordkeeping, and child labor standards for full and part-time workers. The Consultant has full responsibility to monitor compliance to the referenced statute or regulation. The Consultant must address any claims or disputes that arise from this requirement directly with the U.S. Department of Labor – Wage and Hour Division.

5.8 TRADE RESTRICTION CERTIFICATION

By submission of an offer, the Offeror certifies that with respect to this solicitation and any resultant contract, the Offeror –

- 5.8.1 is not owned or controlled by one or more citizens of a foreign country included in the list of countries that discriminate against U.S. firms as published by the Office of the United States Trade Representative (USTR);
- 5.8.2 has not knowingly entered into any contract or subcontract for this project with a person that is a citizen or national of a foreign country included on the list of countries that discriminate against U.S. firms as published by the USTR; and
- 5.8.3 has not entered into any subcontract for any product to be used on the Federal project that is produced in a foreign country included on the list of countries that discriminate against U.S. firms published by the USTR.

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by this provision. The knowledge and information of a contractor is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

The Offeror agrees that, if awarded a contract resulting from this solicitation, it will incorporate this provision for certification without modification in all lower tier subcontracts. The Contractor may rely on the certification of a prospective subcontractor that it is not a firm from a foreign country included on the list of countries that discriminate against U.S. firms as published by USTR, unless the Offeror has knowledge that the certification is erroneous.

This certification is a material representation of fact upon which reliance was placed when making an award. If it is later determined that the Contractor or subcontractor knowingly rendered an erroneous certification, the Federal Aviation Administration (FAA) may direct through the Owner cancellation of the contract or subcontract for default at no cost to the Owner or the FAA.

5.9 CERTIFICATION REGARDING LOBBYING.

The Bidder or Offeror certifies by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

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

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

5.10 PROCUREMENT OF RECOVERED MATERIALS.

Contractor and subcontractor agree to comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, and the regulatory provisions of 40 CFR Part 247. In the performance of this contract and to the extent practicable, the Contractor and subcontractors are to use products containing the highest percentage of recovered materials for items designated by the Environmental Protection Agency (EPA) under 40 CFR Part 247 whenever:

- 5.10.1 The contract requires procurement of \$10,000 or more of a designated item during the fiscal year; or
- 5.10.2 The contractor has procured \$10,000 or more of a designated item using Federal funding during the previous fiscal year.

The list of EPA-designated items is available at www.epa.gov/smm/comprehensive-procurement-guidelines-construction-products.

Section 6002(c) establishes exceptions to the preference for recovery of EPA-designated products if the contractor can demonstrate the item is:

- (a) Not reasonably available within a timeframe providing for compliance with the contract performance schedule;
- (b) Fails to meet reasonable contract performance requirements; or
- (c) Is only available at an unreasonable price.