



METROPOLITAN
KNOXVILLE
AIRPORT
AUTHORITY

Request for Proposals (RFP)

Aviation Consultant for Finance Matters

Date Issued: July 31, 2020

Deadline: August 21, 2020 at 2:00 p.m. EST

Issued by:

Metropolitan Knoxville Airport Authority

1. INTRODUCTION

The Metropolitan Knoxville Airport Authority (the "Authority") is soliciting proposals from qualified firms to provide consulting services on an as-needed basis to the Authority relating to finance matters that arise in connection with the Authority's operations as described in more detail below.

2. BACKGROUND

The Authority was established in 1978 by the City of Knoxville as a metropolitan airport authority under Tennessee law for the purpose of owning and operating McGhee Tyson Airport, which is the largest commercial airport in East Tennessee, and Downtown Island Airport, a general aviation airport. The Authority is an independent public instrumentality governed by a nine-member Board of Commissioners (the "Board") appointed by the Mayor of the City of Knoxville. Day-to-day oversight of the Authority resides in the Authority's President and the Authority's staff. The Authority is comprised of six departments and employs over 150 individuals.

3. DESCRIPTION OF CONSULTING SERVICES

The Authority desires to retain a firm with extensive experience in providing consulting services to commercial airports such as the Authority on finance matters. The selected consultant would provide services on an as-needed basis as specific finance projects arise for the Authority. Projects that the consultant may be requested to assist with include, but are not limited to, assisting the Authority in monetizing its customer facility charges relating to rental cars in order to improve rental car facilities, evaluating the amount of and potential changes to the Authority's current passenger facility charges, analyzing, developing and submitting a future passenger facility charges application evaluating the Authority's rates, charges and use terms with the commercial airline and cargo services that serve McGhee Tyson Airport, analyzing the current amount and potential changes to the parking fee structure and assisting with regulatory compliance with respect to FAA funding. In undertaking the consultant's engagement, the selected consultant would work with the Authority's current municipal advisor for bond financing as to any financing matters and, as appropriate, with the Authority's legal counsel.

4. PROPOSAL FORMAT AND EVALUATION FACTORS

- 4.1. All proposals must be submitted electronically to the Authority's Vice President of Finance, at nancy.white@tys.org. Each proposal should be submitted in a "pdf" format as an attachment to an email.
- 4.2. Each proposal should contain the following information in the following sequence:
 - 4.2.1. Basic Firm Information. Each proposer should provide the legal name of the proposer, its business address, contact information, website address, a brief firm history including the number of years in business, the location of

the primary office that would provide service to the Authority, the identity of the principal staff that would be assigned to the engagement, biographical information relating to each person identified as principal staff and any additional information regarding the proposer's background that the proposer believes would be useful to the Authority in assessing the proposal. Each proposer should also include three (3) independent references that the Authority may contact.

4.2.2. Demonstrated Experience in Similar Engagements. Each proposer should provide its prior experience with similar engagements. The proposer is to provide contact information for references for at least three prior clients with similar engagements and provide a brief description of the role the firm played in each engagement. The Authority strongly encourages firms to specifically demonstrate experience with the Federal Aviation Administration regulations, policies and procedures.

4.2.3. Cost. Proposing parties are requested to provide hourly rates for each principal staff member that is expected to provide services under any engagement. The Authority would also encourage proposing parties to suggest alternate billing methods, such as monthly retainers, for the Authority's consideration.

4.3. The criteria to be considered by the Authority in selecting a firm shall be as follows:

4.3.1. Quality of proposal, including depth of information and specificity of information as to provision of services to the Authority (25%);

4.3.2. Demonstrated experience in similar engagements (50%); and

4.3.3. Cost (25%).

4.4. The Authority reserves the right to the following:

4.4.1. Request oral information or additional written documentation to supplement any or all written proposals;

4.4.2. Supplement, amend or otherwise modify the terms of this Request for Proposals; and

4.4.3. Conduct all investigations and background checks necessary for adequate evaluation.

5. COST INCURRED IN RESPONDING

5.1. All costs directly or indirectly related to preparation of a response to this Request for Proposals or any oral presentation required to supplement and/or clarify the proposal shall be the sole responsibility of and shall be borne by proposer.

- 5.2. Each firm by submitting its proposal waives any claim for liability against the Authority as to loss, injury and costs or expenses, which may be incurred as a consequence of its response to this Request for Proposals.

6. INQUIRIES

Questions regarding this Request for Proposals submitted electronically by email will be accepted until August 14, 2020, 2:00 p.m. eastern time. The Authority will not be accepting questions via telephone. Responses to inquiries will be electronically transmitted to inquiring firm. All inquiries should be directed to the Authority's Vice President of Finance, at nancy.white@tys.org. If the Authority receives inquiries that relate to matters that may be of general interest to proposing parties, the Authority will provide the response to the inquiry to all interested parties. If a party would like to receive the responses of the Authority to inquiries regarding this Request for Proposals, please email a request to be included on such distribution to the email address provided above.

7. SUBMISSION DEADLINE

Any proposal in response to this Request for Proposals must be submitted by August 21, 2020 no later than 2:00 p.m. eastern time by email as provided above.

8. REJECTION AND SELECTION

- 8.1. The Authority reserves the right to reject any and all submittals and/or to waive any informality in the request for proposals process or parts thereof and to re-solicit proposals.
- 8.2. The Authority does not guarantee that a proposer will be selected to provide services as a result of the Request for Proposals or that a services agreement will be successfully consummated with the selected proposer. The Authority also reserves the right to select more than one proposer as a result of the Request for Proposals.

9. CERTAIN TERMS AND CONDITIONS

The following shall be essential terms and conditions of each agreement resulting from the selection of a successful proposing party, which terms shall be in addition to such other terms as the Authority may require in such an agreement:

- 9.1. Term and Termination. The anticipated initial term of any agreement resulting from this Request for Proposals is five (5) years with two optional one-year extensions, at the Authority's option in its sole discretion. The Authority will reserve the right to terminate such agreement for its convenience or in the event it shall abandon or indefinitely postpone the selection process. In such case,

payment to the successful proposer shall be made for the value of work performed prior to receipt of the termination notice.

- 9.2. Indemnification. Each successful proposer shall agree to indemnify and hold the Authority, its officers, agents and/or employees harmless from and against any and all lawsuits, damages and expenses, including court costs and attorney's fees, by reason of any claim and/or liability imposed, claimed and/or threatened against the Authority, its officials, agents and/or employees for damages because of any damages arising out of or in consequence of the performance of services by the successful proposer to the extent that such damages are attributable to the negligence of the successful proposer or its agents and/or employees.
- 9.3. Ownership of Information. All data or documents prepared under the agreement by a successful proposer shall be made available, upon request, to the Authority without restriction or limitation on their use, and all such data or documents shall be deemed the property of the Authority.
- 9.4. Insurance. Each successful proposer shall maintain appropriate insurance, including liability and workman's compensation insurance, and shall name the Authority as an additional insured as to commercial liability insurance.
- 9.5. Governing Law. Each successful proposer shall agree that the laws of the State of Tennessee shall govern the operation and enforceability of such agreement. Any action or legal proceeding arising out of or related to such agreement shall be brought in the state courts of Knox County, Tennessee, or in the federal court in the district where the McGhee Tyson Airport is located.

10. LICENSING AND BUSINESS REQUIREMENTS

Each proposer is responsible to comply with all licensing requirements and associated business regulations whether local, state or federal. It is the responsibility of each proposer to determine the applicability of any rule, regulation or other requirement.

11. CIVIL RIGHTS PROVISIONS

Each successful proposer shall agree to comply with pertinent statutes, executive orders and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefiting from Federal assistance. This provision will be in addition to compliance with Title VI of the Civil Rights Act of 1964.

Each successful proposer, for itself, its assignees, and successors in interest shall agree to comply with the following nondiscrimination provisions, as they may be amended from time to time and to the extent to they apply to the services to be provided by the proposer to the Authority:

- Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq. (prohibiting discrimination on the basis of race, color, national origin);

- 49 CFR part 21, Non-discrimination In Federally-Assisted Programs of The Department of Transportation—Effectuation of Title VI of The Civil Rights Act of 1964;
- the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601 (prohibiting unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 et seq. (prohibiting discrimination on the basis of disability), and 49 CFR part 27;
- the Age Discrimination Act of 1975, 42 U.S.C. § 6101 et seq. (prohibiting discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, 49 USC § 47123, (prohibiting discrimination based on race, creed, color, national origin, or sex);
- the Civil Rights Restoration Act of 1987, Pub. L. 100-209, (broadening the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, subrecipients, and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131 – 12189, as implemented by 49 CFR parts 37 and 38 (prohibiting discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 70 Fed. Reg. at 74087 – 74100 (defining national origin discrimination to include discrimination because of limited English proficiency); and

- Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq. (prohibiting discrimination because of sex in education programs or activities).