



Request for Proposals

PROJECT 25T03

BALTIMORE REGION TRANSPORTATION NEEDS ASSESSMENT

ISSUE DATE

July 18, 2024

DUE DATE

August 29, 2024 (2:00 PM)

Submit Questions and Proposals (by email only) to:
Regina Aris at: raris@baltometro.org

Table of Contents

[Introduction](#)..... 3

[Purpose](#) 4

[Scope of Work](#) 5

[Proposal Content and Requirements](#)..... 15

[Technical Proposal](#)..... 15

[Cost Proposal](#) 16

[Submission Of Proposals](#) 17

[Tentative Schedule](#)..... 18

[Consultant Selection Criteria](#)..... 18

[“Sample” Form Contract](#) 19

[Confidentiality](#)..... 20

[Maryland Registration/Qualification Requirements](#) 20

[Mandatory Statements](#) 22

[Public Information Act Notice](#) 22

[Disadvantaged Business Enterprise Notice](#)..... 22

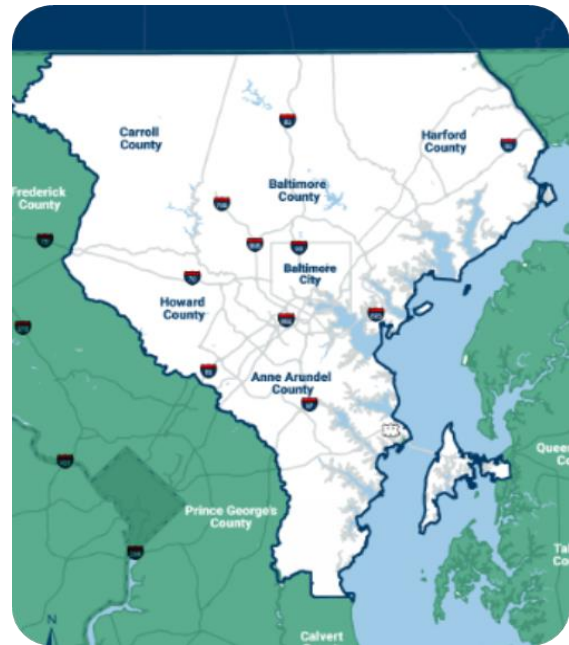
[Disadvantaged Business Enterprise Subcontract Participation Goal](#)..... 22

[PROPOSAL AFFIDAVIT](#) 24

Introduction

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. BMC’s Board of Directors includes the Mayor of Baltimore City, Executives of Anne Arundel, Baltimore, Harford and Howard counties, a Carroll County Commissioner, a Queen Anne’s County Commissioner, a Delegate and Senator from the State of Maryland, and a gubernatorial appointee.

The Baltimore Regional Transportation Board (BRTB) is the designated Metropolitan Planning Organization (MPO) for the Baltimore region. The members consist of designated representatives from Baltimore City, Anne Arundel County, Baltimore County, Carroll County, Harford County, Howard County, Queen Anne’s County, and the City of Annapolis, plus the Maryland Department of Transportation, the Maryland Department of the Environment, the Maryland Department of Planning, the MDOT Maryland Transit Administration, and the Regional Transportation Agency of Central Maryland. The Baltimore Metropolitan Council (BMC) staff provides technical support to the BRTB.



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

Purpose

The BMC, on behalf of the BRTB, will hire a consultant team to gather information on how our region's transportation system – roads, bridges, buses, trains, sidewalks, bikeways – works and doesn't work for people living in the Baltimore region. Identifying the kinds of barriers people face in getting to places and accessing what they need will help the BRTB understand how to plan for a more inclusive and responsive system.

BMC seeks a consultant team experienced in existing conditions analysis, transportation needs assessments, survey design and facilitation of focus groups. Information will be gathered through an analysis of existing conditions, review and analysis of existing surveys and research, an online survey and focus groups about feelings, attitudes and perceptions of the transportation system.

The analysis and data collection should include discussion and analysis of needs for people living in equity emphasis areas. BMC will provide details on these areas to the consultant prior to project initiation. In Fiscal Year 2023, BMC conducted an equity scan in an effort to identify recommendations BMC can use to advance equity through four key BRTB planning processes, including the regional long-range transportation plan (LRTP). One of the recommendations related to the LRTP is this needs assessment, with a focus on people living in equity emphasis areas.

Needs should be assessed in relation to the existing LRTP [goals](#) (safety, accessibility, mobility, environmental conservation, etc.), and will be used to inform revised goals and strategies for the Baltimore region in preparation for the next LRTP, metrics to track and assess progress in addressing needs, and other items related to the regional planning process.

BMC seeks a needs assessment that bridges qualitative research insights together with policy recommendations. The Consultant will be expected to synthesize results from the existing conditions analysis, review of relevant research, focus groups and online survey responses to identify transportation needs, cause(s) for needs, and priorities for transportation in the Baltimore region.

Scope of Work

Outlined below is a preliminary scope of work, including a list of tasks and deliverables for this project. This project is identified in the BRTB's Fiscal Year 2025 Unified Planning Work Program (UPWP) with a maximum Consultant budget of \$250,000. The Consultant is encouraged to suggest modifications to these tasks that would facilitate a successful work program and stay within the project budget of \$250,000.

The methodology to accomplish each task will be agreed upon prior to initiating the work. A prime Consultant may assemble a team of sub-consultants who can conduct these services in accordance with the Scope of Work. The prime Consultant shall be required to organize, manage and direct the work of any sub-consultants.

The proposed Scope of Work shall include sufficient detail to determine how each task shall be accomplished; it shall include, but not be limited to, descriptions of the anticipated deliverables and a project timeline in Gantt chart format. The scope will describe how the Consultant proposes to complete the project, including the allocation of resources to accomplish each task. The Scope of Work must be sufficiently detailed for BMC to determine the effectiveness of the proposal and should explain how this work can be performed in a cost-efficient and timely manner. Material referenced in the earlier Purpose section should be considered germane to the overall scope.

The proposed Scope of Work shall address the following components:

Task 1: Project Initiation and Project Management

The successful bidder shall coordinate with the BMC project manager to schedule and facilitate an initial meeting to launch the work program for the project and clarify roles, project schedule, scope of work, deliverables and project approach. The emphasis of this task will be on the Consultant's planned management, administrative, and technical approach as described in their work program. The kickoff meeting will also provide the Consultant with a forum to meet project team members and solicit input from BMC on the individual elements of the project approach, and refine the work program as applicable.

The Consultant shall commence work and communicate progress regularly with the BMC Project Manager, through short (30 minute) phone calls or virtual meetings that are scheduled approximately every two weeks throughout the project; coordinate reviews of deliverables; and provide updates to the project manager and BRTB at key milestones (at meetings or through e-mail correspondence). Invoices should be prepared and submitted monthly to the BMC Project Manager in the first week of each month following the invoice period.

Task 1 Deliverables:

- Facilitation of a kickoff meeting (likely virtual)
- Finalized work plan, including project schedule and list of deliverables
- Bi-weekly status calls with BMC Project Manager and Consultant Project Manager (and key team members as needed)
- Documentation of project meetings and check-in calls
- Submittal of Invoices

Task 2: Analysis of Existing Surveys and Research to Identify Transportation Needs in the Baltimore Region

There have been many surveys and research projects related to the Baltimore region's transportation system and associated needs. The Consultant will work with BMC staff to identify existing surveys and research on this topic. BMC has identified a preliminary list of existing surveys and research to include in the analysis, including several conducted by BMC:

- Active Transportation
 - BMC Pedestrian Infrastructure Assessment Tool (2022)
 - Bikeable Baltimore Region (2024)
- Economic Prosperity
 - BMC Post-pandemic Trends in Employment, Commercial Real Estate, Housing Location Choice, and Travel Demand (2024)
 - [Maryland Office of the Comptroller State of the Economy Report \(2023\)](#)
- Environment
 - [BMC Climate Change Resource Guide \(2023\)](#)
 - BMC Electric Vehicle Community Charging Hubs in the Baltimore Region (2023)

- Equity
 - BMC Evaluation of Fares, Fees and Fines for Undue Burdens in the Baltimore Region (2024)
 - BMC Equity Scan and Recommendations (2023)
- Housing and Transportation
 - BMC Exploring Public Attitudes on Housing and Transportation (2024)
- Maintenance of transportation infrastructure and State of Good Repair
 - [MDOT Attainment Report](#)
 - [MDOT MTA Capital Needs Inventory](#)
- Safety
 - BMC Safe System Approach Project (2023)
 - Local and State Strategic Highway Safety Plans (SHSP) (ongoing)
- Transit Needs
 - [The Transit Question: Baltimore Regional Transit Needs Assessment \(2015\)](#)
 - BMC Bus Stop Assessment for Locally Operated Transit Agencies (2022)
 - [BMORE BUS Project and Survey \(2024\)](#)
- Other Surveys
 - [BMC Regional Public Opinion Survey \(2024\)](#)
 - [Johns Hopkins 21st Century Cities Initiative Baltimore Area Survey \(2023\)](#)

This list demonstrates a wide variety of existing surveys and research related to transportation needs in the Baltimore region. While this list includes technical reports and research on a wide array of topics ranging from post-pandemic trends to State of Good Repair, the Consultant review should focus on what these reports say about impacts on people, including those in equity emphasis areas. In other words, it should identify transportation needs through the lens of the people using the Baltimore region's transportation system.

The Consultant will finalize this list and conduct an analysis of existing products, including interviews with key staff as necessary, to understand results. After their review and analysis, the Consultant will synthesize this information into a draft list of transportation needs, causes for needs, and priorities for people in the Baltimore region. The Consultant should identify needs for all Baltimore residents and for those in equity emphasis areas, where possible.

Major themes for identifying transportation needs should relate to the existing [L RTP goals, and accompanying strategies](#), identified for Resilience 2050. These include:

- **Improve Accessibility:** Identify and support multimodal options and systems that promote equity, are resilient and sustainable and enable all individuals to reach their destinations safely and seamlessly
- **Increase Mobility:** Help people and freight to move reliably, equitably, efficiently and seamlessly
- **Improve System Safety:** Reduce the number of crashes, injuries and fatalities experienced by all users of the transportation system toward meeting Zero Deaths Maryland.
- **Improve and Maintain the Existing Infrastructure:** Improve the conditions of existing transportation facilities; systematically maintain and replace transportation assets as needed.
- **Implement Environmentally Responsible Transportation Solutions:** Pass on to future generations the healthiest natural and human environment possible.
- **Improve System Security:** Provide a secure traveling environment for everyone; improve the region's ability to respond to natural and human-caused disasters.
- **Promote Prosperity and Economic Opportunity:** Support the vitality of communities and businesses, opportunities for workers and the movement of goods and services within and through the region.

Task 2 Deliverables:

- Finalize a list of existing surveys and research for review
- Analyze existing research to identify a draft list of transportation needs, causes and priorities for people in the Baltimore region, identifying needs for all Baltimore residents and for those in equity emphasis areas, where possible.
- Present draft list at one BRTB Technical Committee meeting

Task 3: Existing Conditions Analysis

Using the information learned in Task 2, the Consultant will identify key data points to use in developing a digital existing conditions analysis of baseline travel characteristics and conditions for both equity emphasis areas and the Baltimore region. As with other tasks, the data points identified in the existing conditions analysis should be organized around the [goals and strategies](#) adopted for the existing LRTP, Resilience 2050.

The existing conditions analysis is intended to be a baseline for communicating who lives in the Baltimore region, how they get around, and how the current transportation network is performing in relation to the LRTP goals. For example, the analysis could

summarize demographic and socioeconomic characteristics for the region and equity emphasis areas, travel patterns today, and key data points associated with LRTP goals such as accessibility to key destinations, travel mobility and reliability, safety trends, transportation-related emissions, and challenges associated with maintaining the existing transportation infrastructure. The baseline data in the existing conditions analysis will serve as introductory material for survey takers and focus group participants, as well as a valuable benchmark for assessing BRTB progress in addressing identified needs.

The Consultant will identify key data points to be included in the existing conditions analysis, allowing for BMC review of suggested data points. While the existing conditions analysis should be comprehensive in the context of LRTP goals, it should be as short and focused as possible. It should also be written in plain language and be visually engaging. A [series of story maps](#) created by the Boston MPO serves as a good example and includes an existing conditions analysis.

The methods and data used should be replicable by BMC for the purpose of future updates. The Consultant should not assume the availability of any data other than what is publicly available from federal, state, and local governments or hosted on the BMC Regional GIS Data Center site (<https://gisdata.baltometro.org/>). In addition, BMC has a subscription to a location-enabled data service. The proposal should include a listing of any other datasets required or suggested for analysis along with pricing information for commercial datasets.

BMC uses ArcGIS StoryMaps and also has brand guidelines, to be provided to the Consultant for completion of this task. The Consultant will transfer the ArcGIS StoryMap and any associated web maps and images to BMC using one of two methods, which can be determined at project kickoff:

- StoryMap and associated web maps should be transferred to the BMC organizational ArcGIS Online account at project completion using the third-party ArcGIS Assistant in coordination with BMC GIS staff.
- StoryMap and associated web maps should be created with a guest account within the BMC ArcGIS Online organization.

A copy of the geospatial data used in the web maps should be delivered in a file geodatabase. All image files used in the StoryMap should be delivered as well.

Task 3 Deliverables:

- Drawing on results from Task 2, identify key data points to be included in the existing conditions analysis, allowing for BMC staff review prior to commencing work.
- Conduct an existing conditions analysis summarizing who lives in the Baltimore region, how they get around, and how the current transportation network is performing in relation to the LRTP goals. Data points should include both equity emphasis areas and the whole Baltimore region.
- Transfer ArcGIS Pro projects, GIS data, StoryMap, and any associated web maps and images to BMC.

Task 4: Focus Groups and Online Survey

The Consultant will supplement the analysis with focus groups and an online survey. The Consultant should prepare brief introductory materials for the online survey and focus groups, drawing on what was learned in the existing conditions analysis. This information should include why the BRTB is engaging in this needs assessment and how the information participants provide will be used to guide the next LRTP and regional planning process. The Consultant will also prepare one set of 5-7 social media graphics to be used to advertise the survey.

The Consultant will identify participants for and facilitate four focus groups – either in-person or virtual. Focus group participants are anticipated to be members of the public. Two of the focus groups should be representative of equity emphasis areas and two should be representative of the Baltimore region and yield regionally significant findings. The offeror should propose an amended number of focus groups (if four is inadequate) and participants and describe their methodology in conducting the focus groups, their approach to engaging participants in discussion, and relevant examples of past work.

The Consultant will develop a set of questions and script for the focus groups, with an emphasis on gaining a more in-depth understanding of transportation needs, cause(s) for the needs, and transportation priorities. Identifying the kinds of barriers people face in getting to places and accessing what they need will help the BRTB understand how to plan for a more inclusive and responsive system.

As with other tasks, focus group questions should be organized around the existing LRTP goals for the Baltimore region. The focus groups should aim to tell a story about how the transportation system works and doesn't work in the Baltimore region in the

context of these goals. For example, participants could be asked to discuss challenges they experience accessing key destinations by various modes, how safe and secure they feel using various modes, barriers they face and investment priorities. BMC staff have conducted an initial review of existing surveys and needs assessments and can provide potential questions to the Consultant. The Consultant will be expected to refine these potential questions into a script for the focus groups.

Focus group participants should be compensated for their participation. Direct expenses for public engagement and focus groups should follow guidance in the US DOT Promising Practices for Meaningful Public Involvement in Transportation Decision-Making (Updated November 2023) including Appendix C: Using Federal Funds for Meaningful Public Involvement Activities.

The Consultant will supplement the focus groups by developing an accompanying online survey, to be distributed to interested parties using BMC's existing engagement hub on PublicInput.com. As with the focus groups, BMC is interested in reaching persons living in equity emphasis areas. The Consultant will develop a public outreach plan focused on gathering responses from persons living in these areas. The survey should have similar questions to the focus groups. The focus groups will be discussion based, and online survey questions should be single- or multiple-choice rather than open-ended.

The Consultant is encouraged to suggest modifications to this task based on their expertise gathering public input. For example, recent projects at BMC have gathered information via asynchronous online engagement platforms involving larger numbers of people than would have been able to participate in focus groups.

Task 4 Deliverables:

- Preparation of brief introductory materials for the online survey and focus groups, including why the BRTB is engaging in this needs assessment and how the information participants provide will be used to improve planning at the BRTB.
- One set of 5-7 social media graphics to be used to advertise the survey, along with a public outreach plan to reach persons living in equity emphasis areas.
- Develop script for focus groups and online survey, allowing for one round of feedback.

- One presentation to the BRTB [Transportation CORE](#) to include draft list of transportation needs, discussion of online survey and to encourage participation in online survey.
- Recruitment of participants for and facilitation of four focus groups.

Task 5: Analysis of Results, Selection of Performance Metrics, and Connection with Policy

This task involves analyzing the results from previous tasks to identify a final list of transportation needs, cause(s) for needs, and priorities in the Baltimore region. Where possible, results should be analyzed for both equity emphasis areas and the Baltimore region. The analysis should compare similarities and differences in results across both geographies. For example, where do the needs of people living in equity emphasis areas align with those in the region at large, and where do disparities and differences emerge?

Based on the results, the Consultant will identify a suggested list of performance metrics related to the identified transportation needs. As with other tasks, the performance metrics should relate to LRTP goals. The intent is to connect the LRTP goals to measures the BRTB can track to gauge progress in addressing the identified transportation needs.

Performance metrics will likely align with the data points utilized in the existing conditions analysis (Task 3), though the Consultant should modify or include additional data points based on information learned in Task 4. They could include items such as accessibility to key destinations, access to housing, travel times, transportation and housing cost burden, safety, health indicators, environmental exposure, etc. Similar to the existing conditions analysis, metrics should be trackable for both equity emphasis areas and the Baltimore region. The Consultant will present the analysis of needs and performance metrics to the BRTB Technical Committee and make revisions based on feedback.

Based on results, the Consultant will also draft suggested revisions to the existing LRTP strategies associated with each LRTP goal, policy recommendations for addressing the identified needs, and suggested improvements to the LRTP [project scoring methodology](#) to better account for identified needs. The BRTB anticipates revising the goals and strategies and project scoring methodology for the 2027 LRTP in summer 2025.

Task 5 Deliverables:

- Analysis of results from the online survey and focus groups
- Revision of draft list of transportation needs, cause(s) for needs, and priorities from Task 2 with information learned from focus groups and online survey. Focus group participants should have an opportunity to review draft results.
- Identification of a list of performance metrics related to the identified transportation needs that the BRTB should track to assess progress. Performance metrics should align with regional goals and strategies. Task should include data sources for future tracking.
- Utilize analysis to suggest revisions to existing LRTP strategies associated with each LRTP goal, policy recommendations for addressing the identified needs, and suggested improvements to the LRTP project scoring methodology to better account for identified needs.
- Discussion and presentation of analysis and performance metrics to the BRTB Technical Committee, along with one round of revisions based on feedback.

Task 6: Summary and Presentation of Findings

This task involves synthesizing and documenting the results in three final products:

1) The Consultant will develop and present a report summarizing the project methods; the existing conditions analysis; the list of identified needs, cause(s) for needs, and priorities; performance metrics; and suggested improvements to the LRTP along with policy recommendations, allowing for one round of revisions. The final product should be visually engaging and written in plain language. It will be included as an appendix to the LRTP and should be provided in PDF, InDesign, and Word formats.

2) The Consultant will develop an executive summary of the full report and provide it in PDF, InDesign and Word formats.

3) The Consultant will develop a short video highlighting stories of transportation needs directly from focus group participants.

Task 6 Deliverables:

- Final Report. The report should include the items listed above and will also include an executive summary. The Consultant will provide the final report and executive summary in PDF, InDesign and Word formats.

- Video highlighting stories of transportation needs of focus group participants.
- Presentation materials and presentation of the report at one BRTB meeting.

Proposal Content and Requirements

The proposal shall consist of two separate parts: (1) a Technical Proposal, and (2) a Cost Proposal. Each offeror shall provide their technical proposal and cost proposal in separate .pdf files. Proposals shall meet, at a minimum, the following requirements.

Technical Proposal

The Technical Qualifications shall contain the following:

- *Cover Letter* – summarizing the offeror’s expertise and availability to do the work, all firms on the team and Disadvantaged Business Enterprise (DBE) commitment. Letter must be signed by an executive with authority to commit the offeror and stating the period for which the proposal is valid. (1 page maximum)
- *Work Program* – Offerors shall provide a discussion of each task to be undertaken, how it will be performed, and the products/deliverables to be provided. An overall schedule of work in Gantt chart or similar format should be included. Offerors may include but are not limited to the tasks identified in the Scope of Work, and are encouraged to suggest modifications that would facilitate a successful work program. (15 page maximum)
- *Experience and Qualification* – The offeror shall list the qualifications of the prime and subconsultants, as applicable, with regard to the selection criteria identified in this RFP. The summary should contain information on projects of a similar nature that offeror has completed, including brief descriptions, dates, and names of contact persons. In the project descriptions, identify the roles of the identified project manager and key personnel. Please include links to relevant work if possible. (10 pages maximum)
- *Project Management* – Designation of a project manager and the responsibilities of the manager and key personnel. Provide a summary of qualifications of the project manager and key staff for each firm. Note that the resulting contract will

require commitment of the specified personnel; include a breakdown of key staff hours by task in this section. (6 pages maximum)

- *DBE Participation* – The offeror shall present the program for assuring the maximum opportunity for participation by DBEs in accord with BMC’s goals. 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. (4 pages maximum)

The body/narrative of all documents will be formatted to a 12-point font size. Headers and cover pages may utilize larger font sizes. Cover, table of contents or divider pages without content will not be counted toward the page limits. Digital signatures are acceptable for all documents.

Cost Proposal

The Cost Proposal shall be composed of two parts: (1) Project Budget and (2) Affidavits and Certifications.

- Project Budget – Proposers shall provide a price quote as a fixed price in United States dollars. The price quote shall include the number of labor hours and cost by staff member and total hours and cost estimated for each task, including the prime firm and all subconsultants. Direct costs shall be itemized by category (e.g., travel, per diem, printing and reproduction, etc.) for the entire project. The invoice submission schedule is anticipated to be monthly. The contract type is anticipated as fixed price with partial payments paid based on task completion.
- Affidavits and Certifications – An original signed copy of the Proposal Affidavit attached at the end of this RFP shall be included in the Cost Proposal.

BMC reserves the right to reject proposals that do not meet the Technical and Cost Proposal requirements.

Submission of Proposals

All offerors shall submit by email two (2) separate digital pdf files – one (1) for each of the Technical and Cost Proposals to raris@baltometro.org.

The proposal must be received by BMC no later than 2:00 PM on August 29, 2024. Proposals arriving after the deadline will not be accepted. Note that BMC's email will accept files up to 25MB. If your proposal documents exceed 25MB, please upload the documents to a file sharing service like Google Drive or Dropbox and email the link to the files.

Please direct any questions to Regina Aris at raris@baltometro.org no later than August 6, 2024. All questions will be collected and answers will be posted to BMC's website by August 12, 2024. Questions arriving after August 6, 2024 will not be answered.

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.

Tentative Schedule

RFP Issued	July 18, 2024
Proposal Questions Due	August 6, 2024
Answers to Questions Posted	August 12, 2024
Proposals Due	August 29, 2024, 2:00 P.M.
Consultant Selection	September 2024
Start of Work	October 2024
Completion of Work	May 2025

Consultant Selection Criteria

BMC staff and/or appropriate project partners will conduct an evaluation of proposals. All proposals will be evaluated on the basis of technical merit and proposed cost. Teaming is permissible but the offeror will be with a single prime contractor. Technical merit will be evaluated as follows:

Topic	Considerations	Maximum Points
Project Management	Staff Roles and Responsibilities; Subconsultant/DBE Integration; Staff Availability and Commitment	25 pts
Experience and Qualifications	Firm Experience with Similar Projects; Staff Experience	30 pts
Work Program	Understanding of Issues/Objectives; Technical Approach; Clarity of Deliverables	30 pts
Proposal Quality	Cover Letter; Adherence to Proposal Requirements; Proposal Presentation	15 pts
Available Technical Score		100 pts

This is not a low-bid procurement. The FY 2025 UPWP budgeted \$250,000 for the consultant part of this task but proposals will be considered outside of this range if the proposed work program will provide a greatly superior product.

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

“Sample” Form Contract

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

https://baltometro.org/sites/default/files/bmc_documents/RFP/sample-rfp-contract_fy2022.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 that 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.

Confidentiality

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.

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 business.

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/Pages/sdatforms.aspx>

The successful offeror 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," Md. Code Ann., Corporations & Associations, §1-101.)

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 selected 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 26.2 percent** of the total contract amount has been established for this procurement. Prime contractors holding a DBE certification will be awarded full (100 percent) credit for the DBE goal. 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.

Proposal Affidavit

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

(1) I am the (title) _____ and the duly authorized representative of (offeror) _____ and that I possess the legal authority to make this Affidavit on behalf of myself and the offeror 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 offeror, 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 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 offeror 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)

