



Request for Proposals

PROJECT 22T11

CENTRAL MARYLAND REGIONAL TRANSIT PLAN PILOT CORRIDOR ANALYSIS

CORRIDOR 25: BWI TO COLUMBIA TOWN CENTER

ISSUE DATE

December 13, 2021

January 21, 2022 (2:00 PM)

Submit Qualifications (by email only) to:

Sheila Mahoney: smahoney@baltometro.org

Contact for More Information: Sheila Mahoney

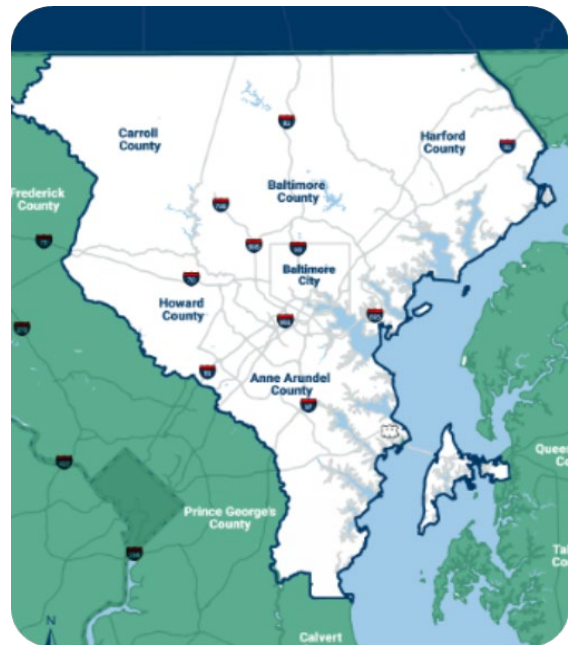
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Introduction

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, and 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 MDOT Maryland Transit Administration, and Annapolis 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, multimodal planning, cooperative purchasing, workforce development, and housing and rideshare coordination.

Background

The Maryland Metro/Transit Funding Act, passed by the Maryland State Legislature in 2018, required the Maryland Department of Transportation, Maryland Transit Administration (MDOT MTA) to initiate a Regional Transit Plan for Central Maryland that defined public transportation goals over a 25 year period. MDOT MTA completed [Connecting Our Future, A Regional Transit Plan for Central Maryland](#) (Central MD RTP) in October 2020. The Central MD RTP is a guide for MDOT MTA, local transit operators, local jurisdictions, and planning agencies to focus planning efforts and investment on addressing service coverage gaps and areas of need. The areas covered in the plan include Anne Arundel County, Baltimore City, Baltimore County, Harford County, and Howard County.

The Central MD RTP is the result of a collaborative effort between the region's transit providers, a Commission composed of representatives designated by the state and local jurisdictions, local elected officials, subject matter experts, and members of the public. Successful implementation of the plan's goals requires coordinated planning and investment by state, regional, and local governments, as well as private businesses and institutional partners.

The Central MD RTP includes strategies for transit network improvements in each jurisdiction, as well as 30 Regional Transit Corridors that work together to achieve the Plan's goals and objectives. These corridors were identified as having a need for additional transit assets because they demonstrated transit demand that justifies infrastructure, service and/or technology improvements and have regional significance, often providing connectivity between jurisdictions.

The corridors identified in the Central MD RTP did not include definition of specific routes, service patterns, alignments, levels of service, potential stations or transit mode of travel.

The Central MD RTP indicated that further refinement would be investigated during the corridor feasibility study phase, and final interventions would be selected based on final mode and alignment selection, cost-benefit analysis, and local jurisdiction and public

support. The thirty (30) corridors identified in the RTP were categorized into one of three types: early, mid-term and late-term “opportunity” corridors. Each of these types of corridors contain varying levels of existing transit infrastructure, service and demand.

The early opportunity corridors have a strong transit demand today and they are often important links in building a regional network. They would benefit the most people, jobs, and households in the region. Next steps for these corridors include:

- Start corridor studies to assess alternatives that best match the corridor’s needs
- Enhance existing service
- Evaluate and install/construct transit priority infrastructure
- Enhance multimodal access to stops and stations

The mid-term opportunity corridors have a moderate level of existing transit demand, while long-term opportunity corridors are selected for their potential to benefit areas where transit demand is expected to increase over the next 25 years. To prepare these corridors for successful transit investments, next steps should include:

- Build transit ridership by implementing new service or improving existing service
- Implement incremental transit priority infrastructure so that existing transit is faster and more reliable
- Review and change land use and zoning ordinances to be more transit supportive
- Facilitate better pedestrian, bicycle, and microtransit access for first mile/last mile travel to the existing and potential future transit corridors

Purpose

The Baltimore Metropolitan Council (BMC) is soliciting proposals from qualified firm(s), joint ventures, and/or partnerships (hereinafter referred to as “Consultant”) for professional services to begin the corridor feasibility study phase of the [Central MD RTP Corridor 25](#): from Baltimore/Washington International Thurgood Marshall Airport (BWI) to Columbia Town Center.

This task will evaluate transit needs and identify mode, alignment, routing and potential stops/station areas along the corridor. As warranted, the task will include an early screening of the corridor against potential state and federal funding sources, including the Federal Transit Administration (FTA) Capital Investment Grant (CIG) program criteria, to determine a future project’s viability.

The pilot corridor analysis task will include:

- Project management: meeting facilitation and documentation; project update meetings with the BMC Project Manager; monthly invoices.
- Evaluation of corridor and service options
 - Collect and evaluate background data: existing transit service; commuter and demographic data; land use, development and zoning; roadway characteristics and abandoned rail right-of-way.
 - Assess transit needs: prepare a transit needs and timeline narrative and matrix; evaluate the role of new transit technology; identify additional studies needed to develop transit service recommendations.
- Implementation analysis: develop and document cost estimates, identify potential funding resources and operators.

In order to support implementation of the Central MD RTP, the Baltimore Regional Transportation Board (BRTB) approved funding in the Unified Planning Work Program (UPWP) to conduct feasibility level corridor analysis and recommendations to increase

ridership, introduce new service as warranted, and prepare project sponsors for potential funding opportunities.

As identified in the UPWP, this pilot task is anticipated to be the first of multiple corridor feasibility studies undertaken by BMC emerging from the Central MD RTP process and in support of plan implementation. It is anticipated this study will set the model for further transit corridor feasibility studies undertaken by BMC.

Scope of Work

The following project task outline is intended to provide a framework for evaluation of transit needs, cost estimates, and potential funding sources for the BWI to Columbia Town Center corridor.

Task 1: Project Management

The project will be managed by BMC. A steering committee will include representatives from Anne Arundel County, Howard, County and MDOT MTA and will convene on a monthly basis.

A key stakeholder group will also be consulted on a bi-monthly basis and will potentially include representatives from Arundel Mills, BWI Business Partnership, Central Maryland Transportation Alliance, MDOT MAA, Columbia Association, Howard County Economic Development Authority and other relevant stakeholders to be identified.

The Consultant shall coordinate with the BMC Project Manager to schedule and facilitate a steering committee kickoff meeting to launch a work program for the project and clarify roles, project schedule, scope of work, deliverables and project approach. The Consultant shall also coordinate with the BMC Project Manager to schedule and facilitate a stakeholder kickoff meeting to gather input and insight from key stakeholders.

The Consultant shall communicate progress of the work regularly with the BMC Project Manager, prepare and submit monthly invoicing in the first week of each month following the invoice period, and present updates to the Steering Committee at key milestones.

Deliverables:

- Preparation and maintenance of project schedule
- Facilitation of a steering committee kickoff meeting and four (4) additional meetings*
- Facilitation of a stakeholder kickoff meeting and (2) additional meetings*
- Bi-monthly calls between BMC Project Manager and Consultant Project Manager (and key team members as needed)
- Monthly invoices
- Meeting minutes

*While BMC continues to work remotely, please assume 75% of meetings will be held virtually and up to 25% potentially held in person.

Task 2: Evaluation of Corridor and Service Alternatives

The Consultant shall identify a range of early (1-5 years), mid-term (6-10 years), and long-term (2045) needs and options for transit services, transit preferential treatments, if any, and transit-oriented land use and zoning that would advance the next incremental steps toward reaching the long-term goals of the Central MD RTP in this corridor.

Conduct Steering Committee Interview and Stakeholder Surveys

The Consultant shall conduct interviews with each steering committee member (up to 3 total) and prepare and conduct a key stakeholder survey to gain historical insights, understand preliminary objectives within in the corridor and determine potential challenges and identify upcoming projects.

Collect and Evaluate Background Data

Previous Studies and Proposed Services

The Consultant shall identify and previous relevant transit studies and proposed service within or connecting to the corridor. This information may be collected during the steering committee interviews and/or stakeholder surveys.

Existing Transit Service

The Consultant shall evaluate any existing and planned/programmed transit service operating within, through or connecting to the corridor. This data shall provide input for description of current ridership characteristics and inform recommendations for any development in service. BMC will provide this data to the Consultant.

Commuter and Demographic Characteristics

The Consultant shall map and analyze existing commuter and demographic data, including diverse and vulnerable populations, within the TAZs along the corridor to determine potential early, mid-term and long-term ridership. BMC will provide this data to the Consultant.

Land Use, Development and Zoning

The Consultant shall evaluate existing land use and zoning data and future plans within the corridor: residential, including affordable housing, commercial and industrial, entertainment facilities, parks, schools, major employment centers or other activity centers which generate traffic. BMC will provide this data to the Consultant.

In coordination with the steering committee, the Consultant shall identify any significant new or proposed developments.

Analysis of Roadway Characteristics and Abandoned Rail Corridors

The Consultant shall provide general analysis of roadway characteristics and identify any abandoned rail right-of-way along the corridor to identify constraints, opportunities, and other factors that may impact the performance of existing and future transit. This analysis should highlight any major infrastructure needs or obstacles along the corridor.

Assess Transit Needs

Transit Needs and Timeline Narrative and Matrix

Based upon the source documents and data collected as listed above, the Consultant shall analyze the corridor's early, mid-term and long-term transit needs, if any. The Consultant shall develop a preliminary description that defines potential transit service(s). The Consultant shall provide recommendations on land use and/or zoning changes that would support development of transit, with emphasis on locations within ½ mile of potential stops or station areas.

The Consultant shall also include preliminary routes and a matrix that lays out modes and alignment options including service patterns, frequencies and infrastructure needs for projected early, mid-term and long-term opportunities as part of this analysis.

Transit Technology

The Consultant shall evaluate the potential role of automated vehicles (AV) and connected vehicles (CV) in the corridors, as well as any other major potential advancements in transportation technology for the short- and medium-term horizons, and how it might impact or complement service recommendations, if applicable.

Additional Studies

The Consultant shall identify where any additional studies might be needed for the success of transit within the respective alignment(s) in the corridor in the short- and/or medium-term.

Deliverables

The deliverable for Task 2 is a technical memorandum documenting work and findings from this task and containing the following:

- Anonymized highlights from steering committee interviews and stakeholder surveys relevant to transit in the corridor.*
- A review of the variables/inputs, recommendations for land-use and zoning changes to support transit development, and additional studies needed. Please provide mapping, graphs and charts where appropriate.

- Documentation and a matrix summarizing early, mid-term and long-term transit needs, service alternatives and timeline.
- Appendices as needed.
- A presentation that functions as a summary of the technical memorandum outlined above.

*Please assume the steering committee interviews will be held virtually.

Task 3: Implementation Analysis

If a transit need is established, the Consultant shall conduct an implementation analysis of early and mid-term transit service opportunities in the corridor. This analysis shall reflect the incremental steps required for progress toward the implementation of the Central MD RTP. This analysis should include the following.

Estimate of Operations and Maintenance Cost

Based on the Consultant route, mode and service recommendations, BMC is able to utilize Remix software platform and share outputs with the Consultant to develop a preliminary cost estimate for operations and maintenance for early and mid-term service options for the corridor to be incorporated into Technical Memorandum #2. These estimates shall be included in the Task 3 technical memorandum deliverable. If an alternative method for developing Operations and Maintenance cost estimates is preferred, please include a description in the response to this RFP.

Capital Cost Estimates

The Consultant shall develop preliminary estimates for any capital costs associated with supporting any early and mid-term service options, as identified in the transit matrix in Task 2.

Possible Funding Resources and Operators

The Consultant shall develop a matrix of state and federal funding opportunities for capital costs, technical analysis, and transit demonstration projects. This matrix should at a minimum include a timeline for applications, program requirements and eligibility requirements. The matrix should also address potential for corridor (or corridor segment) funding program eligibility, identify eligibility gaps (i.e., project justification,

cost effectiveness, local commitment, etc.), and provide recommendations for next steps, including identification of potential operators.

Deliverables:

The deliverable for Task 3 is a technical memorandum containing the following:

- Documentation of cost estimates for early and mid-term opportunities of Central MD RTP Corridor 25: BWI to Columbia Town Center.
- A matrix of potential state and federal funding opportunities, including an application timeline, program and eligibility requirements, and recommendations for next steps for applicable funding programs.
- Appendices as needed.
- A final presentation that functions as a summary of the technical memorandum outlined above.

All documents should be provided in PDF format and in another format (Microsoft Word, Power Point, Adobe InDesign, etc.), which is editable by BMC.

All data collected should be provided to BMC in its native format when possible, including shapefiles/geodatabases, digital photographs, and/or spreadsheets. Any work the Consultant does utilizing computer aided drafting and design (CADD) shall meet the requirements of the MDOT SHA CADD Standards, found here: <https://roads.maryland.gov/mdotsha/pages/Index.aspx?PageId=29>

Proposal Content and Requirements

The proposal shall consist of two separate parts: (1) a Technical Proposal; and (2) a Cost Proposal. Each offeror shall submit by electronic mail a digital copy of their

technical proposal and cost proposal saved in separate electronic files. Proposals shall meet, at a minimum, the following requirements.

Technical Proposal

The Technical Qualifications shall 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. (1 page maximum)
- *Work Program* – Offerors shall provide a discussion of each task to be undertaken, how the task will be performed and the task products to be provided. An overall schedule of work should be developed. Offerors may include but are not limited to the identified project tasks. Offerors are encouraged to suggest modifications that would facilitate a successful work program. The work program shall be limited to 15 pages in length printed on one side and single spaced. The cover page and table of contents will not be counted toward the page limit.
- *Experience and Qualification* – The offeror shall list their qualifications with regard to the selection criteria identified in this RFP. The summary should contain: (a) information on projects of similar nature that offeror has completed, including brief descriptions, dates, and names of contact persons and links to relevant work if possible, and (b) resumes of proposed Project Manager and up to three key project team members. (8 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. (5 pages maximum)
- *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. (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 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. 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 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 electronic files – one (1) for each of the Technical and Cost Proposals to: smahoney@baltometro.org.

The proposal must be received by BMC no later than **2:00 PM Eastern Standard Time on January 21, 2022**. 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 and email the link to the files.

Please direct any questions to Sheila Mahoney at smahoney@baltometro.org no later than January 5, 2022. All questions will be collected and answers will be posted to BMC's website by January 11, 2022.

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	December 13, 2021
Proposal Questions Due	January 5, 2022
Answers to Questions Posted	January 11, 2022
Proposals Due	Friday, January 21, 2022 at 2:00 p.m.
Consultant Selection	February 2022
Start of Work	March 2022
Completion of Work	September 2022

Consultant Selection Criteria

All proposals will be evaluated on the basis of technical merit (including areas required within the Technical proposal such as work program, team and personal experience, project management, adherence to RFP and DBE integration) 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.

No formal budget has been proposed in the UPWP for this pilot task. Internal estimates for this scope of work are approximately \$150,000, however, this should not be considered a firm budget line. 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.

“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 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 31.7 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

Central Maryland Regional Transit Plan Pilot Corridor Analysis
Corridor 25: BWI to Columbia Town Center

Request for Proposals

PROJECT #22T11

Due Date: January 21, 2022

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)

