



Request for Qualifications

Submit Proposals to:

Erie County Industrial Development Agency
95 Perry Street, Suite 403
Buffalo, NY 14203
lszewczyk@ecidany.com

**Professional Consulting Services for
preparing Comprehensive Economic
Development Strategy (CEDs) Update
and Economic Recovery Plan for Erie
County, NY**

RFQ Submittal Deadline: 12:00 pm July 2, 2021

www.ecidany.com

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I. RFQ Overview

Qualifications are being solicited from professional consultants/consulting firms with expertise in research and economic development planning, and data analytics for Comprehensive Economic Development Strategy (CEDS) planning services for Erie County, New York. The CEDS update will include an Economic Recovery Plan Addendum.

The ECIDA is looking for a consultant/consulting firms with the documented experience developing CEDS for local governments/economic development agencies to prepare an update of the 2016 CEDS including an Addendum to the CEDS that provides action steps for responding to the economic injury/disruption caused by the coronavirus pandemic. The addendum will focus on the viability of previously prioritized sectors such as Agriculture/Agribusiness, Logistics/Distribution, Back Office/Call Centers/Professional Services, Advanced Manufacturing, Life Sciences, Regional/Cultural Tourism, Education, and Energy. The update and addendum will need to be approved by the CEDS Committee and ECIDA Board. A copy of the 2016 CEDS can be found here:

<https://www.ecidany.com/documents/Erie%20County%20CEDS%20-%202017.pdf>

BACKGROUND/PURPOSE

To maintain Erie County's eligibility for U.S. Department of Commerce, Economic Development Administration (EDA) funding, the ECIDA prepared a Comprehensive Economic Development Strategy (CEDS) for Erie County that was approved by the Erie County CEDS Committee and the ECIDA Board of Directors and submitted to EDA in 2011 and 2016. The proposed project will result in a new 2022-2026 CEDS for Erie County, which will supplant the currently adopted 2016-2021 CEDS.

Regions must prepare a new CEDS at least every five years for communities and organizations within the area to qualify for certain U.S. Economic Development Administration (EDA) funding. The CEDS is also necessary to keep the Buffalo and Erie County Regional Development Corporation's federally funded revolving loan funds (RLFs), which are administered in compliance with EDA regulations.

II. GENERAL DESCRIPTION

COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY DEFINED

The Comprehensive Economic Development Strategy contributes to effective economic development in Erie County's towns, villages, and cities through a locally based, regionally driven economic development planning process. Economic development planning, as implemented through the CEDS, is a cornerstone of the U.S. Economic Development Administration's programs, and successfully serves as a mechanism to engage community leaders, leverage the involvement of the private sector, and establish a strategic blueprint for

regional collaboration. The CEDS provides the capacity-building foundation by which the public sector, working in conjunction with other economic stakeholders (individuals, firms, industries), creates the environment for regional economic prosperity.

Simply put, a CEDS is a strategy-driven plan for regional economic development. A CEDS is the result of a regionally owned planning process designed to build capacity and guide the economic prosperity and resiliency of an area or region. It is a key component in establishing and maintaining a robust economic ecosystem by helping to build regional capacity (through hard and soft infrastructure) that contributes to individual, firm, and community success. The CEDS provides a vehicle for individuals, organizations, local governments, institutes of learning, and private industry to engage in a meaningful conversation and debate about what capacity building efforts would best serve economic development in the region. CEDS resources are available at:

- <https://eda.gov/ceds/>
- www.Cedscentral.com
- www.Nado.org/CEDS
- <https://StatsAmerica.org/CEDS> Resource Library

PLAN AREA

The plan area includes the towns, villages, and cities in Erie County.



ERIE COUNTY CEDS, ADMINISTRATION AND IMPLEMENTATION

The selected consultant/firm will cooperate and work with ECIDA staff and regional economic development partners in the development of the proposed CEDS update. After the proposed CEDS is reviewed and approved by ECIDA’s Board of Directors, staff will then submit the work of the CEDS Strategy Committee, a technical committee of public and private stakeholders, to the EDA for acceptance. Together, these stakeholders will work to deploy and implement the recommendations and strategies of the CEDS plan. The CEDS

Strategy Committee partner entities include, but not limited to, government agencies, private sector interest, educational providers, non-profits, community and labor groups, workforce boards, utilities, etc.

The funding for this project is being provided by the Erie County Industrial Development Agency (ECIDA), who is seeking qualified professionals and/or firms with experience and expertise with economic development planning best practices services for the above-noted project. The ECIDA encourages submissions from Women and Minority Owned Business Enterprises (M/WBE). The plan must carefully follow all the specifications of the US Economic Development Administration for preparing CEDS (<https://eda.gov/ceds/>).

THE ECIDA RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, AND THE RIGHT TO WAIVE ANY INFORMALITIES THEREIN.

III. GENERAL PROPOSAL REQUIREMENTS:

Proposals must address each of the following items:

A. Approach and Methodology

Respondents to this RFQ should include a brief narrative explaining their approach. The narrative should outline the products and tasks to be provided in response to the recommended Scope of Work outlined below.

B. Scope of Services

The final scope of services to be provided by the selected Consultant will be developed in partnership with the ECIDA and the CEDS Strategy Committee. The scope may include the following elements:

- Review the 2016 Erie County CEDS Update (<https://www.ecidany.com/documents/Erie%20County%20CEDS%20-%202017.pdf>)
- Present background and historical information about economic development
- Evaluate the economic conditions of Erie County NY
- Identify Erie County's economic development strengths and constraints
- Evaluate the economic condition of Erie County
- Identify infrastructure needs
- Evaluate the needs of the region, including a full SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis concerning economic development
- Evaluate the infrastructure inventory of the Erie County community
- Assess appropriate economic development strategies for Erie County

- Anticipate Erie County’s economic development activity, potential future developments, current and future plans and other information that could affect the project
- Evaluate local and regional labor characteristics; recommend actions to strengthen links between regional educational institutions and employment development providers
- Identify appropriate economic development strategies for Erie County
- Identify the goals and visions for the region
- Set the Course for future development actions
- Create a strategic action plan to achieve goals and objectives
- Establish evaluation standards to measure the success of the strategies
- Identify other potential opportunities and issues
- Outline ECIDA’s role in helping Erie County recover from future disruptions and reposition the region to move forward. This should include, but not be limited to:
 - Illustrating ECIDA’s ability to navigate federal programs
 - Documenting Technical Expertise, Strategy Committee
 - Identifying Erie County’s Broad Network of Partners
 - Prioritizing resilient transportation investments
 - Diversifying the Regional Economy
 - Assessing Economic Vulnerabilities
 - Promoting Green Infrastructure
 - Promoting Safe Development
- Incorporate concepts of Economic Resiliency and Disaster Planning: - The CEDS should address resiliency and recovery in the face of natural disasters and other major economic disruptions in our changing global economy. It should outline ways to:
 - Diversify the regional economy away from a declining sector
 - Deal with the impacts of the loss of a major employer
 - Position Erie County to withstand and quickly recover from the effects of natural disasters, a changing climate, and other economic shocks
- Provide Post COVID-19 Economic Recovery Response Addendum to aid the region in its response and recovery from the impacts of the COVID-19 pandemic.
 - Determine existing and post COVID emerging candidate industry clusters that drive the region’s economy
 - Produce regional target industry clusters and sub-clusters summary report for the county
 - Provide a list of proposed action items as applicable to address resiliency development and/or recovery support for each cluster
 - Conduct a post COVID industry clusters supply chain disruption and resiliency assessment based on findings and outcomes from the task above
- Provide recommendations for action items to encourage private investment in the county’s 23 Opportunity Zones
- Provide recommendations for promoting Equity in economic development planning and implementation to make sure that underserved populations have the opportunity to participate in economic prosperity
- Identify Funding Opportunities
 - Research and identify federal, state and local funding sources
 - Identify opportunities for joint development and/or public-private partnerships

This Scope of Work has been prepared as a proposal guideline. It is the respondent's responsibility to add any other services and tasks that the consultant feels are necessary to complete the project.

Please Note: The ECIDA will provide creative direction on the design of the final CEDS to ensure the visual identity is consistent with the project goals. The ECIDA is seeking a final document with a compact layout that is visually appealing and functional. The ECIDA supports the use of charts, graphs, and quality photos to help make the CEDS more accessible to various stakeholders.

DELIVERABLES

Task A – Update 2016 CEDS: Provide a review and update of economic data and conditions for Erie County, identify goals and strategies that help to address the regional issues, and prioritize regional economic development projects that the region can undertake to achieve these goals.

Task B – Economic Recovery Addendum: Develop an economic recovery plan to incorporate into the CEDS and identify top priority projects/actions to assist local communities and businesses to recover from the pandemic's economic effects.

C. Proposed Schedule

RFQ Issue Date:	June 11, 2021
Deadline for Proposals:	July 2, 2021 (12:00 p.m.)
Review by RFQ Committee:	July 9, 2021
Consultant Interviews:	July 14-16, 2021
Consultant Recommendation:	July 19, 2021
Consultant Selection approval:	July 28, 2021
Project Commencement date:	July 28, 2021
Project Completion date:	November 28, 2021

It is anticipated that the Plan update will take 4-5 months to complete with an anticipated kick-off in July 2021.

D. Contents of Response

Consultant responses to the RFQ must demonstrate:

- The respondents' understanding of the plan of work, issues, and elements.
- The respondents' qualifications to address and provide the requested plan and deliverables.
- The respondents' understanding of the CEDS project objectives.

By submitting a response, respondents represent that they have thoroughly examined and become familiar with the scope of work and deliverables outlined in this RFQ and can perform the work to achieve the objectives. The submittal must demonstrate that the respondent has sufficient and appropriate resources to complete the project. Consultants must designate the project lead and report where his/her primary office is located. Any proposed sub consultants must be identified.

Respondents are asked to organize their responses in accordance with the following format:

1. **Cover letter:** Provide a letter of introduction with a brief description of your firm, indicating the primary office location for the performance of this project, the type of firm, areas of specialization, and the project lead. Include company name, address, contact name, title, phone number, fax number, email, and website address. Identify all sub-consultants that will be involved.
2. **Project Approach:** Provide an outline description of how you would approach the scope of services and a timeline that would include completion of the Scope by no later than November 30, 2021.
3. **Personnel:** Please also include the names, qualifications, and experience of personnel to be assigned to the project during the specified project timeline and indicate what role these individuals will play in the project.
4. **References.** For the prime consultant and all sub-consultants, provide reference information and brief project descriptions for at least three (3) current clients. Reference

projects should have been completed within the last three (3) years and similar in nature to those described in this RFQ. Please include the following information:

- a. Name of client
 - b. Name and title of client's primary contact.
 - c. Telephone number, fax number, email address, and mailing address of the client's primary contact.
 - d. A brief description of the types of services provided, the overall scope of the project, duration of the project and the current status of the project.
5. **Budget.** The budget allocation for this scope of work is estimated to range between \$75,000 to \$100,000.
6. **Submittal Date:** Responses must be sealed and be received no later than **12:00 PM EDT, July 2, 2021**. Any responses received after this date and time will not be considered.
7. **Number of Copies and Length of Proposal:** Respondents must submit eight (8) printed copies and one electronic of the proposal. All electronic submissions should be clearly marked "Erie County CEDS Update and Economic Recovery Plan." Your submittal is limited to 20 pages maximum, with an additional 2 pages maximum for the cover letter, and 5 pages maximum for any appendix. Please submit one digital copy of the proposal labeled as such, using a digital format such as Adobe Acrobat PDF (this can be emailed to lszewczyk@ecidany.com).

Designated Individual – Procurement Lobbying Law

1. **Lori Szewczyk, Director of Grants 856-6525, ext. 126** lszewczyk@ecidany.com

Pursuant to State Finance Law §§139-j and 139-k, this Request for Proposal includes and imposes certain restrictions on communications between ECIDA members (including employees and Board members) and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit Request for Proposals through final award and approval of the procurement contract by the ECIDA ("restricted period") to other than the above Designated Individuals unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). ECIDA members (including employees and Board members) are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4-year period; the bidder is debarred from obtaining governmental

procurement contracts, and reported to the Authorities Budget Office (ABO), the ECIDA's regulatory authority.

Bidders are required to complete Form in Attachment B regarding their understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible contacts in the restricted period in accordance with State Finance Law §§139-j and 139-k.

Minority and Women-Owned Business Enterprise Utilization

The ECIDA strongly encourages participation by Minority- and Women-Owned Business Enterprises as part of the team submitting qualifications for this work. All proposals must submit a statement indicating that the firm submitting the proposal will work toward a business utilization goal for minority business enterprise of 25% and women business enterprise of 5%.

E. Submission and Proposal Evaluation

SUBMISSION OF QUALIFICATION STATEMENTS:

Eight (8) copies of the Proposal must be submitted, **no later than 12:00 PM, Friday, July 2, 2021, to:**

**Lori Szewczyk
ECIDA
95 Perry Street, Suite 403
Buffalo, New York, 14203**

An electronic copy should also be emailed to Lori Szewczyk at: lszewczyk@ecidany.com. Documents supporting this RFQ will be posted to the website listed below.

www.ecidany.com

SELECTION PROCESS:

ECIDA may short list from the proposals and interviews may be required. Interviews are expected to be conducted during the week of July 14-16, 2021. A final decision is anticipated to be made in July 2021. Scoring and ranking will include the following factors:

- Qualification/experience of prime consultant with studies of similar type and size
- Qualification/experience of sub consultants with studies of similar type and size and/or special expertise beneficial to study
- Demonstration of knowledge of economic development principles and trends
- Indication of sufficient staff for all facets of the study

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- Past record of performance on similar projects
- Proposed cost of the study and demonstration of commitment for meeting the project budget and schedule
- M/WBE participation

A selection committee comprised of ECIDA staff and representatives of the CEDS Strategy Committee will review the proposals, conduct the interviews, and select the project consultant.

ECIDA does not assume the responsibility or liability for costs incurred by firms responding to this RFP or to any subsequent requests for proposals, interviews, additional information, submissions, etc. prior to issuance of a contract.

THE ECIDA RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, AND THE RIGHT TO WAIVE ANY INFORMALITIES THEREIN.

Attachment A: Insurance

The bidder agrees to procure and maintain, for the term of the Contract, insurance of the types and in the amounts hereafter required, with insurance companies authorized to do business in New York State, covering all operations under the Contract whether performed by it or its sub-contractors. The insurance companies affording coverage must be deemed acceptable to the Erie County Industrial Development Agency (ECIDA) throughout the term of the Contract. If any insurance company is deemed unacceptable to the ECIDA the bidder agrees to procure and maintain at its expense, coverage with an acceptable insurer as soon as notified by the ECIDA. The policies shall provide for a 30-day notice to the ECIDA prior to termination, cancellation or change.

Prior to the execution of the Contract, the bidder shall supply the ECIDA with a certificate(s) of insurance providing evidence of insurance coverage for the bidder for the following coverage:

- General Liability Insurance in a comprehensive form including coverage for property damage, bodily injury, personal injury and completed operations with a single limit of at least \$1,000,000 per occurrence with a \$2,000,000 aggregate. The certificate shall name the ECIDA as an additional insured.
- If any motor vehicle is used in regard to services on behalf of ECIDA or its affiliates, Auto Liability Insurance covering bodily injury and property damage with minimum combined single limit of \$1,000,000.
- Workers' Compensation and Employer's Liability in accordance with the applicable laws of the State of New York.
- Professional Liability Insurance, in the amount of \$2,000,000.

Each insurance policy shall be kept in force until the receipt of final payment to the bidder except for professional liability insurance, which shall be kept in force until at least one year after final payment to bidder.

The ECIDA and the bidder agree to waive all rights against each other for damages to the extent covered by the insurance, except for such rights they may have to the proceeds of such insurance held by the ECIDA as trustee. The bidder shall require similar reciprocal waivers by all sub-consultants. This policy shall recognize such waivers of recovery by an appropriate Waiver of Subrogation Clause Endorsement, excluding any subrogation rights granted under New York Law to the contrary notwithstanding. Above needed insurance coverage should be provided on a primary and non-contributory basis.

Copies of any required policies shall be provided to the ECIDA upon request.

ATTACHMENT B

NEW YORK STATE FINANCE LAW REQUIREMENTS

Permissible Contacts

Pursuant to State Finance Law §§139-j and 139-k, this Solicitation/Request for Proposal includes and imposes certain restrictions on communications between the ECIDA and an Offerer/bidder during the procurement process. An Offerer/bidder is restricted from making contacts from the earliest notice of intent to solicit Request for Proposals through the final award and approval of the Procurement Contract by the ECIDA and, if applicable, Office of the State Comptroller (“restricted period”) to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). Designated staff, as of the date hereof, are identified on page 1 of this solicitation. ECIDA employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offerer/bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four (4) year period, the Offerer/bidder is barred from obtaining governmental Procurement Contracts. Further information about these requirements can be found at <http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>.

Offerer/Bidder’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j(6)(b)

State Finance Law §139-j(6)(b) requires that the ECIDA seek written affirmations from all Offerers/bidders as to the Offerer’s/bidder’s understanding of and agreement to comply with the ECIDA’s procedures relating to permissible contacts (described above) during a Governmental Procurement pursuant to subdivision three of this section. It is recommended that this affirmation be provided to the ECIDA as early as possible in the procurement process, such as when the Offerer/bidder submits its proposal or bid. Attachment A may be used to satisfy this requirement.

Offerer’s/Bidder’s Certification of Compliance with State Finance Law §139-k(5)

New York State Finance Law §139-k(5) requires that every Procurement Contract award subject to the provisions of State Finance Law §§139-k or 139-j shall contain a certification by the Offerer/bidder that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate. It is recommended that the certification be provided to the ECIDA as early as possible in the process, such as when an Offerer/Bidder submits its proposal, bid or other form of offer. Attachment B may be used to satisfy this requirement.

Offerer/Bidder Disclosure of Prior Non-Responsibility Determinations

New York State Finance Law §139-k(2) obligates the ECIDA to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offerer/bidder must disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offerer” and “Governmental Entity” are defined in State Finance Law §139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on

Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such Contact does not fall within one of the exemptions).

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As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offerer/bidder fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with the law, no Procurement Contract shall be awarded to any Offerer/bidder that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer/bidder is necessary to protect public property or public health safety, and that the Offerer/bidder is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j (10)(b) and 139-k(3).

The ECIDA must include a disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. Attachment C entitled “Offerer Disclosure of Prior Non-Responsibility Determinations” must be completed by the Offer/bidder and submitted to the ECIDA.

Public Disclosure

Responses submitted under this Request for Qualifications are subject to public disclosure under the New York State Freedom of Information Law. If the respondent does not want certain data disclosed for any purpose other than for the evaluation of the submitted proposal, the respondent must prominently identify sections or pages of the response which they wish to have restricted. Such sections shall be restricted from disclosure, if allowed by law.

Contract Termination Provision

New York State Finance Law §139-k (5) provides that every procurement contract award subject to the provisions of State Finance Law §§139-k and 139-j contain a provision authorizing the ECIDA to terminate the contract in the event that the certification is found to be intentionally false or intentionally incomplete. This statutory contract language authorizes, but does not mandate, termination. “Governmental Entity” and “procurement contract” are defined in State Finance Law §139-k(1). If a contract is terminated in accordance with State Finance Law §139-k (5), the ECIDA is required to include a statement in the procurement record describing the basis for any action taken under the termination provision.

ECIDA Termination Provision

Pursuant to New York State Finance Law §139-k(5), the ECIDA reserve the right to terminate any contract in the event it is found that the certification filed by the Offerer in accordance with New York State Finance Law §139k was intentionally false or intentionally incomplete. Upon such finding, the ECIDA may exercise its termination rights by providing written notification to the Offerer/bidder in accordance with the written notification terms of this contract.

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Affirmation of Understanding & Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)

I affirm that I understand and agree to comply with the procedures of the ECIDA relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6) (b).

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

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Offerer/Bidder Certification:

I certify that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

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Offerer Disclosure of Prior Non-Responsibility Determinations

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

Contract Procurement Number: _____

Date: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No

Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):

No

Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No

Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-responsibility:

(Add additional pages as necessary)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):

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No

Yes

6. If yes, please provide details below.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

Offerer certifies that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
Signature

Name: _____ Title: _____