



REQUEST FOR PROPOSALS

Project 17T30CT7

2017 MARYLAND STATEWIDE HOUSEHOLD TRAVEL SURVEY

Due Date:

July 21, 2017

Submit Qualifications to:

Baltimore Metropolitan Council
ATTN: Robert Berger
1500 Whetstone Way, Suite 300
Baltimore, MD 21230

Contact for More Information:

Robert Berger
E-mail: rberger@baltometro.org

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I. INTRODUCTION

The Baltimore Regional Transportation Board (BRTB) is the designated Metropolitan Planning Organization (MPO) for the Baltimore region. The members consist of representatives from Baltimore City, Anne Arundel County, Baltimore County, Carroll County, Harford County, Howard County, Queen Anne's County, the City of Annapolis, as well as the Maryland Department of Transportation, the Maryland Department of the Environment, the Maryland Department of Planning, the Maryland Transit Administration, and Harford Transit.

The Baltimore Metropolitan Council (BMC) staff provides technical support to the BRTB. BMC is a private nonprofit organization committed to identifying regional interests and developing collaborative strategies through plans and programs which will improve the quality of life and economic vitality throughout the region. Our Board of Directors includes the Mayor of Baltimore City, Executives of Anne Arundel, Baltimore, Harford and Howard counties, a Carroll County Commissioner, a Delegate and Senator from the State of Maryland, and a gubernatorial appointee.

The work of BMC staff includes transportation forecasting and analysis, economic and demographic research, computer mapping applications, air and water quality programs, cooperative purchasing, workforce development, housing, and rideshare coordination.



II. PURPOSE

BMC periodically conducts regional household travel surveys to obtain detailed information about the socio-economic characteristics and travel behavior of persons living in the Baltimore region. One use of this information is to develop and calibrate regional travel demand forecasting models. These forecasting models, once calibrated and validated, are then used by BMC to predict future travel demand based on projected household and employment growth and assumed regional transportation system changes. The last large-scale regional household survey of this type for the Baltimore region was conducted 10 years ago. That survey included about 4,500 households.

The 2017 Maryland Statewide Household Travel Survey will be managed by BMC on behalf of the Maryland Department of Transportation (MDOT). The data collected in the 2017 survey will be used to support the development and refinement of an activity-based travel demand model for the BMC modeling area that will be expanded by MDOT to the entire state. The BMC staff currently uses an aggregate, trip-based (so called "four-step") travel demand model, but will begin using an activity-based model in FY 2018. The household travel survey will also be used to address other state and regional growth and transportation planning issues.

III. SCOPE OF WORK

General Nature of Assistance Requested

BMC is soliciting proposals from qualified survey consultants to recruit and obtain the participation of 6,500 to 8,500 households in a methodologically advanced statewide household travel survey. The enhanced methodological procedures used in this survey will be designed to make this survey as representative as possible of all population groups in the state and minimize the adverse effects of non-response bias and the misreporting of daily travel behavior. An important goal is that, to the extent possible, the 2017 Statewide Household Travel Survey and the 2017 Metropolitan Washington Council of Governments (COG/TPB) Household Travel Survey run concurrently, and that the products of the surveys compose a uniform dataset for the state of Maryland. It is anticipated that the statewide survey will be fielded in September 2017. BMC staff will manage and supervise the survey consultant to ensure that all survey procedures and protocols are being correctly carried out and ensure overall quality control.

Approximately \$1,500,000 in FY 2017 funding has currently been budgeted toward consultant assistance in the conduct of the statewide household travel survey in 2017 and 2018. Some additional funding for the household travel survey could be budgeted in FY 2018, if necessary, to achieve the desired sample size. The actual number of completed samples will be negotiated based on the total amount of funding available.

Table 1
Maryland Jurisdictions to Be Sampled

Survey	Jurisdictions*
2017 MD Statewide Household Travel Survey	Allegany County, Anne Arundel County , Baltimore County, Caroline County, Carroll County , Cecil County, Dorchester County, Garrett County, Harford County, Howard County , Kent County, Queen Anne’s County, Somerset County, Talbot County, Washington County, Wicomico County, Worcester County, Baltimore City
2017 COG/TPB Household Travel Survey	Anne Arundel County , Calvert County, Carroll County , Charles County, Frederick County, Howard County , Montgomery County, Prince George’s County, St. Mary’s County

*Bolted jurisdictions will be sampled as part of both surveys.

PROJECT TASKS:

Task A1. Finalize Consultant Work Plan and Schedule

In this task, the details of the consultant work plan and schedule will be reviewed with the BMC Project Manager and finalized. The proposals submitted in response to this RFP shall identify tasks, due dates, and consultant personnel commitments in sufficient detail to permit BMC to fully understand the intentions and activities of the consultant. This information will be used as the basis of the scope of work and schedule to be incorporated as an appendix into the consultant contract.

PRODUCT: Detailed Consultant Work Plan and Schedule

Task A2. Refine Proposed Survey Design

The basic design features desired for this household travel survey must adhere to the following procedures:

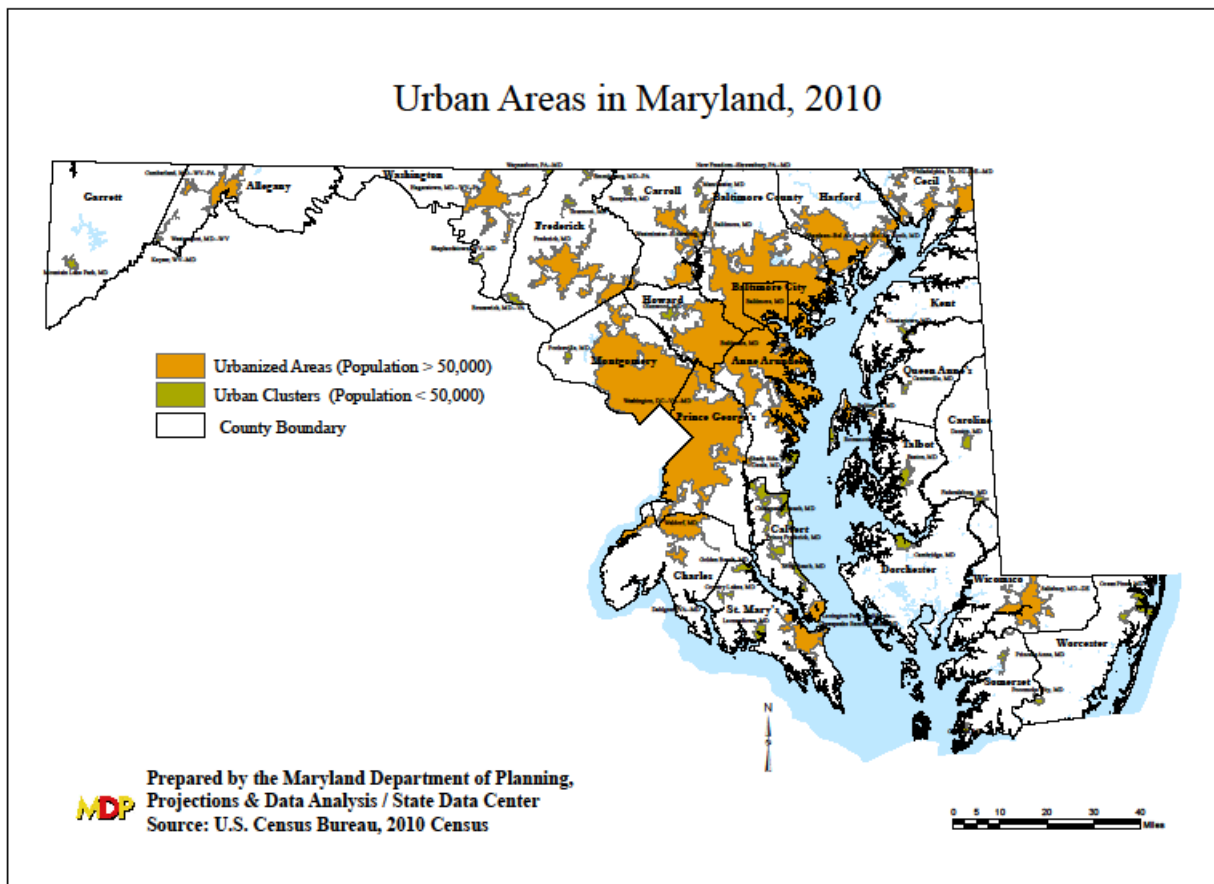
- a) Detailed information on the socio-economic characteristics and weekday travel behavior shall be collected from a representative sample of all persons residing in households in the target area;
- b) A survey shall be completed, sampling 6,500 to 8,500 households stratified by jurisdiction and geographical areas within Baltimore City, Baltimore’s suburban jurisdictions, and within regions of the state not already included in the COG/TPB survey, with a specified minimum number of completed household interviews obtained in each jurisdiction and area-type stratum (Table 1);
- c) Households in higher density, mixed-use urban areas with good access to each region’s network of transit, HOV and highway facilities will be surveyed at a higher rate than households in lower density suburban and exurban areas that tend to be much more homogeneous in their daily travel patterns (Figure 1);
- d) An address-based sample shall be selected from a U.S. postal service computerized delivery sequence file of residential addresses within each jurisdiction/area type

- stratum. BMC and COG/TPB will coordinate their address-based sample purchase order to avoid households being double-selected for their respective surveys;
- e) Household travel survey interviews will be conducted over a 12-month period with an approximately equal number of interviews each month that will be evenly spread out among the weekdays in the month, with holidays excluded;
 - f) Monetary incentives shall be offered to encourage survey participation and provided to households that fully complete the survey;
 - g) Oversampling will be used to increase survey participation of large (3-or-more-person) households;
 - h) Special outreach efforts shall be made to encourage the participation of Hispanic, minority, and low-income households in the survey;
 - i) The project shall utilize a data collection methodology that relies primarily on mail for household recruitment and on an automated web-based system for the retrieval of household, person, vehicle, and travel day data, but also offers a telephone option;
 - j) Basic household, person, and vehicle data shall be obtained for all households recruited to participate in this survey;
 - k) Detailed information on daily travel behavior, including all trips made, places visited, and modes of travel used for each trip segment, the purpose for the travel, and the activities carried out at home and at other places, shall be obtained for a specified 24-hour weekday period for all persons in the surveyed household;
 - l) Travel day diaries or memory joggers shall be used as an aid for survey respondents to recall the basic details of trips made by household members on their assigned travel day;
 - m) Address information obtained during the survey interviews will be geocoded in real-time to x-y coordinates where possible and addresses that cannot be geocoded in real-time shall be researched and geocoded within 48-hours;
 - n) Respondent burden will be minimized to the extent feasible and respondents shall have an opportunity to verify, and if necessary, correct the information they have provided;
 - o) Passive data collection of daily travel behavior using GPS smartphone app technology will be considered for the Baltimore region only (Anne Arundel, Baltimore, Carroll, Harford, Howard, and Queen Anne's Counties and Baltimore City); and
 - p) A follow-up survey of non-responding households shall be conducted to identify and measure potential non-response bias in the household travel survey also for the Baltimore region only.

In this task, potential refinements to the survey design proposed by the survey consultant will be reviewed with BMC staff, finalized, and documented in a technical memorandum. Proposals submitted in response to this RFP shall identify how the basic design features desired for this household travel survey are to be incorporated into the proposed survey design and include any recommended modifications and additions to this design.

PRODUCT: Memorandum on Survey Design

Figure 1



Task A3. Develop Survey Interviewing Plan, Materials, and Data Collection Systems for Survey

In this task, the consultant will develop and review with BMC staff the multi-stage data collection plan for the conduct of the survey. After approval of this plan by the BMC Project Manager, the survey consultant will prepare all survey materials as well as the data collection and tracking systems required to implement this plan.

Data items to be collected include:

Household Data:

- Home Address
- Household Size
- Matrix of Household Members
- Housing Type
- Housing Tenure (Own/Rent)
- Household Income
- Number of Vehicles
- Number of Bicycles
- Technology Availability and Use
- Phone Availability (Land Line/Wireless)
- Re-Contact Information

Vehicle Data:

- Vehicle Type
- Vehicle Make
- Vehicle Model
- Vehicle Year
- Fuel Type

Person Data:

- Age
- Gender
- Race
- Ethnicity
- Relationship to Reference Person
- Driver's License
- Education Level
- Employment Status
- Class of Worker (Private/Federal/State-Local/Non-Profit/Self-Employed)
- Primary Work Address/Location
- Usual Work Start and End Times for Primary Job

- Usual Number of Days Worked per Week at Primary Job
- Usual Number of Hours Worked per Week at Primary Job
- Usual Means of Commuting to Primary Job
- Eligibility to Telecommute/Frequency of Telecommuting
- Receive Free Parking from Employer
- Receive Employer Transportation Benefits/Type of Benefit
- Number of Secondary Paid Jobs
- Usual Number of Days worked per week at each secondary job
- Usual Number of Hours worked per week
- Usual Work Start and End Times for Each Secondary Job
- School/College Enrollment Status
- School/College Address
- Usual Number of Days attending School/College Classes
- Usual Means of Traveling to School
- Regular Volunteer Activities
- Frequency of HOV Lanes Use
- Frequency of Express/Managed Lanes Use
- Frequency of Bicycle Use
- Frequency of Baltimore Bike Share Use
- Frequency of Howard County Bike Share Use
- Toll Transponder Ownership
- Frequency of Taxis, Uber, and Lyft Services Use
- Mobility Limiting Disability

Trip/Activity Data:

- Place/Location
- Starting Time
- Ending Time
- Trip Purpose or Activity (approximately 30 detailed categories)
- Means of Travel/Mode Sequence (approximately 20 detailed categories)
- Transit Fare Type of Fare/Discount/Employer Subsidy (e.g., CommuterChoice)
- Vehicle Occupancy (Total and Number of household members)
- Household Vehicle Used
- Paid Toll
- Paid for Parking
- Package/Parcel Delivery at Home, Work, or to a Post Office Box

The consultant will also be responsible for the real-time geocoding of all address and location data collected in the survey and the follow-up researching of addresses and locations that cannot be geocoded in real-time.

Proposals submitted in response to this RFP shall clearly describe (1) the proposed household recruitment and respondent data retrieval methods to be used; (2) the household and household member survey interviewing protocols to be followed in conducting these interviews; (3) the proposed participation incentives and outreach efforts; (4) the survey materials to be produced; (5) the respondent tracking, data retrieval, and geocoding systems to be used; and (6) the quality control procedures to be used in the collection of the above types of data. The submitted proposal should also describe the features of the proposed GPS smartphone data app and the protocols to be followed in using the proposed smartphone app to collect the daily travel behavior for adult members of some survey households. The proposal submitted in response to this RFP may also suggest refinements to the list of data items to be collected.

The consultant will be responsible for all preparation, printing, and mailing of survey materials and these costs should be included in cost estimates for the survey. The materials will be sent under the name of the Maryland Department of Transportation.

Proposals submitted in response to this RFP shall clearly describe where, when and how the household interviewing for the survey is to be conducted. In addition, the consultant response to this task shall specifically describe the following:

- a) The techniques that will be used to encourage households to participate in the survey;
- b) The techniques that will be used to ensure the collection of data from a completed sample of households that is representative of all household sizes;
- c) The size and form of monetary incentives to be offered;
- d) The special outreach efforts that will be made to encourage the participation of Hispanic, minority, and low income households in the survey;
- e) How non-English speaking households will be handled;
- f) How household requests to be contacted in specified ways and at specific times will be handled;
- g) How household contacts and re-contacts will be handled;
- h) Under what circumstances will proxy interviews be considered acceptable;
- i) The expected household recruitment and household travel data retrieval response rates;
- j) How the data collected will be checked, edited, and validated;
- k) How missing data items will be handled;
- l) How the GPS smartphone data app component of the survey will be handled; and
- m) The survey management and quality control procedures that will be used.

PRODUCT: Survey Interview Plan and Survey Materials

Task A4. Conduct Survey

In this task the consultant will: (1) review the BMC provided address-based sample of households selected for participation in the survey; (2) recruit and interview the households selected for participation using the agreed upon and approved survey methods, material, and procedures; (3) check, edit, geocode, and validate the household, person, vehicle, trip/activity data collected; and (4) provide the Project Manager with a progress report on survey activities and interim deliveries of edited, geocoded household, person, vehicle, trip/activity survey data files on a monthly basis.

The target number of completed household interviews to be conducted is expected to be in the 6,500 to 8,500 household range for the statewide survey.

Proposals submitted in response to this RFP should estimate costs for this task based on 7,500 completed household interviews (6,100 for the Baltimore region and 1,400 for other Maryland regions), where a completed household interview is defined as an interviewed household for which completed travel day information reports have been obtained for 100% of the household members.

Completed household interview target allocations for budget estimation purposes are as follows:

- a) Baltimore City (1500);
- b) Higher Density/Mixed Use Regional Activity Cluster areas in: Baltimore County (500), Anne Arundel County (580), Howard County (450), Harford County (400), Carroll County (270), Queen Anne's County (50);
- c) Lower Density Residential areas outside of Regional Activity Clusters in: Baltimore County (830), Anne Arundel County (500), Howard County (380), Harford County (340), Carroll County (250), Queen Anne's County (50);
- d) Other Maryland Regions (1400):
 - a) Western Maryland (Allegany County, Garrett County, Washington County),
 - b) Upper Eastern Shore (Caroline County, Cecil County, Kent County, Talbot County), and
 - c) Lower Eastern Shore (Dorchester County, Somerset County, Wicomico County, Worcester County).

The exact target allocations by jurisdiction and area type will be determined based on the final sampling plan, which BMC will provide to the consultant, and the survey data collection budget.

PRODUCT: Conduct of Survey, Monthly Progress Reports, and Delivery of Interim Survey Data Files

Task A5. Analysis of Non-Responding Households and Follow-up Survey

In this task, the consultant will perform an analysis of non-responding households in the survey and conduct follow-up survey interviews with: (1) 100 non-responding households that were selected for participation in the survey, but did not respond to the request to participate in the survey and (2) 100 non-responding households that initially agreed to participate in the survey, but did not fully complete the household/person/travel day interviews. The non-respondent follow-up survey interviews will seek to determine the major reasons for the household's non-participation in the survey and the likely effects of this non-response on overall travel survey results. The consultant will prepare a short report documenting the findings from the analysis of non-responding households and follow-up non-respondent survey interviews. The survey of non-responding households will be conducted for the Baltimore region only (Anne Arundel, Baltimore, Carroll, Harford, Howard, and Queen Anne's Counties and Baltimore City).

Proposals submitted in response to this RFP shall clearly describe the proposed methodology for conducting this task.

PRODUCT: Analysis of Survey Non-Respondents, Follow-up Survey, and Report

Task A6. Prepare Final Survey Report and Data Files

Within 60-days of the completion of the household interviewing, the consultant will provide the Project Manager with a draft report documenting the results of the survey interviewing and the technical methods used to collect and process the survey data.

The consultant shall also deliver with the draft report (1) the raw and final, edited, geocoded household, person, vehicle, trip/activity survey data files and associated documentation including all interviewing scripts; (2) the final data file for non-respondent follow-up survey files and associated documentation.

The final household survey data file shall also include an initial household expansion weight developed by the consultant for each completed household in the final survey data file. This weight shall be based on each completed household's probability of selection and be used to initially expand the survey data to jurisdictional household and population totals. BMC staff will assume responsibility for developing final household, person, and trip data weighting factors based on the initial household expansion weights and a further analysis of survey non-response and other bias factors that could affect the final weighting of the survey data.

The RFP response to this task should briefly describe the data sources and procedures the consultant would propose using in the development of the initial household expansion weights.

BMC shall have forty-five (45) days to review and comment on the consultant draft report. Upon receipt of BMC comments, the consultant will have thirty (30) days to respond to these comments and make any necessary changes to the final survey report.

PRODUCT: Draft and Final Survey Report, Data Files, and Associated Documentation

Consultant Qualifications

BMC is seeking a firm, or team, with the ability to conduct a methodologically advanced regional household travel survey; and that possesses the requisite technical capability and professional expertise to provide the type of services required in the Scope of Work.

IV. PROPOSAL CONTENT AND REQUIREMENTS

The proposal should consist of two separate parts: (1) a Technical Proposal; and, (2) a Cost Proposal. Proposals shall meet, at a minimum, the following requirements.

Technical Proposal

The Technical Proposal should contain the following:

- *Cover Letter* – Signed by an executive with authority to commit the Offeror and stating the period for which the proposal is valid.
- *Qualifications of the Firm and Key Personnel* – This section shall provide the professional credentials and expertise of the Offeror and key personnel assigned to this project. Although standard personnel resumes may be included as attachments to the proposal, elaboration specific to this solicitation is required in this section. The absence of such project specific information shall cause the proposal to be deemed non-responsive.
- *Proposed Method to Accomplish the Work* – In this section of the proposal, Offerors must provide a detailed description of their approach for accomplishing the tasks specified herein. This section shall include a work plan, schedule, and a project management plan that will detail all lines of authority and communication which will support all of the project requirements and logically lead to the deliverables required in this RFP. A matrix shall be provided which will identify, by task, key personnel assignments and the number of anticipated hours for those personnel by task. It is of critical importance that tasks for the project are completed on a timely basis. Offerors are to provide a brief description of their current projects and the availability of key personnel proposed in this project.
- *References of the Consultant and Any Subcontractor(s)* – The Offeror and any subcontractor shall provide at least three (3) references who BMC may contact regarding similar work performed. Offerors may provide letters of reference from previous relevant clients. Names, titles, addresses, and telephone numbers shall be included for each reference. All three of these references shall include work in which the key personnel proposed to BMC have been assigned.
- *DBE Participation* – The program for assuring the maximum opportunity for participation by Disadvantaged Business Enterprises (DBEs) in accord with BMC's goals shall be presented. See the section of MANDATORY STATEMENTS for statement of DBE participation goals.
- *Other Information* – Any other material that the Offeror wishes to provide. Please limit to relevant information.

Cost Proposal

The Cost Proposal should be composed of two parts: Project Budget and Affidavits and Certifications.

1. *Project Budget*: Offerors should address the items below in their cost proposal:
 - Provide the total costs, including all expenses, profits, and fees to be charged to BMC for providing the services described above.
 - Direct costs shall be itemized by category (e.g., travel, per diem, printing and reproduction, etc.) and be included in the total survey cost.
 - The estimated survey interviewing costs for the following two scenarios are to be broken out separately in the response to this RFP: 1) 7,500 households with no GPS component, and 2) 750 out of 7,500 households agree to have their travel day information recorded using a GPS smartphone data app.
 - Break out the cost of an analysis of non-responding households and follow-up survey for the Baltimore region.
 - Offerors should assume a monetary incentive of \$20 per completed household in their proposed budget.
2. *Affidavits and Certifications* – An original signed copy of Proposal Affidavit attached at the end of this RFP shall be included in the Cost Proposal.

Proposals not meeting the above requirements will be rejected.

Pre-Proposal Questions

Technical questions concerning the RFP must be submitted in writing to Robert Berger at rberger@baltometro.org no later than Friday, July 7, 2017. All questions and answers will be posted on the BMC website on Tuesday, July 11, 2017.

V. SUBMISSION OF PROPOSALS

Each Offeror shall provide **five (5) paper copies of their technical proposal and one (1) paper copy of their cost proposal** in a sealed envelope. Each Offeror shall also submit **one (1) digital copy** of their technical proposal and cost proposal saved in separate files to a flash drive or CD-ROM. Proposals must be delivered to:

Baltimore Metropolitan Council
Attn: Robert Berger
1500 Whetstone Way, Suite 300
Baltimore, MD 21230

The proposal must be received by BMC no later than 2:00 p.m. Eastern Standard Time on **Friday, July 21st, 2017**. Allow adequate time for mail or other carrier delivery. Proposals arriving after the deadline will not be accepted. Please direct any questions to Robert Berger by fax (410) 732-8248 or e-mail: rberger@baltometro.org.

BMC will not pay for the development and submission of proposals in response to this RFP. BMC reserves the right to reject any proposals without cost or detriment to BMC.

The Offeror shall not make changes in the specifics put forth in a proposal, including staff participation,

without the prior written consent of BMC.

The BMC staff member listed above shall be the sole point of contact for any Offeror during the procurement process.

BMC reserves the right to waive minor irregularities, to negotiate in any manner necessary to best serve the public interest, and to make a whole award, multiple awards, a partial award, or no award. BMC reserves the right to cancel this RFP, in whole or in part, any time before the closing date.

VI. TENTATIVE SCHEDULE

RFP Issued:	Wednesday, June 21, 2017
Questions Due:	Friday, July 7, 2017
Proposals Due:	Friday, July 21, 2017, 2:00 p.m.
Consultant Selection:	August 2017
Start of Work:	August 2017

VII. CONSULTANT SELECTION CRITERIA

All proposals will be evaluated on the basis of technical merit and proposed cost. This is not a low-bid procurement. BMC staff and/or appropriate project partners will conduct the evaluation of proposals. Technical merit includes work program and approach, as well as staff experience and qualifications. Teaming is permissible but the Offeror will be with a single prime contractor.

BMC reserves the right to negotiate with one or more Offerors selected on the basis of the initial technical merit and proposed cost. Offerors may be asked to make personal appearances to provide additional information on proposals.

VIII. SAMPLE FORM CONTRACT

BMC's form contract is available on BMC's website and is incorporated into this solicitation.

http://baltometro.org/phocadownload/temporary/2016_DRAFT_CONTRACT.pdf

By the act of submitting a proposal, the Offeror expressly acknowledges that he/she/it accepts the terms and conditions as stated in the form contract unless exceptions are submitted in writing with the proposal. BMC reserves the right to amend the terms of the form contract as it sees fit during contract negotiation.

The Offeror's acceptance of, or deviations from, the form contract terms and conditions are considered during the evaluation and subsequent award.

If the Offeror submits an exception, which alters BMC's risk, liability, exposure in, or the intent of this procurement, BMC reserves the right in its sole and absolute discretion to deem the Offeror non-responsive.

IX. CONFIDENTIALITY OF PROPOSAL

Offerors must specifically identify any portions of their proposals deemed to contain confidential information, proprietary information or trade secrets. Those portions must be readily separable from the balance of the proposal. Such designations will not be conclusive, and Offerors may be required to justify why such material should not, upon written request, be disclosed by BMC under the Public Information Act, State Government Article, Title 10, Sub-Title 6, of the Annotated Code of Maryland, as amended. BMC may disclose such information if required by law, court order or subpoena.

X. CONFIDENTIAL OR PERSONAL DATA

BMC respects the privacy or business interests involved in confidential or personal data. Pursuant to this project, BMC's will obtain confidential or personal data or store or allow storage of such data only when necessary to fulfill BMC's information-gathering and data collection responsibilities. BMC intends to minimize risk of disclosure of such confidential or personal data.

Whenever feasible and the requirements of this project allow, the names of survey participants or users of a website or other data collection method shall not be accepted, recorded, stored or retained.

To the extent this project involves the collection or storage of confidential or personal information by or through use of surveys, websites or by other data collection, the following conditions shall be met:

- 1) The survey, website or other collection method shall contain a set of conditions for use and a disclaimer of any BMC liability for use, in language approved by BMC in writing.
- 2) The party(ies) working with BMC shall demonstrate adherence to a federal or applicable state standard for protecting confidential or personal information.
- 3) The confidential or personal information collected or stored by or through the survey, website or other data collection shall be kept confidential. All necessary steps shall be taken to protect the privacy of the users of the website or other data collection. Any confidential or personal information provided by users of the website or other data collection, including but not limited to their names and addresses, shall be protected.
- 4) BMC shall retain control over and ownership of all surveys, Webpages, control files and scripts, database schema, and database contents, in addition to all content which is published on or stored by the website or other data collection, unless BMC specifically agrees in writing otherwise.
- 5) No release of any announcements intended for public dissemination concerning the collection or storage of such information by or through the survey, website or other data collection shall occur until BMC has given prior written authorization, unless BMC specifically agrees in writing otherwise.
- 6) In the event that information collected or stored by or through the survey, website or other data collection shall be stolen or handled incorrectly, the party(ies) working with

BMC on the project shall be responsible for any required notification to persons who have entered personal information in that system and all costs related thereto.

- 7) The project documents shall provide that other parties working with BMC on the survey, website or other data collection or storage shall indemnify BMC with at least the following commitment:

Pursuant to an agreement to perform the services outlined in this RFP, the Offeror and its subcontractors shall indemnify and hold BMC harmless from and shall be solely responsible, for the payment of any and all claims for loss, personal injury, death, property damage, infringement or misappropriation of any third party's intellectual property rights, violation of privacy, confidentiality or otherwise, arising out of any act of omission or negligence of its employees or agents in connection with the performance of the work.

- 8) At the end of the project or contract, any personal or confidential information shall be given to BMC or destroyed and a certification of destruction provided to BMC by the Offeror and its subcontractors.

XI. MARYLAND REGISTRATION/QUALIFICATION REQUIREMENTS

BMC requires vendors to register or qualify to do business with Maryland Department of Assessments and Taxation (SDAT) in accordance with the Annotated Code of Maryland, Corporations and Associations Article: §2-102 Formation generally, §7-202 Registration to do interstate and foreign* business, and/or §7-203 Qualification to do intrastate.

For information on registering or qualifying a corporation, LLC, LLP or LP call SDAT at 410-767-1340. Sole Proprietors and General Partnerships should call 410-767-4991 or you may download the SDAT forms at <http://www.dat.state.md.us/sdatweb/sdatforms.html>

The selected vendor may be required to submit a Good Standing Certificate (also known as "Certificate of Status") issued by SDAT within 10 days of being notified of potential award.

(*Note: "a corporation, association, or joint-stock company organized under the laws of the United States, another state of the United States, a territory, possession, or district of the United States, or a foreign country," § 1-101 Annotated Code of Maryland Corporations and Associations.)

XII. MANDATORY STATEMENTS

Public Information Act Notice

Offerors should give specific attention to the identification of those portions of their proposals they deem to be confidential, proprietary information or trade secrets and provide any justification why such materials, upon request, should not be disclosed.

Disadvantaged Business Enterprise Notice

Disadvantaged business enterprises (DBEs) are encouraged to respond to this solicitation. It is the intent of BMC that certified minority business enterprises and sub-contractors be given the opportunity to submit proposals to this RFP and will not be subject to discrimination on the basis of race, color, sex, or national origin in consideration for an award.

All contractors will be required to abide by the DBE Program of the Baltimore Regional Transportation Board (BRTB). The DBE Program may be found on BMC's website.

Disadvantaged Business Enterprise Subcontract Participation Goal

The Baltimore Metropolitan Council hereby notifies all Offerors that in regard to any contracts entered into pursuant to this advertisement, MBEs and WBEs will be afforded full opportunity to submit expressions of interest in response to this notice and will not be subject to discrimination on the basis of race, color, sex or national origin, in consideration for an award.

It is the goal of BMC that certified businesses participate in all competitively bid federal-aid contracts. A DBE subcontract participation goal of twenty-seven and sixteen hundredths percent (27.16%) of the total contract amount has been established for this procurement. Offerors must make a good faith effort to meet this goal in order to receive appropriate consideration. The Offeror can demonstrate that it has made a good faith effort by meeting the goal or by documenting good faith efforts to do so in its proposal. Determination of good faith efforts will be made at the discretion of appropriate BMC staff. All offers submitted in response to this RFP must include a statement specifying the Maryland Department of Transportation (MDOT) has certified the DBE or DBEs utilized to meet this requirement. If the DBE has not been certified by MDOT but has been certified by other state transportation agencies receiving federal funding, the name of the agency should be included in the proposal. BMC reserves the option to accept this certification in lieu of MDOT certification. If selected, the Offeror agrees to provide regular reporting on DBE participation and payments.

PROPOSAL AFFIDAVIT

A. (ANTI-BRIBERY AFFIRMATION). I HEREBY CERTIFY THAT

(1) I am the (title) _____ and the duly authorized representative of (vendor) _____ and that I possess the legal authority to make this Affidavit on behalf of myself and the vendor for which I am acting.

(2) Except as described in paragraph 3 below, neither I, nor to the best of my knowledge, information, and belief, the above vendor, nor any of its officers, directors, or partners, nor any of its employees directly involved in obtaining contracts with the State or any county, bi-county, multicounty agency or subdivision of the State has been convicted of, or has pleaded nolo contendere to a charge of, or has during the course of an official investigation or other proceeding, admitted in writing or under oath acts or omissions committed after July 1, 1977, which constitute bribery, attempted bribery, or conspiracy to bribe under the provisions of Article 27 of the Annotated Code of Maryland or under the laws of any state or federal government.

(3) State "none" or, as appropriate, list any conviction, plea or admission described in paragraph 2 above, with the date; court official, or administrative body; and the sentence or disposition, if any:
_____.

(4) I ACKNOWLEDGE THAT this Affidavit is to be furnished to the Procurement Officer, and may be furnished to the Attorney General pursuant to Sections 16-201, et seq., of the State Finance and Procurement Article of the Annotated Code of Maryland. I acknowledge that if the representations set forth in this Affidavit are not true and correct, the Council may terminate any contract awarded and take any other appropriate action.

B. (NON-COLLUSION AFFIRMATION). I HEREBY FURTHER AFFIRM THAT neither I nor, to the best of my knowledge, information and belief, the above firm nor any of its other representatives I here represent have:

(1) Agreed, conspired, connived or colluded to produce a deceptive show of competition in the compilation of the bid or offer being submitted herewith;

(2) In any manner, directly, or indirectly, entered into any agreement, participated in any collusion to fix the bid price or price proposal of the bidder or Offeror herein or any competitor, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for which the within bid or offer is submitted.

C. (PROCUREMENT AFFIRMATION). I HEREBY FURTHER AFFIRM THAT

(1) Neither the above business nor, to the best of my knowledge, information, and belief, any officer, controlling stockholders, partner, principal, or other person substantially involved in the contracting activities of the business has in the past five (5) years: (a) been convicted under state or federal statute of a criminal offense incident to obtaining or attempting to obtain or performing a public or private contract, fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property; (b) been found civilly liable under state or federal antitrust statutes for acts or omissions in connection with the submission of bids or proposals for a public or private contract; (c) been convicted of any violation of a state or federal antitrust statute; (d) been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organizations Act, 18 USC Section 1961 et seq.; or (e) the Mail Fraud Act, 18 USC Section 1341 et seq., for acts arising out of the submissions that would constitute grounds for conviction or liability under any statute described above. Also, the undersigned vendor was not founded or established or is not operated in a manner designed to evade the application or defeat the purpose of the Debarment Regulations, COMAR 21.08; is not currently suspended or debarred pursuant to COMAR 21.08 or by the action of any other public entity; and is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business.

(2)

(a) If the affirmation described in subsection (1) cannot be given and debarment proceedings have not been instituted against the business pursuant to COMAR 21.08, indicate the reasons why the affirmation cannot be given, including any conviction or admission described in subsection (1), above, with the date, court and sentence or disposition, if any; the name(s) of the person(s) involved, and their current positions and responsibilities with the business; the activity specified in COMAR 21.08 in which each person was involved; and the details of the person's participation in the activity, including the name(s) of an entity involved and the person's positions and responsibilities with the entity. (Attach additional sheets as necessary.)

(b) If the affirmation described in subsection (1) cannot be given, and debarment proceedings have been instituted against the business pursuant to COMAR 21.08, indicate the status of such proceedings.

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the Procurement Officer and may be distributed to units of: (1) the State of Maryland; (2) counties or other subdivisions of the State of Maryland; (3) other states; and (4) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the State of Maryland, both criminal and civil, and that nothing in this Affidavit or any contract resulting from the submission of this bid or proposal shall be construed to supersede, amend, modify or waive, on behalf of the State of Maryland or any unit of the State of Maryland having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of Maryland in respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above firm in respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

(Date)

(Affidavit)