



City of Kirkland

Request for Proposal

Equity Review and Engagement Program for Comprehensive Plan Update

Job #26-22-PB

Issue Date: April 21, 2022

Due Date: June 1, 2022, DATE-5:00 p.m. (Pacific Time)

REQUEST FOR PROPOSALS

Notice is hereby given that proposals will be received by the City of Kirkland, Washington, for:

Equity Review and Engagement Program for Comprehensive Plan Update Job # 26-22-PB

File with Purchasing Agent, Finance Department, 123 - 5th Ave, Kirkland WA, 98033

Proposals received later than **5:00 p.m. on June 1, 2022 will not** be considered.

A copy of this Request for Proposal (RFP) may be obtained from City's web site at <http://www.kirklandwa.gov/>. Click on the Business tab at the top of the page and then click on the Request for Proposals link found under "[Doing Business with the City](#)".

The City of Kirkland reserves the right to reject any and all proposals, and to waive irregularities and informalities in the submittal and evaluation process. This RFP does not obligate the City to pay any costs incurred by respondents in the preparation and submission of a proposal. Furthermore, the RFP does not obligate the City to accept or contract for any expressed or implied services.

A Service Provider response that indicates that any of the requested information in this RFP will only be provided if and when the Service Provider is selected as the apparently successful Service Provider is not acceptable, and, at the City's sole discretion, may disqualify the proposal from consideration.

The City requires that no person shall, on the grounds of race, religion, color, national origin, sex, age, marital status, political affiliation, sexual orientation, or the presence of any sensory, mental, or physical disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The City further assures that every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs are federally funded or not.

In addition to nondiscrimination compliance requirements, the Service Provider(s) ultimately awarded a contract shall comply with federal, state and local laws, statutes and ordinances relative to the execution of the work. This requirement includes, but is not limited to, protection of public and employee safety and health; environmental protection; waste reduction and recycling; the protection of natural resources; permits; fees; taxes; and similar subjects.

Dated this April 21, 2022

Jay Gewin
Purchasing Agent
City of Kirkland
purchasing@kirklandwa.gov

Published in the Daily Journal of Commerce – April 21st and April 28th, 2022

Background Information

The City of Kirkland is located east of Seattle on the eastern shore of Lake Washington. It is a growing city with a historic downtown, lakefront open space, and an evolving urban landscape that is increasingly attractive to major employers. As Kirkland has grown and as housing costs have escalated, City leaders have focused their attention on ensuring that the community is environmentally and economically sustainable, while also being a welcoming and equitable place as articulated in [Resolution 5240](#) declaring Kirkland a safe, inclusive, and welcoming place. The interest in equity has been heightened by the COVID-19 pandemic, the social movements of 2020 and beyond, and a broader understanding of structural racism and its effects in the greater Seattle region. The City Council adopted [Resolution 5434](#) in 2020 to formalize its commitment to ensuring the safety and respect of Black people and dismantling structural racism in Kirkland. The City is surrounded by other cities of varying sizes and pockets of unincorporated King County, and is well-connected to Seattle and the rest of the region via high-frequency bus transit, roadways, and bike routes.

At the time of incorporation in 1905, the City of Kirkland's population was approximately 530. The current estimated population is 92,900. Kirkland is the twelfth largest city in the State of Washington and the sixth largest in King County.

Since its incorporation, Kirkland has grown in geographic size to eighteen square miles - approximately twenty times its original size. This growth occurred primarily through the consolidation of the cities of Houghton and Kirkland in 1968, the annexations of Rose Hill and Juanita in 1988 and the annexation of North Juanita, Finn Hill, and Kingsgate areas in 2011.

Kirkland operates under a Council-Manager form of government. The City Council is the policy-making branch of Kirkland's government and consists of seven members elected at large to staggered, four-year terms. The Mayor is elected from within the Council. The City Council is supported by several advisory boards and commissions and the City Manager. The City Manager is appointed by the City Council and serves as the professional administrator of the organization, coordinating its day-to-day activities.

Project Purpose and Background

In 2022-2024, the City of Kirkland will be conducting a major update of its Comprehensive Plan for consistency with the Growth Management Act, Puget Sound Regional Council Vision 2050 Growth Strategy, King County Countywide Planning Policies, and local policies. The Kirkland Comprehensive Plan is a citywide guide for how we as a community will manage growth over the next 20 years (horizon year 2044) in terms of land use and the public facilities and services necessary to support that growth. A fundamental principle of the 2044 Comprehensive Update process is to ensure that future growth in the City is shaped with the intent of making a belonging community that is more inclusive, welcoming, and equitable to provide opportunities for all. The two-year process will involve City staff in each department, City Boards and Commissions, and an enhanced citywide community engagement process. The goal is to adopt the updated plan in mid-late 2024.

The City of Kirkland is seeking proposals from qualified firms with proven expertise to provide the following services:

1. Design an equitable Community Engagement Plan (CEP) for the 2044 Comprehensive Plan update process that is innovative, reaches a broad swath of the community- particularly those that have historically been underrepresented in civic life, and allows for meaningful feedback. The requested services do not include implementation of the CEP. The Plan will be implemented by City Staff in 2022-2024; and
2. Review the existing Comprehensive Plan for policies, concepts, language, and ways of conveying policy direction that may be perceived as inequitable, exclusive, and not consistent with Kirkland's R-5434, R- 5280 and Council goals for creating equitable and inclusive outcomes. The consultant will make recommendations for text to be deleted and new replacement text to be incorporated into the revised Plan. The consultant will also use the review to develop a guideline document for the City to use in drafting revisions to the Comprehensive Plan to ensure equitable and inclusive outcomes.

Both of the above tasks should be consistent with the City's [R-5434, R-5240](#) and equitable and inclusive outcomes described in the soon-to-be-adopted [Equity Plan of Record 5-year Roadmap to a Diverse, Equity, Inclusion and Belonging Action Plan](#).

Budget for this project is up to \$50,000.

Background

The last major update of the [existing Kirkland 2035 Comprehensive Plan](#) was in 2015. The Plan contains the City's [Vision Statement](#) - a snapshot of Kirkland in 2035, [Guiding Principles](#) - forming the foundation for the goals and policies contained in the General Elements, and subarea plans (chapters of the Comprehensive Plan). These components establish an overall goal of maintaining Kirkland as a livable, sustainable, and connected city. During the 2035 Comprehensive Plan update, the City implemented an extensive citywide Community Outreach and Communications Plan (involving approximately 200 public meetings) that we hope to build upon and enhance with the 2044 update process. The 2044 update is not intended to be a complete rewrite of the existing Comprehensive Plan.

The Growth Management Act (Revised Code of Washington (RCW) 36.70A.140) requires cities to provide early and continual community participation in the development and update of local comprehensive plans. RCW 36.70A.020 Growth Management Act (GMA) Goal 11 states: *"Encourage the involvement of citizens in the planning process and coordination between communities and jurisdictions to reconcile conflicts"*. Puget Sound Regional Council, the King County Countywide Planning Policies, and State Department of Commerce provide resources for fostering equity in long-range planning documents. The Kirkland Zoning Code establishes the minimum regulatory requirements for public noticing, public hearing requirements and approval criteria for amendments to the Comprehensive Plan. The Planning Commission will take the lead on the update process and make a recommendation to City Council for final adoption.

For the 2044 Comprehensive Plan update, one of Kirkland's key themes for the future is to *Advance Social Justice, Equity, Inclusivity and Belonging* in Kirkland. The goal is to integrate social justice, equity, and health into our Comprehensive Plan policies and text within all General Elements, to be more equitable, inclusive, and welcoming as a community especially for our Black,

Indigenous and People of Color (BIPOC) and Lesbian, Gay, Bisexual, Transgender, Intersex, Queer/questioning, Asexual (LGBTQIA+), low income, and other historically underrepresented communities, including by undertaking the following specific actions:

- 1) Integrate the recommendations of the soon-to-be-adopted *Equity Plan of Record 5-year Roadmap to a Diverse, Equity, Inclusion and Belonging Action Plan* into the Comprehensive Plan;
- 2) Establish an innovative and robust equity and inclusion plan for the update process to ensure an equitable and inclusive process and outcomes;
- 3) Review all existing and draft text for potential exclusionary language and revise accordingly;
- 4) Integrate the above to create a Community Engagement Plan Process that includes historically underrepresented communities; and
- 5) Add the adopted local Land Acknowledgement regarding the First People of Kirkland to the Plan.

Related Information:

- [Existing Kirkland Comprehensive Plan](#) (major update in 2015; last updated December 2021)
- Information about the 2044 Comprehensive Plan update, visit the City's project website at: www.kirklandwa.gov/Kirkland2044
- Information about the draft *Equity Plan of Record 5-year Roadmap to a Diverse, Equity, Inclusion and Belonging Action Plan*, please visit the City's website at: <https://www.kirklandwa.gov/Government/City-Managers-Office/Diversity-Equity-Inclusion-and-Belonging>
- PSRC Vision 2050 Equity-Related Policies and Actions at <https://www.psrc.org/sites/default/files/vision-2050-equity-policies-actions.pdf>
- King County Equity and Social Justice Strategic Plan 2016-2022 at <https://kingcounty.gov/elected/executive/equity-social-justice/strategic-plan.aspx>

Scope of Work

The scope of work for the consultant services includes the two tasks described below:

Task 1- Design and Submit a Community Engagement Plan (CEP)

Goals and Objectives of the CEP

The City of Kirkland values a transparent, active, and inclusive community engagement process for all of our citywide long-range planning and decision-making processes. However, the demographic of people who usually attends public forums are usually white, upper income, homeowners, who have lived in Kirkland for many years. We know our community has become more diverse in age, race, and income level and other characteristics. We are looking for new ways to encourage a greater diversity of voices to participate in the policy and decision-making process.

An overall goal of the 2044 Comprehensive Plan update CEP is to conduct an innovative, equitable, inclusive, and diverse community outreach and engagement process that achieves the broadest possible community participation (including involving BIPOC communities and other community members who have not traditionally participated in long range planning processes in large numbers).

This will include providing timely information to educate and inform the community about the importance of planning for the future of the City, why the policies and decisions made today will prioritize the types of human services, public infrastructure, and services that will be provided in the future, and how they can influence how the everyday services for water, sewer or other public services may cost. How the community will have many opportunities to review and comment on the update policies and decisions before they are made. The City is looking for new, innovative ways to engage our community on their own schedule with opportunities beyond traditional in-person meetings. This will include integrating the City's existing virtual platforms and communication guide (See Attachment A) into the community engagement process, while allowing for many opportunities for face-to-face interactions.

Key phases of the community engagement process include:

- A visioning process to establish a revised vision statement that guides growth and change for the next 20 years
- General Element policy updates for mandatory and desired revisions
- Transportation Master Plan updates to establish transportation policies that support growth and change
- Scoping for the draft Environmental Impact Statement
- Conducting a public hearing and final decision-making phase.

See the K2044 Comprehensive Plan update project webpage at www.kirklandwa.gov/K2044 for a [project timeline](#) and phases.

The City will be conducting the robust community engagement process throughout the two-year process, in addition to meetings with Boards and Commission, neighborhood associations and other stakeholders.

The City will share with the consultant a draft list of potential stakeholders and community-based organizations. Consultants are encouraged to provide other suggestions, particularly on strategies and tactics to engage community members and groups historically underrepresented in civic life.

The City will implement the CEP designed by the consultant to engage the community in a visioning process, and seek input from the public on opportunities, challenges and opportunities that will guide the policy updates for the Comprehensive Plan.

Scope of Work

Respondents should develop and submit a scope of work proposal for an innovative and equitable CEP that includes, but is not limited to, the following tasks:

- A. Provide the public involvement objectives, techniques, targeted audiences, and time frame for each phase of the update process. This should include strategic advice and recommendations, including reasoning for the recommendations, on how best to structure the CEP, process, and what formats and tools (e.g., in-person workshops and meetings, online surveys, webinars, working groups, leveraging existing groups,) would be most effective for outreach and input gathering for the City's planning process at each phase. Visioning exercises focused on equitable engagement goals and strategies should also be considered.

The consultant should provide strategic advice on which forms of input are most helpful, actionable, and how to solicit such input from a representational population using existing City technology, resources. The Community Outreach Plan used for the last major Comprehensive Plan update adopted in 2015 is a foundation that the consultant should expand upon.

This task should include the development of a chart or matrix that will be used to describe at each phase of the process which public involvement methods and audiences are recommended and why (including how to obtain the community contacts).

- B. The CEP should be consistent with the City's R-5434 and incorporate recommendations from the City's draft *Equity Plan of Record to incorporate the recommendations from the Diversity, Equity, Inclusion and Belonging 5 Year Road Map (soon to be adopted)*, including strategies to engage Black, Indigenous, and People of Color (BIPOC); LGBTQIA+; youth; seniors; low income households; immigrant communities, including people facing language barriers; and other groups that have not traditionally participated in large numbers in citywide processes.
- C. Describe how the CEP will be implemented. Expand on the City's existing public participation methods described in Attachment A with an emphasis on using existing platforms for virtual community engagement and increasing participation in under-represented communities. This may include stipends for community groups to support engagement efforts.
- D. Describe how to minimize information fatigue to the public by combining public outreach and community event opportunities for other Citywide engagement projects occurring at the same time, such as those associated with the Transportation Master Plan and Environmental Impact Statement (EIS) (see 2022-2024 Planning and citywide Work Programs).
- E. Recommend an equity impact assessment metric within the CEP, including the components of an assessment and instructions on how to conduct the assessment. The City has examples of equity impact assessments we have used but has not adopted a standard at this time.

- F. Identify geographic areas and/or identity-based groups in Kirkland for focused engagement. Describe the methodology you will use for obtaining the group contacts.
- G. Provide innovative programming designed to reach new and traditionally underrepresented audiences and to engage the focus-area community in new, creative ways using the City's existing platforms (resources). This will include, but not be limited to, the communities listed below and community members who may identify with one or more of the below. Specific recommendations should be identified regarding the approach to developing an engagement program in partnership with the City of Kirkland that involves:
 - People of color
 - LGBTQIA+ people
 - People with low incomes
 - Youth
 - Immigrant and refugee populations
 - Seniors
 - Native and Indigenous populations
 - People with disabilities
 - Limited English Proficiency (LEP) populations
 - Renters
 - People experiencing homelessness
- H. Make specific recommendations to reduce barriers to participation throughout the process, such as, but not limited to, work schedules, English proficiency, disability, transportation, and childcare.
- I. Show consistency with State, regional, and local policies, and Equity and Inclusive Strategies such as from the Puget Sound Regional Council Vision 2050 Growth Strategy and King County Planning Policies.
- J. Include 2-3 training sessions with City staff (virtual or in-person) to describe how to implement the CEP.
- K. Include a presentation at a Planning Commission and City Council meeting for Tasks 1 and 2.

Deliverable: Submit a Community Engagement Plan for the 2044 Comprehensive Plan update for the City to implement over the next two years (2022-2024). The CEP should include the goals, objectives and scope of work described above.

Task 2- Equity review of existing Comprehensive Plan text and policies

Review the existing Comprehensive Plan for policies, language, and concepts that may be perceived as inequitable and exclusive, policies and text that are inconsistent with Kirkland's R-5434 and Council goals for creating equitable and inclusive outcomes, and opportunities for improvement. Make recommendations for text to be deleted and new replacement text to be

incorporated into the revised Plan. The consultant will also use the review to develop a guideline document for the City to use in drafting revisions to the Comprehensive Plan to ensure equitable and inclusive outcomes. This review will help the City identify key areas of focus as we consider how historic planning endeavors that guide land use or allocate resources may have created systemic barriers to equality, and ways to remedy past practices. The outcome will be a Comprehensive Plan that addresses equity and inclusivity in all Elements of the Plan.

Deliverables: Report documenting consultant findings from review of existing Comprehensive Plan and a guideline document for the community and authors of the revised Comprehensive Plan.

Performance Schedule

The budgeted amount for this professional services contract is up to \$50,000.

Contract Requirements

If your proposal is accepted, the following requirements will be due upon award, prior to issuance of a contract:

1. Compliance with Law/City of Kirkland Business License

- Contractor must obtain and provide a copy of a City of Kirkland Business License and otherwise comply with Kirkland Municipal Code Chapter 7.02.
- The Contractor shall comply with all applicable State, Federal and City laws, ordinances, regulations, and codes.

2. Insurance

- Contractor's insurance should be consistent with the requirements found in the sample agreement shown as Attachment B.

Submittal Requirements and Criteria

The following format and content shall be adhered to by each firm and presented in the following order:

- A. Executive Summary: An executive summary letter should include the key elements of the respondent's proposal and an overview of the Consultant team. Indicate the address and telephone number of office from which the project will be managed.
- B. Approach:
 1. Methodologies: This section should clearly describe the methodology or methodologies planned to be used for the Work Plan tasks.
 2. Work Plan: Describe the sequential tasks to be used to accomplish this project. Indicate all key deliverables and their contents.
 3. Project Organization and Staffing: Describe the approach and methods for managing the project. Provide an organization chart showing all proposed team members. Describe the responsibilities of each person on the project team.

Identify the Project Director and/or Manager and the key contact person for the City.

4. **Qualifications:** Include resumes of the project manager, each task manager and key team members. List the portion of the work to be subcontracted and information describing the qualifications and relative experience of any proposed subcontractors. Include a list of information required or tasks to be completed by City staff. Note: Resumes do not count toward the maximum page total.
 5. **Project Schedule:** Provide a schedule for completing each task in the Scope of Work, including deadlines for preparing project deliverables. Demonstrate your team's ability to perform the work requested within an established budget and schedule.
 6. **Cost:** Provide a detailed estimate of cost and billing rationale by task and within the allocated budget.
- C. **Related Experience:** Describe recent, directly-related experience. Include the name of the client, description of the work done, address and telephone number, dates of the project and the name of the client's project manager.

Include three references. For each reference indicate the reference's name, organization, title, complete mailing address and telephone number. The City reserves the right to contact any organizations or individuals listed. Please provide references that speak to the qualifications of the proposed project manager.

- D. **Statement of Experience.** The Consultant is required to provide evidence of experience in managing similar projects, creating effective and inclusive community engagement plans, equity impact assessments, professional document development, and working with public agencies. The experience listed must be that which was performed by the Consultant's staff and/or team's staff that will be assigned to this project. The City will be focusing on the experience of the Lead Consultant/Project Manager(s) who will be assigned to this project.

Proposal Submittal Instructions

Please note: The following general requirements are mandatory for all proposals. Proposals submitted after the deadline date and time or lacking one or more of the following requirements will not be accepted.

- 1. Proposals must be submitted by e-mail and be received no later than 5:00 pm PST on June 1, 2022.**
2. E-mailed proposals should include "Equity Review and Engagement Program for Comprehensive Plan Update- Job #26-22-PB" in the subject line and be addressed to purchasing@kirklandwa.gov.
3. Proposals shall not exceed 10 pages. Front and back is considered 2 pages. Resumes may be included as attachments.
4. All proposals sent electronically must be in the form of a PDF or MS Word document and cannot exceed 20MB.
5. All proposals must include the legal name of the organization, firm, individual or

partnership submitting the RFP. Include the address of the principal place of business, mailing address, phone numbers, emails, fax number (if one exists) and primary contact person.

6. To be evaluated, a proposal must address all requirements and instructions contained within.
7. Provide all references and materials required by the RFP instructions within.

Questions: Questions regarding the scope of work or evaluation process must be submitted in writing by May 11, 2022 and should be addressed to Janice Swenson, Senior Planner at jswenson@kirklandwa.gov . Questions regarding the RFP process should be addressed to Purchasing staff, at purchasing@kirklandwa.gov.

Submittal Deadlines

The Department's schedule for review of the RFP submittals and final selection of the Contractor is as follows:

April 21, 2022	RFP posted
May 11, 2022	Deadline for questions: 5:00 p.m.
May 16, 2022	Responses to questions posted
June 1, 2022	Request for Proposal Submittals Deadline: 5:00 p.m.
June 6-17 2022	Evaluation Period –interviews (if needed)
June 20, 2022	Notify Consultant of decision
June 29, 2022	Contract Negotiation/preparation/signature
July 5, 2022	Anticipated start of work
August 3, 2022	Drafts of Task 1 and 2 reports due to staff for review
August 2022	PC, CC presentation on drafts for comment
September 2022	Anticipated 1 st Community Event
October 2022	Final reports for Task 1 and 2 due to staff

Selection Criteria

The City will make a selection based on the evaluation of the written proposals. The City may also conduct an interview process with scoring used to determine the selected proposer. The City may elect to interview some or all proposers. The City reserves the right to make a selection based only on the evaluation of the written proposals. Written proposals and interviews will be evaluated based on the following criteria:

Statement of understanding	30
Company background and prior experience	10
Experience and qualifications of assigned personnel	20
Scope of work approach	30
<u>Cost schedule</u>	<u>10</u>
Total	100

Selection Process

A selection committee will review all proposals, select finalists, and may conduct interviews prior to making the final selection of the consultant.

Prior to the commencement of work, the City and the selected consultant will meet to settle contract details. A notice to the consultant of the City's award will constitute notice to proceed. The City is not responsible for any costs incurred by the consultant in the preparation of the proposal. Once submitted to the City, all proposals will become public information.

Contract

The Consultant and the City will execute a standard City of Kirkland Professional Services Agreement (Attachment B).

Terms and Conditions

- A. The City reserves the right to reject any and all proposals, and to waive minor irregularities in any proposal.
- B. Proposers responding to this RFP must follow the procedures and requirements stated in the RFP document. Adherence to the procedures and requirements of this RFP will ensure a fair and objective analysis of your proposal. Failure to comply with or complete any part of this RFP may result in rejection of your proposal.
- C. The City reserves the right to request clarification of information submitted, and to request additional information on any proposal.
- D. The City reserves the right to award any contract to the next most qualified consultant if the successful consultant does not execute a contract within 30 days of being notified of selection.
- E. Any proposal may be withdrawn up until the date and time set above for opening of the proposals. Any proposal not so timely withdrawn shall constitute an irrevocable offer, for a period of one hundred and twenty (120) days to sell to the City the services described in the attached specifications, or until one or more of the proposals have been approved by the City administration, whichever occurs first.
- F. The contract resulting from acceptance of a proposal by the City shall be in a form supplied or approved by the City and shall reflect the specifications in this RFP. A copy of the City's standard Professional Services Agreement is included as Attachment B). The City reserves the right to reject any proposed agreement or contract that does not conform to the specifications contained in this RFP and which is not approved by the City Attorney's office.
- G. The City shall not be responsible for any costs incurred by the consultant in preparing, submitting or presenting its response to the RFP.

- H. Any material submitted by a proposer shall become the property of the City. Materials submitted after a contract is signed will be subject to the ownership provision of the executed contract.
- I. The City reserves the right not to award any portion or all of the project if it finds that none of the proposals submitted meets the specific needs of the project. The City reserves the right to modify the scope of work and award portions of this RFP to the selected consultant. The City reserves the right to award this work to multiple consultants if the scope of work would be best completed by multiple consultants and their associated experience.

Cooperative Purchasing

Chapter 39.34 RCW allows cooperative purchasing between public agencies in the State of Washington. Public agencies which have filed an Intergovernmental Cooperative Purchasing Agreement with the City may purchase from City contracts, provided that the consultant agrees to participate. The City does not accept any responsibility for contracts issued by other public agencies, however.

Public Disclosure

Once submitted to the City, proposals shall become the property of the City, and all proposals shall be deemed a public record as defined in "The Public Records Act," chapter 42 section 56 of the RCW. Any proposal containing language which copyrights the proposal, declares the entire proposal to be confidential, declares that the document is the exclusive property of the proposer, or is any way contrary to state public disclosure laws or this RFP, could be removed from consideration. The City will not accept the liability of determining what the proposer considers proprietary or not. Therefore, any information in the proposal that the proposer claims as proprietary and exempt from disclosure under the provisions of RCW 42.56.270 must be clearly designated as described in the "Proprietary Material Submitted" section above. It must also include the exemption(s) from disclosure upon which the proposer is making the claim, and the page it is found on must be identified. With the exception of lists of prospective proposers, the City will not disclose RFP proposals until a bid selection is made. At that time, all information about the competitive procurement will be available with the exception of proprietary/confidential portion(s) of the proposal(s), until the proposer has an adequate opportunity to seek a court order preventing disclosure. The City will consider a proposer's request for exemption from disclosure; however, the City will make a decision predicated upon RCW 42.56.

DBE Participation

The City encourages DBE firms to submit qualifications and encourages all firms to team with DBE firms in their pursuit of this project.

Attachments:

- A. City of Kirkland Communications Guide
- B. City of Kirkland Professional Services Contract

Federal Debarment

The Bidder shall not currently be debarred or suspended by the Federal government. The Bidder shall not be listed as having an "active exclusion" on the U.S. government's "System for Award Management" database (www.sam.gov).