



Buffalo & Fort Erie Public Bridge Authority

Request for Proposals for:

US & Canadian Non-Union
Job Evaluation & Compensation Review

*1 Peace Bridge Plaza
Buffalo, New York 14213*

*100 Queen Street
Fort Erie, Ontario L2A 3S6*

*Date Issued: April 6, 2017
Submission Deadline: May 19, 2017*

BUFFALO & FORT ERIE PUBLIC BRIDGE AUTHORITY

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I. INTRODUCTION

A. General Information

The Buffalo & Fort Erie Public Bridge Authority (the "Authority"), owner and operator of the Peace Bridge, requests proposals (RFP) from qualified international Human Resource Consultants (Proponent) to perform a job evaluation and compensation review for the Authority's non-union positions. As a bi-national entity, the Authority has twenty three non-union positions in both the United States and Canada. The compensation review will need to assess both Western New York and Southern Ontario labor markets. It is our expectation that the successful Proponent will provide the Authority with a full evaluation of the current non-union job descriptions and salary grid and propose recommendations for an American and a Canadian salary grid for all twenty three non-union positions. In addition, it is our expectation to receive valid, current data in the reports which will also include recommendation's for a standardized job description template, a recommended sustainable job evaluation practice and revisions to the existing non-union compensation policy to adhere to federal legislation in US and Canada.

This RFP is not intended to create and does not create any legally binding contract with any Proponent. No legal relationship or obligation shall be created between any Proponent and the Authority until the execution of a contract between the Selected Proponent and the Authority.

All qualified applicants will be afforded equal opportunity without discrimination because of race, creed, color, national origin, sex, age, disability, veteran status or marital status. The Authority encourages minority and women-owned businesses to submit proposals.

B. Requirements

The Authority's Administrative Offices are located in Fort Erie, Ontario. Professionals may be required to travel to and have the ability to work in Canada, as required.

To be considered for this engagement, four (4) hard copies and one (1) electronic copy of the proposal must be received by Carrie A. Stone, CHRL, Human Resources Manager to: 100 Queen Street, Fort Erie, Ontario L2A 3S6 by the time and date set forth herein. The Authority reserves the right to reject any or all proposals submitted. Proposals submitted will be evaluated by a Selection Committee determined by the Authority.

During the evaluation process, the Authority reserves the right, where it may serve the Authority's best interest, to request additional information or clarification from Proponents or to allow corrections of errors or omissions. At the discretion of the Selection Committee,

Proponents submitting proposals may be requested to make oral presentations as part of the evaluation process.

The Authority reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the Proponent of the conditions contained in this RFP, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Authority and the Selected Proponent.

II. DESCRIPTION OF THE AUTHORITY

A. Name of Contact Person

The principal contact with the Buffalo & Fort Erie Public Bridge Authority will be Carrie A. Stone, CHRL, Human Resources Manager, who will coordinate communication with and information to be provided by the Authority. Carrie will also ultimately provide the Selected Proponent with information as required to complete the engagement, manage and oversee the scope of work, timeline and deliverables of the project on behalf of the Authority.

Proponents intending to respond to this RFP should notify Carrie A. Stone, Human Resources Manager via email at cas@peacebridge.com and provide the contact name of a representative at the Proponent and their coordinates.

B. General Information

The Authority is a body corporate and politic constituting a public benefit corporation created under the laws of the State of New York and by an act of the Parliament of Canada and consented to by the United States Congress. The Authority is governed by a ten member Board consisting of five members from New York State and five members from Canada. The mission of the Authority is to be known as the premier Canada/U.S. international border crossing, providing excellence in customer service and an effective conduit for trade and tourism.

The Authority owns and operates the Peace Bridge which spans the Niagara River between Buffalo, New York and Fort Erie, Ontario. In addition to toll revenue from vehicles crossing the bridge, the Authority also derives significant revenue in the form of rental and fee income from the United States General Services Agency, U.S. and Canadian duty-free shops and commercial brokers operating on the property owned by the Authority.

During 2016, toll revenues were approximately \$21.3 million, generated from 1.2 million commercial vehicles and 4.1 million automobiles that used the bridge. In addition to the Peace Bridge, the Authority owns, operates and maintains approximately 70 acres of property in Canada and 17 acres of property in the United States. The Canadian property has three buildings constructed in 2006, housing Authority administration, Canada Border Services Agency, and Citizenship and Immigration Canada. The duty-free store, toll collection facilities, and buildings housing customs brokers and Authority maintenance are also located on the Canadian property. The U.S. plaza consists of a duty free store, and buildings housing U.S. Customs & Border Protection, various other U.S. Government agencies and 30 customs brokers.

As a bi-national entity, the Buffalo & Fort Erie Public Bridge Authority is subject to federal regulations in Canada and both federal and New York State Regulations in the United States.

The Authority complies with both Canadian and US legislation in all aspects of business operations. The Authority's Corporate Headquarters are located at 100 Queen Street, Fort Erie where the majority of the non-union workforce is located. The Authority has both American and Canadian union and non-union employees that operate on both the Canadian and US sides of the border. All Authority staff are required to meet and adhere to security standards and have the ability to work in both the United States of America and Canada.

There are twenty three (23) non-union positions, comprised of both US and Canadian citizens. Three (3) are Executives classified as exempt status and twenty (20) are classified as non-exempt status. The overall staff compliment is seventy (70 FTE), with forty eight (48) unionized staff members and additional temporary staff ranging from twenty (20) to thirty (30) depending on seasonal demands and other projects.

C. Current Non-Union Compensation Structure

The Authority currently has a non-union salary grid structure that is comprised of 10 grades; twenty three (23) positions within the 10 pay grades and salary bands for each position consisting of a minimum, mid-range, and maximum salary. Employees are paid in the currency of their residence (i.e. a US employee living in the US, but working in Canada is paid in USD). Please see Appendix A for the listing of the 23 non-union positions.

The last external job evaluation and compensation review for the non-union salary positions was conducted in 2001 with Canadian salary data comparisons only.

Annual performance evaluations are conducted in January and any increase in the salary ranges are based on the blended CPI increases (if any) year over year of both the US and Canada. Historically, employee increases have been awarded based on performance and may include a percentage increase as well as a bonus. Any increases given are at the discretion of the Authority.

III. DESCRIPTION OF THE RFP PROCESS

A. Proposal Calendar

The following is a list of key dates (all Eastern time) up to and including the date a Proponent's proposal is due to be submitted:

Requests for proposals issued	April 6, 2017
Due date for submission of questions	April 21, 2017 before 1:00 PM
Questions to be answered	May 5, 2017 before 4:00 PM
Due date for proposals	May 19, 2017 before 1:00 PM

B. Expected Notification and Contract Dates

Short list Proponent presentations	June 2, 2017
Selected firm notified by	June 16, 2017
Contract executed	June 30, 2017

The successful Proponent must be prepared to commence performance for the services described herein immediately upon notice of award.

These dates are expected timelines and the Authority reserves the right to extend or change the timelines for the RFP Process at any time prior to the Proposal submission deadline.

C. Inquires

This RFP is available through the Authority's website (www.peacebridge.com/RFP) and through MERX™. For further information about MERX™ call 1-800-964-MERX or visit the MERX™ website (www.merx.com).

Inquiries concerning this RFP must be made by **April 21, 2017, before 1pm Eastern** via email to:

BUFFALO & FORT ERIE PUBLIC BRIDGE AUTHORITY
Attn: Carrie A. Stone, Human Resources Manager; cas@peacebridge.com

All questions and answers will be posted online at www.peacebridge.com/RFP and <http://www.merx.com> by May 5, 2017 and will be emailed to all Proponents that have provided contact information as requested by May 5, 2017. Contact with personnel of the Authority, other than the designated Contact Person, regarding this RFP may be grounds for elimination from the selection process.

Communications to Proponents by the Authority will be provided solely by the Authority's Contact Person. Information obtained from any other source is not binding on the Authority. Questions or requests for clarification received after April 21, 2017, 1 p.m. Eastern time will not receive a response from the Authority.

D. Modifications to the RFP

The Authority may modify any part of the RFP prior to the deadline for submission of Proposals by issuance of a written addendum. Any addendum issued by the Authority will be posted to the Authority website and www.merx.com. No other statements whether oral or in writing, unless such statements have been posted on the Authority website and www.merx.com as set out in this RFP, shall amend the RFP.

It is the Proponent's sole responsibility to ensure that it has received all addenda issued by the Authority and to ensure that the addenda have been considered in their proposal. Proponents are urged to register to receive the RFP documents from MERX™ and to select automatic notification of addenda issuance when registering on MERX™. Proponents may seek confirmation of the number of addenda issued under this RFP by writing to the Authority's Contact Person, notwithstanding, the onus remains on the Proponent to ensure it has received all addenda.

E. Errors and Omissions

Proponents discovering any ambiguity, conflict, discrepancy, omission or other error in this RFP, should immediately notify via e-mail, prior to the due date for Proposals, the Authority's Contact Person and advise of such error and request clarification or modification of the RFP. Modifications to this RFP or any clarifications will be issued by written addenda published on the Authority website and www.merx.com.

If a Proponent fails to notify the Authority prior to the due date for Proposals, of a known error or an error that reasonably should have been known, the Proponent assumes all risk. If awarded any contract, the Proponent shall not be entitled to additional compensation or time by reason of the error.

It is the Proponent's obligation to identify any errors or omissions, conflicts or ambiguities in the RFP as soon as possible.

F. Inquiries by Proponents – Clarifications

It is the Proponent's obligation to seek clarification from the Authority on any matter it considers to be unclear in relation to this RFP.

Proponents are permitted to submit questions or request information during the RFP process. All questions or requests for information must be submitted in writing and solely to the Authority's Contact Person as identified in section C above. Responses to Proponent clarification questions will be published on the Authority website and MERX at www.merx.com in accordance with the Timetable set out in this RFP.

If the Proponent believes that its question is of a commercially sensitive or confidential nature relating to the Proponent, a Proponent may request that a response to its question be kept confidential by clearly marking the question as "Confidential". If the Authority decides that a question marked "Confidential", or the Authority's response to such a question, must be published to all Proponents, then the Authority will notify the Proponent and provide the Proponent with the opportunity to proceed with the question as a public question or to withdraw the question. However, if the Proponent does not withdraw the question, then the Authority may, at its sole discretion, provide its response to all Proponents by way of written Addendum.

If the Authority in its review determines that a question is of a commercially sensitive or confidential nature, it will respond directly to the Proponent.

Notwithstanding, if in the sole opinion of the Authority, one or more other Proponents submits a question on the same or similar topic to a question previously submitted by another Proponent as "Confidential", the Authority may provide a response to such a question to all Proponents by way of written addendum; and if the Authority determines there is any matter which should be brought to the attention of all Proponents, whether or not such matter was the subject of a question, including a question marked "Confidential", the Authority may, in its discretion, publish the question, response or information with respect to such matter to all Proponents by way of written addendum.

G. Prohibited Conduct

i. No Lobbying

A Proponent, any Proponent team members including key personnel, and their respective directors, officers, employees, consultants, agents, advisors and representatives will not engage in any form of political or other lobbying whatsoever, to any party, in relation to the this RFP, or the competitive selection process, including for the purpose of influencing the outcome of the competitive selection process. Further, no such person (other than as expressly contemplated by this RFP) will attempt to communicate in relation to this RFP, or the competitive selection Process, directly or indirectly, with any representative of the Authority, (including any member of the Board of Directors), or any director, officer, employee, agent, advisor, consultant or representative of any of the foregoing, as applicable, for any purpose whatsoever in relation to this RFP, or the competitive selection process, including for the purpose of influencing the outcome of the competitive selection process.

Violation of this provision will be grounds for immediate disqualification.

From the date this RFP is issued until the contract award has been announced, no Proponent-initiated contact with any Authority official shall be permitted regarding this RFP, other than written inquiries to the Authority's Contact Person, as described in this section.

ii. No Collusion

A Proponent shall not engage in any illegal business practices, including activities such as bid-rigging, price-fixing, bribery, fraud, coercion or collusion. A Proponent shall not engage in any unethical conduct, including lobbying, as described above, or other inappropriate communications; offering gifts to any employees, officers, agents, elected or appointed officials or other representatives of the Authority; submitting proposals containing misrepresentations or other misleading or inaccurate information; or any other conduct that compromises or may be seen to compromise the competitive process provided for in this RFP.

A Proponent and any Proponent team members, their employees, agents and representatives involved with the Proponent's Proposal, including key personnel, will not discuss or communicate, directly or indirectly, with any other Proponent or any director, officer, employee, consultant, advisor, agent or representative of any other Proponent (including any Proponent team member or key personnel of such other Proponent) regarding the preparation, content or representation of their Proposals.

By submitting a Proposal, a Proponent, on its own behalf and as authorized agent of each firm, corporation or individual member of the Proponent or Proponent team, represents and confirms to the Authority, with the knowledge and intention that the Authority may rely on such representation and confirmation, that its Proposal has been prepared without collusion or fraud, and in fair competition with Proposals from other Proponents.

iii. Conflict of Interest

In addition to the other information and representations made by each Proponent in the Submission Form, each Proponent must declare whether it has an actual or potential Conflict of Interest as defined in section V A. 1 a. (v).

If, at the sole and absolute discretion of the Authority, the Proponent is found to be in a Conflict of Interest, the Authority may, in addition to any other remedies available at law or in equity, disqualify the proposal submitted by the Proponent.

The Proponent, by submitting the Proposal, warrants that to its best knowledge and belief no actual or potential Conflict of Interest exists with respect to the submission of the proposal or performance of the contemplated contract other than those disclosed in the Submission Form. Where the Authority discovers a Proponent's failure to disclose all actual

or potential Conflicts of Interest, the Authority may disqualify the Proponent or terminate any contract awarded to that Proponent pursuant to this procurement process.

H. Proponent Due Diligence

The Authority does not make any representation, warranty or guarantee as to the accuracy of the information contained in the RFP or in addenda to this RFP.

The Proponent is solely responsible, at its own cost and expense, to carry out its own independent research, due diligence or to perform any other investigations, considered necessary by the Proponent to satisfy itself as to all existing conditions affecting the Authority.

Proponents agree that by submitting a Proposal in response to this RFP, they certify that they have read and agree to comply with all terms set out in this RFP.

I. No Reimbursement and No Claim

There is no expressed or implied obligation for the Authority to reimburse responding Proponents for any expenses incurred in any way in preparing Proposals in response to this RFP. The Proponent shall bear all costs associated with the preparation and submission of a Proposal, including but not limited to any related travel expenses.

By submitting a Proposal, Proponents waive any claim or cause of action that they may have against the Authority as a result of the conduct of this RFP process or any resulting contract.

J. Proponent Amendments or Withdrawal of Proposal

At any time prior to the Proposal submission deadline, Proponents may amend or withdraw a submitted Proposal. Any amendment should clearly indicate which part of the Proposal the amendment is replacing.

K. Authority's Rights

The Authority has no obligation to any Proponent to award a contract at the conclusion of this process. The lowest cost Proposal will not necessarily be selected.

This RFP is not intended, nor should it be interpreted, to be an offer, an acceptance, a contract or any type of binding agreement, nor to commit the Authority to proceed with this or any other process. Notwithstanding any written or verbal communications, or series of communications, to the contrary, the Authority shall not be deemed to have entered into a contract or any other binding agreement.

This RFP does not purport to be all-inclusive or to contain everything that a Proponent might wish or require. The Authority makes no representation or warranty, whether expressed or implied, as to the accuracy or completeness of any such material, information, reports or statements and expressly disclaims any and all liability for any errors or omissions in all information, materials, reports or in any other written or oral communication obtained by, given to, or made available to any Proponent.

No implied contract of any kind whatsoever by or on behalf of the Authority shall arise or be implied from anything contained in this RFP.

In addition to the rights expressed in this RFP, the Authority reserves the right at its sole discretion, where it may serve the Authority's best interest, to:

1. make changes and amendments to the requirements of this RFP at any time;
2. refuse to answer questions that do not pertain directly to the subject matter of this RFP;
3. waive formalities and accept Proposals which substantially comply with the requirements of this RFP;
4. request additional information or clarifications from Proponents, including but not limited to references and service capacity, and incorporate a Proponent's response to that request for clarification into the Proponent's Proposal;
5. retain all Proposals submitted and to use any ideas in a Proposal regardless of whether that Proposal is selected;
6. request written clarification or the submission of supplementary written information from any Proponent. This is not an opportunity for the Proponent to correct any errors or enhance its Proposal in a material way;
7. verify with the Proponent or with a third party any information set out in a Proposal. The Authority has no obligation to verify or investigate any information it may receive from any Proponent or third party;
8. disqualify any Proposal where the Proposal contains misrepresentations, or inaccurate or misleading information;
9. disqualify any Proponent that in the Authority's sole discretion has a conflict of interest or an unfair advantage, whether real, perceived, existing now or likely to arise in the future or who has engaged in Prohibited Conduct as defined in this RFP;
10. during the evaluation of Proposals, assess a Proponent's Proposal on the basis of:
 - a. the Proponent's submissions in response to this RFP;
 - b. a financial analysis determining the actual cost of the Proposal;

- c. information provided by references; or
 - d. information provided by a Proponent pursuant to the Authority exercising its clarification rights under this RFP
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11. conduct interviews with Proponents, to seek clarification or verify any or all information provided by the Proponent in its Proposal;
 12. negotiate with any Proponent or more than one Proponent with respect to any of the requirements in the Proposal or the RFP;
 13. cease negotiations with any Proponent and proceed to the next ranked Proponent;
 14. accept or reject a Proposal if only one Proposal is submitted;
 15. select any Proposal other than the Proponent whose Proposal reflects the lowest cost;
 16. reject any or all Proposals; and
 17. cancel this RFP at any time without any contract or issue a new RFP for the same or similar services.

IV. SCOPE OF SERVICES

A. General

The Authority is seeking proposals from qualified Proponents to perform a job evaluation and compensation review for the Authority's non-union positions. The Proponent should be experienced in job evaluation and compensation consulting specializing in U.S. and Canadian compensation to complete a job evaluation and compensation review pursuant to the Scope of Work as outlined below.

B. Scope of Work

The Proponent will perform the following services:

1. Conduct a job evaluation on all non-union positions:
 - a. Review and analyze the current non-union job descriptions.
 - b. Establish sustainable job evaluation methodology and tools (for example, point factoring) for each position.
 - c. Test for internal equity and fairness.
 - d. Determine current job similarities and differences in each job description in comparison to industry standard job descriptions core competencies and job requirements.
 - e. Identify hybrid positions.
 - f. Offer recommendations to update job descriptions aligned with current industry standard job requirements.
 - g. Recommend an updated standardized job description template.
2. Conduct U.S. and Canadian current labour market assessment utilizing current and accurate salary data from similar organizations of geographical disposition, size and industry;
3. Match jobs and assess job classifications/ranking/grades/ranges and provide recommendations;
4. Establish and propose two separate salary grids (U.S. & Canada) to appropriately reflect the Authority's status as a bi-national entity.
5. Evaluate current compensation information and determine if the current salary ranges in both Canadian and U.S. markets are within the 75th percentile of the market range, noting the positions that fall below or above the 75th percentile of the range comparable to current comparable labour market assessment;
6. Evaluate and determine if current salaries are placed appropriately within the position range based on the core competencies and requirements of each position, applying fair and equitable compensation practices to align current non-union

compensation with the competitive market, while referencing all applicable legislation (US & Canada).

7. Review and recommend changes to the current non-union compensation policy, including the job evaluation tool and/or process, while referencing all applicable legislation (US & Canada).
8. Communicate with the project lead, provide reports as required and attend meetings as required.
9. Safeguard all highly confidential information in a discrete and professional manner.
10. Adhere to the anticipated project timelines as noted below:

Anticipated Project Timelines

Conduct Job Evaluation, Review Salary Grid	July 28, 2017
Conduct U.S. & CDN. Labour Market Assessment	August 25, 2017
Final Reports & Recommendations	September 29, 2017

C. Term of Service

The Authority reserves the right to terminate services of the successful Proponent upon thirty (30) days written notice for any reason, or immediately for cause. In the event of such termination, the firm shall be entitled to compensation for acceptable services performed through the date of termination.

V. PROPOSAL REQUIREMENTS

A. General Requirements

1. Submission of Proposals - The following material is required to be received by **May 19, 2017 no later than 1:00 P.M.** for a Proponent to be considered:

- a. One original proposal, four (4) hard copies, and one electronic copy to include the following:
 - (i) *Title Page* – Title page showing the request for proposals subject; the Proponent’s name; the name, address, and telephone number of the contact person; and the date of the proposal.
 - (ii) *Table of Contents*
 - (iii) *Transmittal Letter* – A signed letter of transmittal briefly stating the Proponent’s understanding of the work to be completed, the commitment to perform the work within the time period (or exceed the timeline), a statement why the Proponent believes itself to be best qualified to perform the engagement, and a statement that the proposal is a firm and irrevocable offer. The transmittal letter should also state the name, telephone number and e-mail address of the individual with the Proponent who will serve as the Authority’s primary contact concerning the proposal. An unsigned proposal will be rejected.
 - (iv) *Non-collusive Proposal Certification* – The Proponent must provide a signed statement certifying the following:
 - the proposal is genuine and is not made in the interest of, or on behalf of, an undisclosed person, firm or corporation;
 - that the Proponent has not directly or indirectly induced or solicited any other Proponent to submit a false or sham proposal, or decline to submit a proposal;
 - that the Proponent has not sought, by collusion, to obtain any advantage over any other Proponent or over the Authority.
 - (v) *Conflict of Interest Declaration* – The Proponent must provide a signed statement containing one (1) of the following sub paragraphs (Proponents should refer to the definition of Conflict of Interest as defined in section B. 2 below):
 - The Proponent declares that there is no actual or potential Conflict of Interest relating to the preparation of its proposal, and/or the

Proponent does not foresee an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the RFP;

OR

- The Proponent declares that there is an actual or potential Conflict of Interest relating to the preparation of its proposal, and/or the Proponent foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the RFP

If the proponent declares an actual or potential Conflict of Interest, the Proponent must set out details of the actual or potential Conflict of Interest.

- (vi) *Detailed Proposal* – The detailed proposal should follow the order set forth in Section V. B. of this request for proposals.

Cost Bid –The cost bid should follow the order set forth in Section V.B. of this request for proposals. The fee proposal should contain all pricing information relative to performing the services as described in this request for proposal. The total all-inclusive maximum price to be bid for the engagement is to contain all direct and indirect costs, including all out-of-pocket expenses, including the manner of payment. The cost bid should also explain why the manner of payment is in the best interest of the Authority.

- (vii) Proponents must send the completed proposal to the following address:

BUFFALO & FORT ERIE PUBLIC BRIDGE AUTHORITY

**Attn: Carrie A. Stone, Human Resources Manager
100 Queen Street, Fort Erie, ON L2A 3S6**

B. Proposal

1. General Requirements

The purpose of the proposal is to demonstrate the qualifications, competence, capacity and innovation of the Proponent seeking to conduct a U.S. and Canadian Job Evaluation & Compensation Review and undertake the services in conformity with the requirements of this RFP. As such, the substance of proposals will carry more weight than their form or manner of presentation. The proposal should demonstrate the qualifications of the Proponent and of the particular staff to be assigned to this engagement. It should also specify the type of service approach that will meet the RFP requirements.

The proposal should address all the points outlined in this RFP. The proposal should be prepared simply and economically, providing a straightforward, concise description of the Proponent’s capabilities to satisfy the requirements of this RFP. While additional data may be presented, the following subjects, item numbers two (2) through twelve

(12), must be included. They represent the criteria against which the proposal will be evaluated.

Responses are limited to ten (10) pages, excluding the title page, table of contents, transmittal letter, non-collusive proposal certificate, conflict of interest certificate, and cost bid, requested resumes and official statements, prepared as single-sided pages on 8 ½ x 11 inch paper using at least 10 point type with standard margins.

For clarity purposes, the Authority requests that you restate each question, with the answer stated directly below each question.

2. Independence

The Proponent should provide an affirmative statement that it is independent of the Authority and that the Proponent and its staff will avoid any actual or perceived conflict of interest. "Conflict of Interest" includes, but is not limited to, any situation or circumstance where:

(a) in relation to the RFP process, the Proponent has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to (i) communicating with any person with a view to influencing preferred treatment in the RFP process including the giving of a benefit of any kind, by or on behalf of the Proponent to anyone employed by, or otherwise connected with, the Authority; or (ii) engaging in conduct that compromises or could be seen to compromise the integrity of the open and competitive RFP process and render that process non-competitive and unfair; or

(b) in relation to the performance of its contractual obligations under any resulting contract, the Proponent's other commitments, relationships or financial interests (i) could or could be seen to exercise an improper influence over the objective, unbiased and impartial exercise of its independent judgment; or (ii) could or could be seen to compromise, impair or be incompatible with the effective performance of its contractual obligations.

3. Scope of Work – The Proponent must provide an affirmative statement that the proposal includes all services noted within Section IV of this proposal.

4. Disciplinary Actions – The Proponent must provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past five (5) years with federal or state/provincial regulatory bodies or professional organizations.

5. Proponent Qualifications and Experience

The Proponent should include the following information:

- a. Proponent name, location of Proponent headquarters, location of office from which services would be rendered to the Authority.

- b. Description of the Proponent, including ownership structure, number of employees, number of years in business, and a brief description of the services the Proponent offers. Describe your direct experience in providing job evaluation and compensation services in the U.S. and Canada.
- c. Describe your firm's philosophy related to compensation in which your firm will assess the market data in comparison to the current positions. Does your philosophy perceive the U.S and Canadian job markets as similar or would they be assessed differently i.e. same or different point factoring (if this method is applied) for a position that could be U.S. or Canadian.
- d. Describe your methodology and approach for job evaluation and compensation analysis, and provide examples of related projects performed within the past five years that were similar in project scope, for job evaluation and compensation reviews of an international organization with a U.S. and Canadian workforce based upon prior experience utilizing HR best practices and current, valid data.
- e. Describe how and why these previous relevant projects were successful and how they could be beneficial to the Authority.
- f. Explain why your firm's methodology and approach toward HR best practices in job evaluation and compensation analysis warrants that you should be the successful Proponent, including the competencies, tools and attributes that differentiate your firm from competitor firms.
- g. Describe any other information about your organization and your firm's experience that are relevant to this RFP which you feel warrant consideration.

6. Professional Staff Qualifications – The Proponent should include the following information:

- a. Identification of professional staff who would be assigned to this engagement. A statement as to the availability of the lead person(s) for consultation with the Authority, including but not limited to, his or her willingness and ability to meet in Fort Erie, ON, Canada with Authority officials.
- b. Description of their proposed role.
- c. The number of years with the firm and number of years in the industry.
- d. Provide resumes for professional staff who would be assigned to this engagement.

7. Prior Engagements with the Buffalo & Fort Erie Public Bridge Authority – List separately all engagements within the last five (5) years, with the Authority by type of engagement. Indicate the scope of work, date, the location of the firm's office from which the engagement was performed, and the name and telephone number of the principal client contact.

- 8. Similar Engagements with other Entities** – For the firm’s personnel that will be assigned responsibility for this service, list the most significant engagements (maximum of 5) performed in the last five (5) years that are similar to the engagement described in this request for proposal. Indicate the scope of work, dates and duration of service and the name and telephone number of the principal client contact. From these engagements, provide at least three (3) references containing contact name, address and telephone number.
- 9. Value-Added Services** – The Proponent should identify and describe services offered which may add value (i.e., decrease cost, increase efficiency, etc.) to the Authority.
- 10. Distinguishing Features** – The Proponent should identify and describe the most important attributes that distinguish your firm from competing firms, and how those attributes will benefit the Authority.
- 11. Creative Problem Solving** – Describe a recent engagement that called for creativity in your firm’s approach to providing a solution to the client. Please be specific and focus on issues that the Authority may face.
- 12. Identification of Anticipated Potential Problems** – The proposal should identify and describe any anticipated potential problems/challenges in providing the service requested, the firm’s approach to resolving these problems and any special assistance that will be requested from the Authority.

C. Cost Bid

- 1. Fee Schedule** – The Authority is interested in achieving high quality services at the lowest possible cost.

The Authority will not be responsible for expenses incurred in preparing and submitting any proposal. Such costs should not be included in the proposal. The following includes the required format and information to be provided by the Proponent in the Cost Bid. A proposal shall comply with all format and content requirements as detailed in this RFP. Failure to comply with format and content requirements may result in disqualification.

The first page of the cost bid should include the following information:

- a. Name of Proponent.
 - b. Certification that the person signing the proposal is entitled to represent the Proponent, empowered to submit the bid, and authorized to sign a contract with the Authority.
 - c. A detailed breakdown of fees of the duration of the engagement. Identify additional fees for services not included in the scope of work.
- 2. Out-of-Pocket Expenses** – All estimated out-of-pocket expenses (if any) to be reimbursed should be presented on the second page of the cost bid.

VI. EVALUATION PROCEDURES

A. Review of Proposals

The Authority will select evaluators to participate on a Selection Committee ("Committee"). The Selection Committee will review qualifications of the Proponents and conduct the evaluation of the proposals. Proponents with unacceptably low technical qualifications will be eliminated from further consideration.

After the qualifications/experience for each Proponent have been established, the cost bid will be examined. The Proponent representing the best overall value to the Authority, which may or may not be the lowest cost bidder, will be recommended as the Selected Proponent.

The Authority reserves the right to retain all proposals submitted and use any idea in a proposal regardless of whether that proposal is selected.

B. Evaluation Criteria

Proposals will be evaluated using three sets of criteria. Firms meeting the mandatory criteria will have their proposals evaluated for both (i) qualifications/experience and (ii) cost bid. The following represent the principal selection criteria, which will be considered during the evaluation process.

1. Mandatory Criteria

- a. The Proponent must be independent and have no conflict of interest, as demonstrated in the Proponent's signed Non-Collusive Proposal Certification and Conflict of Interest Declaration contained within its Proposal.
- b. The Proponent adequately addresses actual and pending disciplinary actions and has a record of quality work.
- c. The Proponent must adhere to the mandatory instructions in this RFP on preparing and submitting its Proposal (as identified by use of the term 'must'), including the requirement for the Proposal to be submitted to the identified address on or before the Due Date for submission of Proposals. The mandatory items to be included in the Proponent's response package are as follows:
 1. Title page
 2. Table of Contents
 3. Transmittal letter
 4. Non-collusive Proposal Certification
 5. Conflict of Interest Declaration

- 6. Proposal – in the manner as prescribed by this RFP
- 7. Cost Bid – in the manner as prescribed by this RFP

2. Expertise and Experience

- (i) The Proponent’s qualifications and past experience and performance on similar engagements.
- (ii) Staff qualifications and past experience and performance on similar engagements.
- (iii) The Proponent’s approach towards identifying and resolving potential problems/challenges in providing the services requested.
- (iv) The Proponent’s distinguishing and value-added services.

3. Cost Bid

Cost will not be the primary factor in the selection of the Proponent, however, it will be considered when evaluating the overall value of the proposal. The Authority is not obligated to accept the lowest bid.

C. Evaluation of Proposals

The following evaluation criteria will be used as the basis for evaluating Proposals:

Proponent’s qualifications and past experience and performance on similar engagements as an international Human Resource Consultant specializing in U.S. and Canadian Job Evaluation & Compensation within the past five years: **30%**

Qualifications of Proponent’s staff assigned to the engagement and their past expertise and performance on similar engagements: **20%**

Proponent’s best practice methodology and approach, tools, and attributes most suitable to the project scope: **10%**

Proponent’s compensation philosophy for assessing and recommending two (2) salary grids; US and Canadian, with recommended job evaluation tools and practices, comparable benchmark organizations and a quantifiable commitment to the validity of current market and accurate data: **15%**

Proponent’s distinguishing characteristics and value added ideas: **10%**

Proponent’s fees are reasonable and fair with value added services: **15%**

Total Evaluation Criteria Weighting: **100%**

D. Oral Presentations

During the evaluation process, the Selection Committee, at its discretion, may request any one or all Proponents to make oral presentations. Such presentations will provide Proponents with an opportunity to answer any questions that the Selection Committee may have on a Proponent's proposal. Not all Proponents may be asked to make such oral presentations.

E. Final Selection

The Authority will select a Proponent (the Selected Proponent) based upon the recommendation of the Selection Committee in accordance with the evaluation criteria and process described in this RFP, as identified by the Authority.

It is anticipated that the Selected Proponent will be determined by June 16, 2017. Following notification of the Selected Proponent, it is expected that a contract will be executed between both parties week of June 30, 2017.

The Authority reserves the right to enter into negotiations with any Selected Proponent in order to determine satisfactory terms and conditions of a final contract and to end such negotiations, at its discretion, and to designate and commence negotiations with an alternate best qualified Selected Proponent.

In accordance with the policy approved by the Board of Directors, the Committee will not conduct debriefing sessions with unsuccessful Proponents.

F. Right to Reject Proposals

Submission of a proposal indicates acceptance by the Proponent of the conditions contained in this RFP unless clearly and specifically noted in the proposal submitted and confirmed in the contract between Authority and the Selected Proponent.

As specifically endorsed by the Authority Board of Directors, contact with personnel of the Authority other than Carrie A. Stone, Human Resources Manager, will result in automatic rejection of a proposal.

The Authority reserves the right without prejudice to reject any or all proposals, waive any and all informalities, and the right to disregard all non-conforming or conditional proposals. The Authority reserves the right to accept any proposal deemed to be in its best interest even though the proposal is not mathematically the lowest price.

VII. APPLICABLE LAW

This RFP, and any contract, which may subsequently arise from this RFP, shall be governed by the law of the United States of America and Canada, as applicable to an international compact entity. The appropriate jurisdiction for any disputes which arise from the RFP or any contract which may arise from this RFP, shall be the United States District Court for the Southern District of New York or the Superior Court of Justice, at Welland, Ontario, provided this court has the requisite jurisdiction.

The section titles are for convenience only and shall not be construed to affect the meaning of the sections titled.

APPENDIX A

Level	Position
10	Chief Operating Officer
10	Chief Financial Officer
9	Construction Superintendent - (position eliminated)
8	Finance & Administration Analyst (position eliminated)
8	Finance Supervisor/ Controller
7	Maintenance Supervisor
7	Administration Supervisor
7	Facilities Engineer (+ Health & Safety Coordinator)
7	Human Resources Manager
6	Network Administrator (also assess Network Engineer)
6	IT Manager
6	Operations Supervisor
6	Executive Assistant (to General Manager and Board of Directors)
5	Sr. Systems Analyst (vacant)
4	Systems Analyst (vacant)
4	Operations/Capital Projects Coordinator (formerly Operations Assistant)
3	Staff Accountant
2	Administrative Assistant (vacant)
2	Accounting Clerk
2	Audit Clerk
2	Payroll & Benefits Specialist
1	Front Desk Coordinator
1	Clerical Assistant (vacant)

NOTE * *General Manager (Comparable job description to CEO/CAO Position- not on grid)*