



BALTIMORE METROPOLITAN COUNCIL

REQUEST FOR PROPOSALS

Project 20A05

FINANCIAL AUDITING SERVICES

Issue Date:

September 16, 2019

Due Date:

October 21, 2019

2:00 PM EST

Submit Qualifications to:

Baltimore Metropolitan Council

ATTN: Tamiko Knight

1500 Whetstone Way, Suite 300

Baltimore, MD 21230

Contact for More Information:

Tamiko Knight

E-mail: Tknight@baltometro.org

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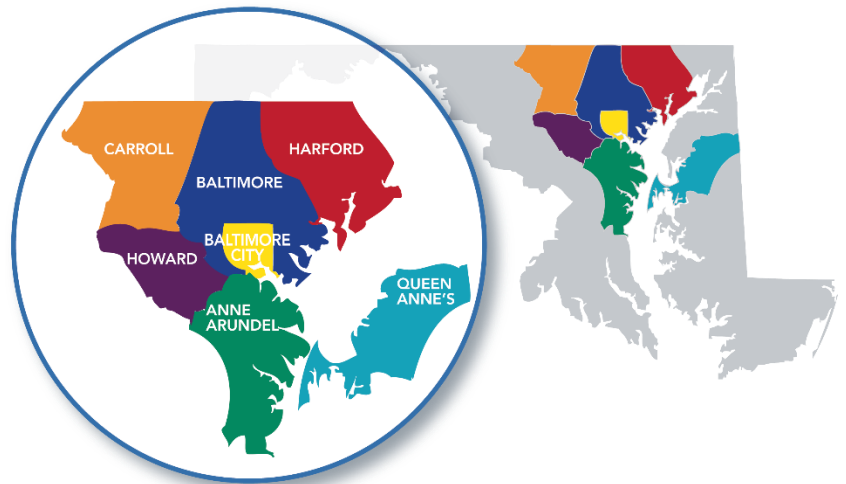
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I. INTRODUCTION

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, the City of Annapolis, plus 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.

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

This is a multi-year procurement of services. BMC seeks an accounting and/or auditing firm to perform a comprehensive audit of financial statements, a Single Audit and certified fringe and indirect rate calculation for the fiscal years ending June 30, 2020; 2021; and 2022. The audit for the first fiscal year (FY2020) is to be completed and certified prior to October 1, 2020 and presented at a meeting of the BMC Board of Directors scheduled for October 2020.

III. SCOPE OF WORK

Each of the audits shall include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. Each of the audits will be presented by the auditor to the BMC Board of Directors. Each audit will assess the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. The audits must be conducted in accordance with:

- Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)
- Generally accepted auditing standards in the United States as contained in Government Auditing Standards, issued by the Comptroller General of the United States of America.
- Any other auditing standards applying to BMC in its role as both a non-profit Council of Governments and host to a federally designated Metropolitan Planning Organization.

Consultant Qualifications

BMC is seeking a firm, or team, with the requisite technical capability and professional expertise to provide the type of services required and outlined in this 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 (in a sealed envelope). They shall meet, at a minimum, the following requirements.

Technical Proposal

The Technical Qualifications should contain the following:

- Cover Letter – signed by an executive with authority to commit the proposing firm and stating the period for which the proposal is valid. The cover letter must reference the BMC procurement number **20A04**.
- 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. Note that the resulting contract will require commitment of the specified personnel.
- Audit Approach – How the Auditor will plan, conduct, and report on the audit; expected levels of materiality by fund; expected levels of materiality for Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance); coordination with management; and detail proposed interim work.
- Qualifications and Experience of Auditors – How the individual Auditors, who will be assigned to the BMC audit are qualified by training and experience, to perform the audit. How the quality of staff over the term of the agreement will be assured.
- Qualifications and Experience of Firm – How the firm is qualified to perform the audit, including experience auditing other entities subject to Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)
- Accessibility – The degree of accessibility that the Auditor will be able to provide to BMC staff who will be administering the contract.
- DBE Participation – The program or assuring the maximum opportunity for participation by Disadvantaged Business Enterprises (DBEs) in accordance with

BMC's goals shall be presented. See the MANDATORY STATEMENTS section for DBE participation goals.

- Resumes – Resumes of partners or employees expected to supervise BMC's audit. Specifics such as professional certifications, college degrees, type and levels of experience in auditing entities subject to Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) and relevant training courses should be clearly shown.

All documents will be formatted with a 12-point font size and printed double-sided, if possible. Please limit the technical proposal to 30 total pages – 15 double-sided pages.

Cost Proposal

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

- Project Budget: When submitting your cost proposal, please address the items below:
 - Provide your 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.
 - Direct costs shall be itemized by category (e.g., travel, per diem, printing and reproduction, etc.) for the entire project.
 - The contract type is anticipated as fixed price with partial payments paid based on task completion.
- Affidavits and Certifications – An original signed copy of 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.

V. SUBMISSION OF PROPOSALS

All offerors shall submit **three (3) paper copies and one (1) digital copy** (on CD or flash drive media) of their technical and cost proposals to:

Baltimore Metropolitan Council
Attn: Tamiko Knight
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 **Monday, October 21, 2019**. Allow adequate time for mail or other carrier delivery. Proposals arriving after the deadline will not be accepted. Please direct any questions to Tamiko Knight via e-mail: tknight@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 offerer 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:	Monday, September 16, 2019
Questions Due:	Monday, September 30, 2019
Answers Posted Online:	Wednesday, October 2, 2019
Proposals Due:	Monday, October 21, 2019, 2:00 p.m.
Consultant Selection:	November 2019
Start of Work:	April 2020
Completion:	October 2020

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 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 contract 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.

https://www.baltometro.org/sites/default/files/bmc_documents/RFP/sample-rfp-contract_fy2019.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

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. 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.)*

XI. 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 31.7 percent 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.

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)