



Request for Proposals

PROJECT 23T01

EXPLORE CONNECTED/AUTOMATED VEHICLE (CAV) INTEGRATION FOR LOCAL GOVERNMENTS

ISSUE DATE

May 31, 2022

DUE DATE

July 14, 2022 (2:00 PM)

Submit Qualifications (by email only) to:

Eileen Singleton: esingleton@baltometro.org

Contact for More Information: Eileen Singleton

E-mail: esingleton@baltometro.org

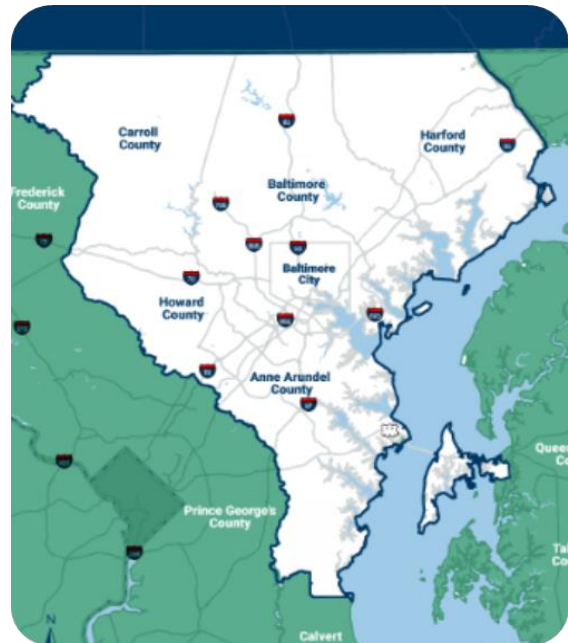
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Introduction

The Baltimore Metropolitan Council (BMC) is a 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 federally designated Metropolitan Planning Organization (MPO) for the Baltimore region. Approximately 2.8 million residents live in the Baltimore region, the 20th most populated Metropolitan Statistical Area in the United States, according to the U.S. Census Bureau. The Baltimore region includes the jurisdictions of Anne Arundel County, Baltimore City, Baltimore County, Carroll County, Harford County, Howard County, and Queen Anne’s County. The BRTB 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. BMC staff provide technical support to the BRTB, including 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

As use of Connected and Automated Vehicles (CAV) increases, it will be critical for local jurisdictions to understand how CAVs might impact the region's transportation infrastructure, to plan for these impacts (both positive and negative), and to work towards having CAVs support local goals, particularly related to equity, safety, environmental stewardship, and reliability.

There has been much consideration of CAVs at the national and state levels. This project will begin with this existing work as a foundation and develop recommendations specific to the region and its jurisdictions. The recommendations will consider short- and long-term actions to prepare and plan for CAVs as well as impacts on operations and maintenance. There are various ways CAVs will impact our region, and the impacts of connected vehicles and those of automated vehicles will likely be different.

Purpose

BMC seeks proposals from qualified respondents with experience working with local jurisdictions, MPOs, and states on CAV planning to develop customized, actionable recommendations on preparing for connected and automated vehicles for the region and local jurisdictions. Simply put, what specifically should BRTB/BMC and local jurisdictions know and do to prepare for CAVs.

BMC will convene a Steering Committee for this project to provide guidance, input, and reviews of deliverables. BMC will work with the selected Consultant team to finalize details of the Steering Committee, including members, meeting dates, and specific activities. In addition to BMC staff, we anticipate the participation of representatives of local jurisdictions, state agencies, and other stakeholders.

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This project directly supports the Baltimore region's transportation planning goals adopted for use in the long-range transportation plan under development, [Resilience 2050: Adapting to the Challenges of Tomorrow](#)

- **Improve Accessibility** - Identify and support multimodal options and systems that promote equity 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.
- **Create an Environmentally Responsible Transportation System** - Pass on to future generations the healthiest natural and human environment possible.
- **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.
- **Foster Participation and Cooperation among All Stakeholders** - Enable all interested and affected parties to participate and cooperate to find workable solutions.
- **Promote Informed Decision Making** - Ensure that adopted transportation policies and performance measures guide the regional decision making process.

This project was identified in the Baltimore Regional Transportation Board's Fiscal Year 2023 Unified Planning Work Program (UPWP) with a maximum Consultant budget of \$100,000.

Scope of Work

Outlined below is a preliminary scope of work, including a list of tasks and deliverables that are envisioned for this project. The Consultant is encouraged to suggest modifications to these tasks that would facilitate a successful work program and stay within the project budget of \$100,000.

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. It 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.

The proposed Scope of Work shall address the following components:

Task 1: Project Initiation and Project Management

The task will be managed by BMC staff and will include a decision-making Steering Committee consisting of, but not limited to, key stakeholders from local, state, and federal agencies. The Consultant shall coordinate with the BMC project manager to schedule and facilitate a project kickoff meeting for BMC staff to launch a work program for the project and clarify roles, project schedule, and scope. The emphasis of this meeting will be on the Consultant's planned management, administrative, and technical approach. The kickoff meeting will provide the Consultant with a forum to introduce the Consultant project management and proposed project team members and solicit input from BMC and other key stakeholders, if included, on the individual elements of the

project approach. The Consultant shall present their project approach regarding scope and schedule and propose a detailed flow of data and analysis between BMC staff and the Consultant.

The Consultant shall communicate progress of the work regularly with the BMC Project Manager, through short (i.e., 30 minute) phone calls or virtual meetings that are scheduled approximately every two weeks throughout the project; coordinate reviews of deliverables with the project Steering Committee; and provide updates to the Steering Committee at key milestones (at meetings or through e-mail correspondence). Invoices should be prepared and submitted to the BMC Project Manager at the conclusion of each task or subtask identified in the project schedule.

Deliverables:

- Finalized work plan including project schedule with proposed Steering Committee meeting dates and list of deliverables
- Check-in status calls with BMC Project Manager and Consultant Project Manager (and key team members as needed)
- Documentation of project meetings and check-in calls

Task 2: Steering Committee Meeting Support

As envisioned, this project will include three Steering Committee meetings. These meetings should be held at key points throughout the project, as determined by the Consultant. The Consultant should indicate if additional Steering Committee meetings are desired or necessary.

The Steering Committee will help guide the project and provide input on the development of the project deliverables.

The Steering Committee meetings could be planned as in-person or virtual meetings, or a mix of both. BMC also has the capability to conduct hybrid meetings. Particularly for meetings that have all or some attendees participating remotely, the Consultant should ensure that methods and tools are used to enable active participation and solicit input from all attendees. (Note: BMC uses PublicInput.com for outreach/engagement, and this application could be used as an engagement tool to support project meetings).

For the Steering Committee meetings, the Consultant shall prepare presentations, meeting materials, and minutes.

All meeting materials shall be submitted to the BMC Project Manager at least four working days prior to the meeting date in order to provide sufficient time for feedback.

Deliverables:

- Agendas, presentations, meeting materials, and minutes for Steering Committee meetings.

Task 3: Review of Relevant CAV Work at the National, State, Regional, and Local Levels

There has been much consideration of CAVs at the national and state levels, and some at the regional and local levels. This project will begin with a review of this existing work to build a foundation from which to develop actionable recommendations specific to the region and its jurisdictions.

In June 2021, the Maryland Departments of Transportation and Planning issued the [Connected & Automated Vehicle Toolkit for Maryland Local Jurisdictions](#). This document provides a useful starting point for jurisdictions, and proposers could consider using it as the basis for more detailed and actionable recommendations developed in Task 4 and the User Guide developed in Task 5.

Examples of other resources to review include, but are not limited to:

- [Regional work on Emerging Technologies](#) Baltimore Metropolitan Council
- [Actions in Maryland on Connected and Automated Vehicles](#) Maryland Department of Transportation
- [National Framework for Regional Vehicle Connectivity and Automation Planning](#) Association of MPOs (AMPO)
- [Technology & Innovation](#) National Highway Traffic Safety Administration (NHTSA)

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- [Automated Vehicle Safety](#) NHTSA
- [Connected Vehicle Pooled Fund Study](#)
- [Blueprint for Autonomous Urbanism: Second Edition](#) National Association of City Transportation Officials
- [Connected and Automated Vehicles Toolkit: A Primer for Counties](#) National Association of Counties
- [Autonomous Vehicle Pilots Across America Municipal Action Guide](#) National League of Cities
- [Autonomous Vehicles \(AV\) Resources](#) American Planning Association

This task will include review of available documents/webpages/legislation/etc. as well as up to four (4) virtual meetings with representatives of national or state organizations that can provide relevant information for this project.

Deliverables:

- Draft and Final White paper summarizing the Review of CAV Work at the National, State, Regional, and Local levels
- Presentations to BRTB and Technical Committee on the final White paper.

Task 4: Develop Customized CAV Recommendations for the Region and Local Jurisdictions

Using the deliverable from Task 3, as well as input from meetings with the Steering Committee and regional stakeholders and consultant experience, develop customized, actionable CAV recommendations that, in general, address:

- short- and long-term impacts and actions
- impacts of connected and automated vehicles on the region and its jurisdictions and how the impacts of connected vehicles may be different than those of automated vehicles

- how to avoid and minimize impacts that may undermine the efficiency of the region's transportation system
- the spectrum from preparing to planning to operations and maintenance

Numerous specific considerations have been identified related to: 1) preparing and planning for CAVs and 2) operations and maintenance to support CAVs. Since it will not be possible to sufficiently address all of these issues as part of this project, some of the early work by the consultant, with the Steering Committee, and potentially stakeholder interviews will include identifying the most critical and highest priority issues for local jurisdictions and the region. Specific issues that may be covered by the recommendations include:

- Preparing and Planning for CAVs
 - Regionally:
 - How BRTB/BMC could best support local jurisdictions as use of CAVs increases and recommendations for regional coordination on CAV deployment
 - How to incorporate input on CAVs from the public
 - How to encourage CAV deployments that are equitable across the region and support local goals and public safety
 - How could other emerging technologies impact (positively and negatively) CAV deployment and pitfalls to avoid
 - How should (if at all) local jurisdictions and BRTB/BMC effectively engage and work with the CAV industry
 - Is there CAV data that BMC should purchase/acquire to support CAV planning
 - Locally:
 - What local policies are recommended to have in place
 - Training, staffing, and budgeting needs of local jurisdictions and BMC to support CAV deployment
 - What zoning changes are recommended to prepare for CAVs
 - What parking/staging/curb management considerations should be incorporated into policies
- Operations and Maintenance to support CAVs
 - Local and regional actions to prepare for CAVs, such as:
 - Specific maintenance needs (i.e., visible lane markings)

- Transportation and communications infrastructure recommendations for local jurisdictions (i.e., signal phase and timing (SPaT) equipment)
- Information Technology requirements and considerations for local jurisdictions
- What are potential impacts on operations (i.e., impacts on congestion patterns, impacts on number/severity of crashes, etc.)
- What do emergency responders need to prepare for CAVs that is not being addressed at the national and state levels
- What freight movement considerations should be considered that are not being addressed at the national and state levels

This task will include the following subtasks. Note that the consultant should provide the desired scheduling order for Tasks 4.1 and 4.2 and suggest additional tasks if desired:

Task 4.1 Meetings with Local, Regional, and State Stakeholders and Industry Partners

The consultant team will set up meetings with representatives from each of the eight jurisdictions, representatives from the state, representatives from BMC, and representatives from industry for a total of six to eight virtual one-hour meetings. During the meetings, the consultant will solicit ideas from attendees and present draft suggestions for recommendations. These meetings may also include discussions of which specific issues, as noted above, should be included in the recommendations.

The consultant should propose the desired time during the process to schedule the meetings. BMC staff will coordinate with stakeholders and the Consultant to schedule the meetings.

Deliverables:

- Agenda for stakeholder meeting
- Notes from the meetings

Task 4.2 Draft White Paper of Customized CAV Recommendations for the Region and Local Jurisdictions

Based on input from the previously described tasks, develop a draft white paper providing customized CAV recommendations for the region and local jurisdictions.

The draft White Paper will be shared with the project Steering Committee for their review and comment.

The draft white paper shall be delivered electronically in MS Word format.

Deliverable:

- Draft White Paper of Customized CAV Recommendations for the Region and Local Jurisdictions

Task 4.3 Final White Paper of Customized CAV Recommendations for the Region and Local Jurisdictions

Based on input from the previous tasks and comments from the Steering Committee and meetings with stakeholders, develop a final white paper providing customized CAV recommendations for the region and local jurisdictions.

The final white paper shall be delivered electronically in MS Word and PDF formats.

Deliverable:

- Final White Paper of Customized CAV Recommendations for the Region and Local Jurisdictions

Task 5: White Paper User Guide

The Consultant will develop a User Guide for the final White Paper of Customized CAV Recommendations that walks users through the white paper using questions/graphics/links to facilitate use of the document.

The draft White Paper User Guide will be shared with the project Steering Committee for their review and comment.

The White Paper User Guide shall be delivered electronically in an easy to navigate and commonly used format.

Deliverables:

- Draft and Final White Paper User Guide
- Presentations to BRTB and Technical Committee on the final White Paper User Guide

Task 6: Executive Summary

The Consultant will develop a one- to two- page Executive Summary that local jurisdiction staff can use to inform their elected officials / decision-makers on the highest priority CAV issues and recommendations. The Executive Summary will draw from the Recommendations White Paper and User Guide as well as from interviews and meetings and identify the most critical information to share with this audience.

The draft Executive Summary will be shared with the project Steering Committee for their review and comment.

The final Executive Summary shall be delivered electronically in an easy to navigate and commonly used format.

Deliverables:

- Draft and Final Executive Summary

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 20 pages in length, 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. (12 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. Include a table showing the proposed hours per task for project staff (do not include any costs). Note that the resulting contract will require commitment of the specified personnel. (5 pages maximum)

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- *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. (5 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: esingleton@baltometro.org.

The proposal must be received by BMC no later than 2:00 PM Eastern Time on **July 14, 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 Eileen Singleton at esingleton@baltometro.org no later than **June 27, 2022**. All questions will be collected and answers will be posted to BMC's website by close of business **June 29, 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	May 31, 2022
Proposal Questions Due	June 27, 2022
Answers to Questions Posted	June 29, 2022
Proposals Due	Thursday, July 14, 2022, 2:00 p.m.
Consultant Selection	July/August 2022
Start of Work	August/September 2022
Completion of Work	June 30, 2023

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. The FY 2023 UPWP budgeted \$100,000 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 staff and/or appropriate project partners will conduct the evaluation of proposals. Technical merit includes work program and approach, as well as staff experience and qualifications. Teaming is permissible but the offeror will be with a single prime contractor.

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

“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 **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

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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;

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(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.)

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(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)

