



Request for Proposals

PROJECT 24T12

PATAPSCO REGIONAL GREENWAY (PRG): OPERATIONS AND MAINTENANCE GUIDELINES AND BRANDING PLAN

ISSUE DATE

January 11, 2024

DUE DATE

February 22, 2024 by 2:00 PM

Submit Qualifications and Proposals (by email only) to:

Charlene Mingus: cmingus@baltometro.org

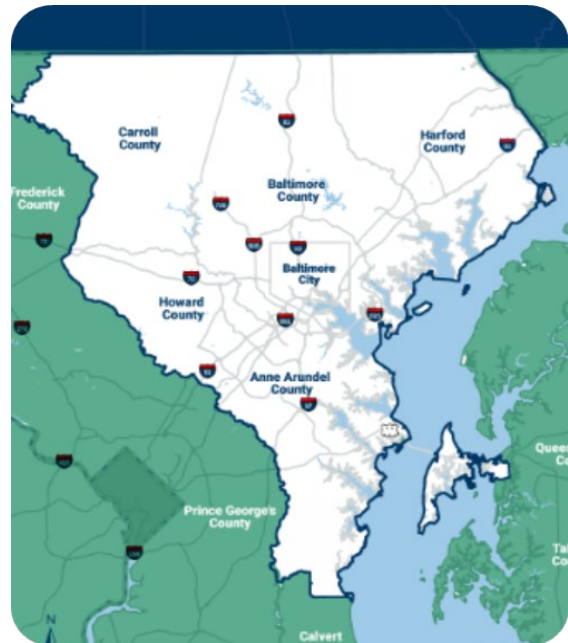
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Introduction

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, Howard County, Queen Anne's County, the City of Annapolis, plus the Maryland Department of Transportation (MDOT), the Maryland Department of the Environment, the Maryland Department of Planning, the MDOT Maryland Transit Administration, and the Regional Transportation Agency of Central Maryland. The Baltimore Metropolitan Council (BMC) staff provides technical support to the BRTB.



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

Purpose

The Baltimore Metropolitan Council (BMC) seeks proposals from a qualified and experienced consultant, or consultant team, to provide professional services for the development of operations and maintenance guidelines, as well as, a branding plan for the Patapsco Regional Greenway (PRG).

An ideal consultant team will include broad expertise in active transportation planning and design, graphic design, narrative writing and public involvement.

The [Patapsco Regional Greenway Plan](#) was approved by the Baltimore Regional Transportation Board in 2017. The Plan maps the envisioned main alignment of a 40-mile greenway stretching from Sykesville in Carroll County to the Baltimore Inner Harbor. The BRTB has funded preliminary design of several segments of the planned greenway over the past few years. This task will develop operations and maintenance guidelines, as well as, a branding plan for the greenway.

The goals of the project include developing operations and maintenance guidelines including identifying the functions, frequency of tasks, quality standards, estimated unit costs, and staffing requirements for specific facility types and surfaces, as well as, identifying the jurisdiction department or agency responsible for existing and planned sections of the PRG. The project will also include the development of a branding plan focused on creating a distinctive identify for the PRG including a logo and signage standards that will brand the PRG across multiple jurisdictions which will increase efficient wayfinding throughout the greenway, provide visitors with useful information about the area's cultural and historical identity, provide elements for marketing the greenway to widen the audience and promote the region's historic, cultural and recreational attributes while increasing visits to the PRG. The operations and maintenance guidelines and branding plan will take into consideration existing policies and procedures of PRG partners.

Scope of Work

The Consultant shall provide operations and maintenance guidelines, as well as, a branding plan for the existing and planned segments of the PRG. Outlined below is a preliminary scope of services, 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 \$250,000. The methodology to accomplish each task will be agreed upon prior to initiating the work.

Task 1: Project Management

The task will be managed by BMC and will include a decision-making Steering Committee consisting of key stakeholders: Anne Arundel County, Baltimore City, Baltimore County, Carroll County, Howard County, Maryland Park Service, Department of Natural Resources, and Maryland Department of Transportation.

The Consultant will coordinate with the BMC project manager to schedule and facilitate Steering Committee meetings that are organized by BMC staff, launch a work program for the project and clarify roles, and develop a project schedule, including timeframes for review, scope of work and project approach and deliverables.

The Consultant will 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 coordinate with the Steering Committee through BMC at key milestones.

The Consultant will develop a Project Management Plan (PMP) which will include an overall schedule for Task 2-5 deliverables, including timeframes for review. The Consultant will establish a process to incorporate feedback from the Steering Committee.

Deliverables include:

- Preparation and delivery of PMP

- Facilitation of three (3) Steering Committee meetings including presentation materials (two virtual and one in-person)
- Bi-weekly virtual meetings with the BMC project manager and Consultant project manager (and key team members as needed)
- Submittal of monthly invoices
- Minutes for bi-weekly calls, Steering Committee meetings and stakeholder interviews

Task 2: Existing Conditions, Policies and Data Review

The Consultant will review the existing PRG inventory which will be provided by BMC and identify the status, facility and surface type, width, responsible organization and user types for a given section of greenway. The Consultant will also create an overview of path facilities with narrative and example photographs, as well as develop an inventory of existing operations and maintenance guidelines and branding policies.

Deliverables include:

- Overview of facility types
 - Develop an overview of facilities, structures and crossings (e.g. natural surface trail, paved trail, sidepath, Bicycle Boulevard, boardwalk, bridge, Rectangular Rapid Flashing Beacon, pedestrian islands, etc.) that have been or likely will be used for the PRG with narrative and example photographs (preferably from the Baltimore region)
- Review and collect data
 - Identify the status (existing or planned), facility type, surface type, path width and jurisdiction (including department) or agency responsible for maintenance and operations of each existing and planned segment of the PRG. BMC will provide an inventory spreadsheet and an ArcGIS geodatabase which includes trail status, surface type and primary stakeholders
- Identify user types
 - Identify the path user groups for a given section (e.g. pedestrians, bicyclists, equestrians, wheelchair users, scooter users, e-bicycle riders, etc.)

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- Develop a summary of the existing operations and maintenance policies and practices of jurisdictions or agencies potentially responsible for the management of PRG sections
- Develop a summary of the existing branding policies and practices of jurisdictions or agencies potentially responsible for the management of PRG sections
- Steering Committee Meeting #1
 - In-person meeting with a presentation focused on an overview of the project and a facilitated discussion with committee members on operations, maintenance and branding opportunities and constraints, verification of the inventory of existing and planned PRG sections, identification of stakeholder participants and verification of existing guidelines for operations and maintenance, as well as, branding policies
 - Meeting notes
- Technical Memo to be included as a chapter in the final plan including:
 - Overview of the PRG
 - Purpose and goals of the operations and maintenance guidelines and branding plan
 - Description and examples of facility, structure, and crossing types
 - Inventory of existing and planned PRG sections with associated data
 - Summary of existing operations and maintenance guidelines of jurisdictions or agencies potentially responsible for the management of PRG sections
 - Summary of existing branding policies of jurisdictions or agencies potentially responsible for the management of PRG sections

Task 3: Develop Draft Operations and Maintenance Guidelines and Branding Options

The Consultant will work with BMC and the Steering Committee to develop draft operations and maintenance guidelines, as well as, branding options. This includes identifying the functions, frequency of tasks, quality standards, estimated unit costs and

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staffing requirements for short, mid and long-term operations and maintenance activities for trails, structures, boardwalk, signage, wayfinding, educational displays, pavement markings and more. The task will also include the development of branding guidelines and materials including placement guidelines, usage criteria and design of signage and educational displays, a PRG logo, webpage banner and other materials. Cost estimates for signage, educational displays, pavement markings, etc. should be developed. The Consultant will ensure that operations and maintenance guidelines consider existing policies and practices of PRG partners, as well as, branding that is compatible with federal, state and local standards.

Potential operations and maintenance activities may include but are not limited to:

- Mowing
- Vegetation management
- Tree removal
- Trail surface repair
- Snow removal
- Drainage
- Trail sweeping and clean up
- General debris and trash clean-up
- Erosion repair
- Culvert/catch basin cleaning
- Vandalism inspection
- Coordination with partners including law enforcement, EMS agencies and fire and rescue department
- And more

Consistent placement of signage and displays will assist PRG in locating information by creating predictability in the location of signs especially at decision points and

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trailheads. Signage and education/interpretive display types may include the following but are not limited to:

- Standard PRG route sign to identify the greenway
- Trailblazer signage
- Detailed primary and secondary orientation signage (directional information, map of entire PRG, map of a segment of PRG, general information about the PRG, etc.)
- Large and small directional signage (route designations, destinations, directions, distances, etc.)
- Non-standard PRG wayfinding signs
- Signage for trail users to stop
- Hazard/warning signage (e.g. “stop ahead”, “path narrows”)
- Mileage signs (customizable to display length of greenway from specific location e.g. 20 miles to Sykesville and 10 miles to the Gwynns Falls Trail)
- Free standing and rail-mounted interpretive or educational displays
- Educational and interpretive displays intended to highlight the area’s history, culture, and ecological significance while taking into account existing trail branding of the jurisdiction or agency responsible for a given trail section

Deliverables include:

- Identify functions, frequency of tasks, quality standards, estimated unit costs and staffing requirements for short, mid, and long-term operations and maintenance activities for facilities, structures, signage, educational/interpretive displays and more while taking into account existing policies of the jurisdiction or agency responsible for maintenance and operations of a given trail section:
 - Operations and maintenance guidelines should be organized by facility type (path, sidepath, Bicycle Boulevard, sidewalk, boardwalk, bridge, etc.)

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and surface (asphalt, concrete, crushed stone, wood, composite, metal, etc.)

- Develop maintenance and operations cost and staff time estimates per mile of trail for the various facility types
 - Explicitly address how the operations and maintenance guidelines should fit within the existing operations and maintenance policies and practices of jurisdictions or agencies responsible for a given trail section
- Outline best practices for developing maintenance agreements in the Baltimore region including an example maintenance agreements
- Develop a PRG logo with three versions; four-color, black and reversed
- Develop other branding materials for digital and print such as webpage banners, social media posts and more
- Identify potential funding opportunities for maintenance and operations, as well as, branding such as sponsorships, grants, etc.
- Create guidelines for:
 - Signage and educational/interpretive display design, usage criteria and placement standards
 - Recommendations for the messaging and graphics content of directional and orientation signage such as type and distance of destinations that can be referenced, amount of information to be included on each sign, kinds of maps and legends and other information
 - Explicitly address how the new PRG branding should fit within the existing visual language of jurisdictions or agencies responsible for a given trail section
- Develop a PRG web based map* and printable map
- Develop an ArcGIS StoryMap* which gives an overview of the PRG including narrative, express and interactive maps, and more
- Steering Committee meeting #2

- Virtual meeting with a presentation and facilitated discussion focused on presenting and gaining feedback on draft operations and maintenance guidelines, as well as, branding options
- Meeting notes
- Technical memo that summarizes Task 3 deliverables

*The web-based map and StoryMap will be created on the BMC ArcGIS Online organization. BMC will provide a guest access account to the Consultant.

Task 4: Stakeholder Engagement

This task will incorporate engagement activities that inform, consult, involve, empower and collaborate with both decision-making leaders and agencies that are PRG stakeholders and will run concurrently with Tasks 2 - 5. The consultant will coordinate with BMC and the Steering Committee to identify participants for stakeholder surveys and interviews. Two (2) online surveys will be distributed to stakeholders and up to ten (10) stakeholder interviews (most interviews will be with a group with some one-on-one interviews) will be held with local agencies and decision-making leaders, state representatives and organizations. The purpose of the first stakeholder survey is to gather information on opportunities and constraints, as well as verifying current local and state operations and maintenance guidelines, as well as, branding. The purpose of the stakeholder interviews is to gather valuable insights and feedback on the draft operations and maintenance guidelines and branding options. While, the focus of the second stakeholder survey is to share the recommended operations and maintenance guidelines, as well as, branding options and gather feedback before finalizing the Plan.

Deliverables:

- Development of stakeholder interview questions (BMC and the Steering Committee will review and provide feedback)
- Up to ten (10) stakeholder interviews with local agencies and decision-making leaders, state representatives, and organizations (virtual or in-person)
- Summary of stakeholder interviews
- Development and implementation of two (2) online stakeholder surveys
- Summary of stakeholder survey responses

- Summary memo of Task 4 deliverables

Task 5: Final Plan

Develop a well-organized and visually compelling final plan which incorporates the technical memos and previous tasks and includes an executive summary written in plain language. The draft PRG: Operations and Maintenance Guidelines and Branding Plan document will be reviewed by BMC and the Steering Committee.

Deliverables include:

- Steering Committee Meeting #3
 - Virtual meeting with presentation and facilitated discussion focused on presenting and gathering feedback on the recommended operations and maintenance guidelines, branding options and PRG StoryMap before finalizing the Plan
 - Meeting notes
- PRG: Operations and Maintenance Guidelines and Branding Plan document to be furnished in PDF format and the design package including any linked fonts, photos or other elements used in the design
- Development of one-page handouts on the PRG. One focused on the region and one (1) each for five (5) jurisdictions (Anne Arundel County, Baltimore City, Baltimore County, Carroll County and Howard County) with delivery in an editable format
- Development of a presentation on the PRG: Operations and Maintenance Guidelines and Branding Plan in an editable format such as PowerPoint
- Present the final plan to the BRTB Bicycle and Pedestrian Advisory Group (BPAG)
- Delivery of all branding related design files to serve as templates and allow for future edits
- Delivery of a copy of the geospatial data used in web maps in a file geodatabase. A copy of all images used in the ArcGIS StoryMap should be delivered as well

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- Deliver a geodatabase of the final PRG with fields classifying at minimum status, facility type, surface type, path width, organization responsible for a given section and user types

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* – summarizing the offeror’s expertise and availability to do the work, all firms on the team and DBE commitment. Letter must be signed by an executive with authority to commit the offeror and stating the period for which the proposal is valid. (1 page maximum)
- *Work Program* – Offerors shall provide a discussion of each task to be undertaken, how it will be performed, and the products/deliverables to be provided. An overall schedule of work in Gantt chart or similar format should be included. Offerors may include but are not limited to the tasks identified in the Scope of Work, and are encouraged to suggest modifications that would facilitate a successful work program. (20 page maximum)
- *Experience and Qualification* – The offeror shall list the qualifications of the prime and subconsultants, as applicable, with regard to the selection criteria identified in this RFP. The summary should contain information on projects of a similar nature that offeror has completed, including brief descriptions, dates, and names of contact persons. In the project descriptions, identify the roles of the identified project manager and key personnel. Please include links to relevant work if possible. (7 pages maximum)

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- *Project Management* – Designation of a project manager and the responsibilities of the manager and key personnel. Provide a summary of qualifications of the project manager and key staff for each firm. Note that the resulting contract will require commitment of the specified personnel; include a breakdown of key staff hours by task in this section. (6 pages maximum)
- *DBE Participation* – The offeror shall present the program for assuring the maximum opportunity for participation by Disadvantaged Business Enterprises (DBEs) in accord with BMC's goals. See the section of MANDATORY STATEMENTS for statement of DBE participation goals.
- *Other Information* – Any other material that the offeror wishes to provide. Please limit to relevant information. (4 pages maximum)

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

Cost Proposal

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

- *Project Budget* – Proposers shall provide a price quote as a fixed price in United States dollars. The price quote shall include the number of labor hours and cost by staff member and total hours and cost estimated for each task, including the prime firm and all subconsultants. Direct costs shall be itemized by category (e.g., travel, per diem, printing and reproduction, /etc.) for the entire project. The 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: cmingus@baltometro.org.

The proposal must be received by BMC no later than 2:00 PM Eastern Daylight Time on February 22, 2024. Proposals arriving after the deadline will not be accepted. Note that BMC's email will accept files up to 25MB. If your proposal documents exceed 25MB, please upload the documents to a file sharing service and email the link to the files.

Please direct any questions to Charlene Mingus at cmingus@baltometro.org no later than February 5, 2024. All questions will be collected and answers will be posted to BMC's website by February 8, 2024. Questions arriving after February 5, 2024 will not be answered.

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

The offeror shall not make changes in the specifics put forth in a proposal, including staff participation, without the prior written consent of BMC.

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

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

Tentative Schedule

RFP Issued	January 11, 2024
Proposal Questions Due	February 5, 2024
Answers to Questions Posted	February 8, 2024
Proposals Due	February 22, 2024, 2:00 P.M.
Consultant Selection	March 2024
Start of Work	April 2024
Completion of Work	March 2025

Consultant Selection Criteria

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

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

This is not a low-bid procurement. The FY 2024 UPWP budgeted \$250,000 for the consultant part of this task but proposals will be considered outside of this range if the proposed work program will provide a greatly superior product.

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

“Sample” Form Contract

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

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

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

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

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

Confidentiality

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

amended. BMC may disclose such information if required by law, court order or subpoena.

Maryland Registration / Qualification Requirements

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

For information on registering or qualifying a corporation, LLC, LLP or LP, call SDAT at 410-767-1340. Sole Proprietors and General Partnerships should call 410-767-4991 or you may download the SDAT forms at,

<http://www.dat.state.md.us/Pages/sdatforms.aspx>

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

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

Mandatory Statements

Public Information Act Notice

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

Disadvantaged Business Enterprise Notice

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

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

Disadvantaged Business Enterprise Subcontract Participation Goal

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

It is the goal of BMC that certified businesses participate in all competitively bid federal-aid contracts. A DBE subcontract participation **goal of 26.2 percent** of the total contract amount has been established for this procurement. Prime contractors holding a DBE certification will be awarded full (100 percent) credit for the DBE goal. Offerors must make a good faith effort to meet this goal in order to receive appropriate consideration.



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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)

