



# Request for Proposals

PROJECT 25T02

## **LRTP SCENARIO PLANNING: ANALYSIS OF LONG-TERM RISKS AND OPPORTUNITIES**

ISSUE DATE

**June 17, 2024**

DUE DATE

**August 2, 2024 (2:00 PM)**

**Submit Questions and Proposals (by email only) to:**  
Regina Aris: [raris@baltometro.org](mailto:raris@baltometro.org)

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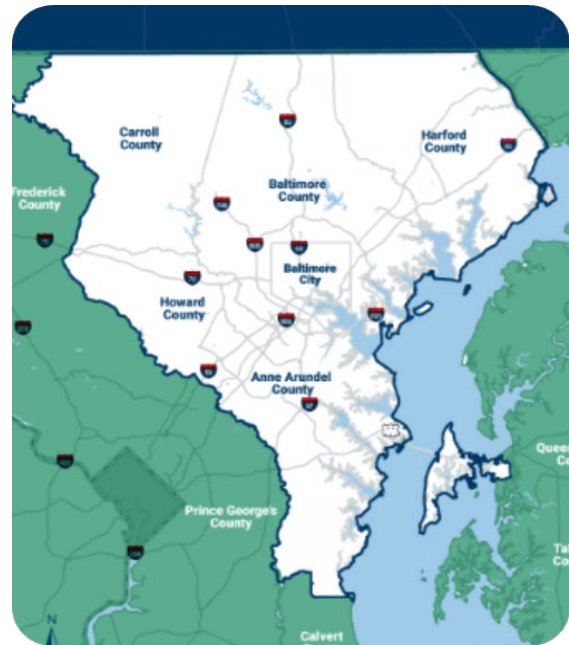
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# Introduction

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



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

# Purpose

The BMC, on behalf of the BRTB, will hire a consultant team to analyze long-term risks and opportunities associated with multiple possible future scenarios in preparation for the 2027 Long-Range Transportation Plan (LRTP). The purpose of this effort is to identify strategies or policy options that yield good results across scenarios, tradeoffs across scenarios, and anticipated impacts on equity emphasis areas as defined by BMC. The project will inform the 2027 LRTP, including but not limited to updates to the [goals and strategies](#) from Resilience 2050, updates to the Resilience 2050 [project scoring methodology](#), innovative policies and programs that could be incorporated into the preferred alternative, and scenarios that should be studied further.

The project will include an initial best practices review, with an emphasis on scenario planning exercises leading to tangible policy results and improvements to regional transportation planning activities. This review of scenario planning at other MPOs will inform the remainder of the project, including scenario design, performance indicators and scenario workshops. BMC is interested in learning about what worked, what hasn't worked, and to use that knowledge to inform this scenario planning exercise.

The project will combine quantitative analysis and qualitative scenario planning workshops to explore, analyze and communicate the potential impacts of alternative future conditions related to transportation investment and policy decisions, land use, housing, technological, socioeconomic, environmental, economic and other topics.

The scenario planning effort should emphasize how these potential futures could affect equity emphasis areas in the Baltimore region. BMC will provide details on these areas to the consultant prior to project initiation. In Fiscal Year 2023, BMC conducted an equity scan in an effort to identify recommendations BMC can use to advance equity through four key BRTB planning processes, including the LRTP. One of the recommendations for the LRTP was a scenario planning exercise of equity-related risks and opportunities.

This is a complex task involving both quantitative and qualitative components. BMC anticipates leading the quantitative analysis in Task 4. Modeling tools are anticipated to include VisionEval, an open source tool, and the BMC activity-based model. BMC anticipates using VisionEval to evaluate a larger number of scenarios and explore how

combinations of alternative future conditions might affect performance indicators. A primary benefit of VisionEval is the rapid identification of which areas merit greater examination. The VisionEval analysis will be supplemented with more in depth modeling using BMC's activity-based travel demand model, known as InSITE. The Consultant will be responsible for planning and conducting in-person scenario workshops blending discussion of quantitative scenario results with qualitative scenarios that cannot be modeled.

Consultant expertise with technical analysis and modeling is strongly desired as the Consultant will be expected to generate scenarios and translate the results of the quantitative modeling into compelling scenario narratives, graphics and visualizations to be used in scenario workshops. The Consultant should also have extensive expertise in conducting scenario planning workshops. The scenario workshops will include discussion of the quantitative analysis, layering in discussion of areas of interest beyond the scope of the modeling software.

## Scope of Work

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

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

The proposed Scope of Work shall include sufficient detail to determine how each task shall be accomplished; it shall include, but not be limited to, descriptions of the anticipated deliverables and a project timeline in Gantt chart format. It will describe how the Consultant proposes to complete the project within the 9 month timeframe, including the allocation of resources to accomplish each task. The Scope of Work must

be sufficiently detailed for BMC to determine the effectiveness of the proposal and should explain how this work can be performed in a cost-efficient and timely manner. Material referenced in the earlier Purpose section should be considered germane to the overall scope.

The proposed Scope of Work shall address the following components:

**Task 1: Project Initiation and Project Management**

The successful bidder shall coordinate with the BMC Project Manager to schedule and facilitate an initial meeting to launch the work program for the project and clarify roles, project schedule, scope of work, deliverables and project approach. The emphasis of this meeting will be on the Consultant's planned management, administrative, and technical approach as described in their Work Program to complete the project within the 9 month timeline. The kickoff meeting will also provide the Consultant with a forum to meet project team members and solicit input from BMC on the individual elements of the project approach, and refine the work program as applicable.

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

**Task 1 Deliverables:**

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

**Task 2: Scenario Planning Best Practices Review and Recommendations**

BMC staff have worked with the BRTB Technical Committee to identify initial scenario categories and variables of interest as well as performance indicators to evaluate the selected scenarios. These initial categories and performance indicators are listed in Tables 1 and 2, respectively. It’s important to point out that the variables of interest are not yet fully defined scenarios. The Consultant will be tasked with designing scenarios and model inputs based on the variables of interest. The performance indicators are related to the regional [Goals and Strategies](#) adopted as part of the development of every LRTP. BMC will continue to refine these lists prior to project initiation.

**Table 1. Draft Scenario Categories and Variables of Interest**

<b>Category</b>	<b>Variables of Interest</b>
Transportation Investments	<ul style="list-style-type: none"> <li>• Increasing highway vs transit investments</li> <li>• Reduced expansion dollars due to increasing system preservation costs</li> <li>• Increased active transportation investments</li> </ul>
Transportation Operations	<ul style="list-style-type: none"> <li>• ITS Operations, ramp metering, and speed smoothing</li> </ul>
Policy Decisions	<ul style="list-style-type: none"> <li>• Auto operating costs</li> <li>• VMT Tax</li> <li>• Carbon pricing and internalizing other externalized costs such as environmental impact and social costs</li> <li>• Congestion Pricing</li> <li>• Transit fare reduction/fare free transit</li> </ul>
Land Use and Housing	<ul style="list-style-type: none"> <li>• Increase supply of affordable housing in high opportunity areas</li> <li>• Density and Location</li> <li>• Increase supply of housing to alleviate shortage and allow out of region commuters to live in the region</li> </ul>
Technology	<ul style="list-style-type: none"> <li>• CAV (via speed smoothing and other proxies in VisionEval)</li> <li>• Drone and robot delivery</li> <li>• Shared Mobility</li> <li>• Remote Working</li> </ul>
Socioeconomic	<ul style="list-style-type: none"> <li>• Aging in Place</li> <li>• Future population skews younger</li> <li>• +/- Errors in 2050 population forecast</li> </ul>

Environmental	<ul style="list-style-type: none"> <li>• Electric Vehicle market penetration for various vehicle types</li> <li>• Resilience, climate change and impacts to vulnerable assets and roadways</li> </ul>
Equity	<ul style="list-style-type: none"> <li>• How far can we get in improving transportation options and access to opportunity for populations living in equity emphasis areas? This would involve a combination of several variables above, including transit and active transportation investments, impacts of fee structures on transportation costs, and access to affordable housing options.</li> </ul>
Economic	<ul style="list-style-type: none"> <li>• Strong or weak economic growth</li> </ul>

**Table 2. Draft Performance Indicators**

Category	Performance Indicator
Accessibility	<ul style="list-style-type: none"> <li>• Access to jobs</li> <li>• Access to non-work locations</li> <li>• Access to affordable housing in high opportunity areas</li> <li>• Travel times and number of destinations</li> </ul>
Mobility	<ul style="list-style-type: none"> <li>• Daily VMT per capita</li> <li>• Walk/Bike trips per capita</li> <li>• Transit and Active Transportation mode shares</li> <li>• Non-SOV mode share</li> <li>• Congestion measures</li> </ul>
Safety	<ul style="list-style-type: none"> <li>• Crash rates</li> <li>• Injuries and Fatalities</li> <li>• Non-motorist safety</li> </ul>
Environmental	<ul style="list-style-type: none"> <li>• GHG emissions per capita</li> <li>• Household, Commercial, and Transit Vehicle GHG emissions</li> <li>• Fuel efficiency of vehicle fleet</li> <li>• Per Capita fuel consumption</li> <li>• Climate resilience and/or exposure to anticipated climate change impacts</li> </ul>



Economic Prosperity	<ul style="list-style-type: none"> <li>• Transportation costs</li> <li>• Transportation + Housing costs</li> <li>• Economic activity and local/state tax revenue</li> <li>• Impacts on social costs such as the costs of abating pollution, security and safety costs, and noise</li> </ul>
Equity	<ul style="list-style-type: none"> <li>• Impacts of scenarios on Equity Emphasis Areas vs non-Equity Emphasis Areas for the performance indicators above</li> </ul>

Most of the variables of interest in Table 1 can be analyzed via quantitative modeling, though others will be more qualitative in nature (CAV; drone and robot delivery) due to their complexity. Similarly, some of the performance indicators will be model outputs while other indicators will need to be assessed qualitatively. The Consultant will meet with BMC prior to initiation of Task 2 to refine this list and identify quantitative vs qualitative scenarios and performance indicators.

After this meeting, the Consultant will conduct a national best practices review of scenario planning exercises at 5 -7 MPOs or similar organizations. The review should identify agencies that analyzed similar categories and policies, including identification of innovative approaches for each variable of interest in Table 1, recommendations for translating variables of interest into scenarios, and identification of model parameters (for example, what types and levels of auto operating fees should the modeling account for?). The review should specifically seek MPOs where scenario planning exercises led to tangible policy results and improvements. These improvements could be to regional transportation planning activities, such as the LRTP and/or other related changes, such as land use. The task should involve a desktop review and interviews with key staff as necessary.

After completion of the national best practices review, the Consultant will complete a summary report with the following components:

1. Scenario Development: Translate the variables of interest into a final list of fully defined scenarios and model parameters specific to VisionEval and InSITE, along with any recommendations for additional scenarios not previously discussed. Scenario development recommendations should account for the Metropolitan Planning Regulations regarding scenario planning for MPOs.
2. Performance Indicators: Recommend updated or new performance indicators

3. Equity Emphasis Areas: Identify what scenarios and indicators can be analyzed within equity emphasis areas. Some impacts on equity emphasis areas may have to be qualitative in nature.
4. Recommendations for making this scenario planning exercise as effective as possible. BMC is interested in learning about what worked, what hasn't worked, and using that knowledge to inform this scenario planning exercise given the resources available. For example:
  - How did other MPOs use the results of their scenario analysis?
  - Did the scenario planning exercise lead to policy changes at the local, regional or state level?
  - Did the scenario planning exercise lead to changes to LRTP goals and strategies, project prioritization, or selected projects?
  - Did the scenario planning exercise incorporate impacts to equity emphasis areas/populations and/or effect policies related to equity? If so, how did the analysis influence equity-related policies and practices at the MPO?
  - What are the ideal groups of stakeholders to include in scenario workshops?

**Task 2 Deliverables:**

- Meet with BMC to refine the list of variables of interest and performance indicators and to identify qualitative and quantitative components. Note that updated versions of Tables 1 and 2 will be provided to the consultant.
- Conduct best practices review of scenario planning exercises conducted by 5-7 other MPOs or similar agencies.
- Summary report of best practices and recommendations to include items discussed above:
  - Final list of scenarios, translating variables of interest into scenarios along with suggested model parameters for VisionEval and InSITE
  - Final list of performance indicators
  - Identification of what scenarios and indicators can be analyzed in equity emphasis areas

- Recommendations for making the scenario planning exercise impactful in terms of impacts on policy, impacts on planning products such as the LRTP, and influence on equity-related policies and practices

**Task 3: Public Input on Scenarios and Performance Indicators**

The Consultant will develop engaging materials to introduce the scenario planning exercise, the proposed scenarios, and gather input on scenarios via a brief survey. These materials should emphasize visuals and graphics and use plain language. The survey will be web-based and will be used to gather input from the public and other stakeholders, including anticipated workshop participants, on the selected scenarios and performance indicators. BMC will distribute the survey to interested parties via our existing engagement hub on PublicInput.com.

**Task 3 Deliverables**

- Digital materials to be used to introduce the scenario planning exercise, the scenarios, and a short survey to gather input on scenarios and performance indicators.
- One set of 5-7 social media graphics to be used to advertise the survey.
- Refine the final list of scenarios and indicators based on survey results.
- Presentation of national best practices review and final list of scenarios and performance indicators at one Technical Committee meeting.

**Task 4: Scenario Analysis**

This task involves applying the identified methods to assess the potential impacts of each scenario on the selected indicators in the Baltimore region.

BMC anticipates conducting the quantitative model runs based on the specific scenarios formulated by the consultant in Tasks 2 and 3. BMC anticipates using a combination of VisionEval and the BMC activity-based travel demand model. As mentioned previously, VisionEval can be used to combine the chosen variables in hundreds of ways to calculate a distribution of impacts for each performance indicator. This analysis, in turn, can identify promising investments, policies and technologies meriting more in depth analysis with the travel demand model. BMC will conduct an initial round of model runs with VisionEval and provide outputs to the Consultant. The Consultant will evaluate results from the VisionEval modeling and will recommend

model parameters for a limited number of scenarios to be run with the BMC travel demand model.

Once the model runs are complete with VisionEval and the BMC travel demand model, BMC will provide all data files and outputs from the analysis to the Consultant. While BMC staff anticipates running the quantitative scenario analysis, the Consultant is encouraged to suggest additional tools that would improve the analysis, based on their expertise and the project budget.

The Consultant will need to have the technical expertise to quickly understand and interpret the quantitative results from VisionEval and the travel demand model. The primary consultant task will be to translate quantitative results into compelling scenario narratives, graphics and visualizations communicating impacts on the selected performance indicators. This could include an interactive dashboard (Tableau preferred), maps, and other graphics for use online and in scenario workshops. The visualizations should help planners and decision-makers to explore the outcomes of each scenario compared to the others, so they can visualize and discuss the relative impact and cross-influences, as well as the unintended consequences, of factors represented across the scenarios. Visualizations should also be used to help scenario workshop participants to expand on the quantitative analysis by discussing potential impacts on qualitative indicators not captured in the model outputs, such as implications for safety.

Visualizations should communicate this complex information to tell an easily understood story of the quantitative analysis. The Consultant is invited to suggest additional analytical methods within their technical expertise that they believe will improve the interpretation of results.

#### **Task 4 Deliverables**

- Evaluate initial round of VisionEval outputs, using these outputs to develop a limited number of scenarios for BMC to run using the activity-based travel demand model.
- Evaluate scenario modeling results and use to create compelling static and interactive visualizations communicating the quantitative results of the scenario analysis, allowing for revisions. Visualizations should tell the story of the quantitative analysis and be easily understood by non-transportation audiences.

**Task 5: In-Person Scenario Workshops**

The Consultant will prepare materials for and lead three in-person scenario workshops incorporating discussion of the quantitative scenarios, qualitative scenarios, and potential impacts on the selected performance indicators. Participants in the three scenario workshops are anticipated to include (1) BRTB and subcommittee members, (2) local and state planning and housing agency staff, and (3) members of the non-profit and business community. The Consultant should prepare an invitation introducing the scenario planning workshops and what is expected of participants, along with recommendations for stakeholders to include. BMC will send scenario workshop invitations. Participants should evaluate items such as:

- Strategies and policies related to all scenario categories (transportation investments, policy decisions, land use and housing, technology, equity, etc) that appear to work well across all or most scenarios in terms of selected performance indicators.
- The tradeoffs associated with scenarios, considering their potential benefits and drawbacks for everyone and for equity emphasis areas.
- Potential associated improvements to the regional planning process, including scenario-related policies and programs that could be incorporated into the LRTP.

The consultant will provide all workshop materials to BMC should BMC choose to lead additional scenario planning workshops in the future.

**Task 5 Deliverables:**

- Prepare all materials for executing scenario workshops (invitation for workshop participants, materials to be used in the workshops)
- Plan and execute three in-person scenario workshops assessing the potential impacts of scenarios and identifying strategies, policies, and tradeoffs associated with scenarios.
- Notes summarizing results from scenario workshops.

**Task 6: Refine Scenarios and Run Additional Analysis**

This task allows time for additional analysis based on feedback received during the scenario workshops. The Consultant will work with BMC to identify a limited number of

additional scenarios to run. BMC will run the selected scenarios and will provide all results to the Consultant, allowing sufficient time for analysis and integration into the final report.

**Task 6 Deliverables:**

- Identify a limited number of additional scenarios to run, in coordination with BMC, based on workshop feedback.
- Analyze and interpret results in preparation for final report

**Task 7: Final Report and Presentation of Scenario Planning Results**

This task involves synthesizing and summarizing information from the quantitative analysis and the scenario workshops into a visually appealing final report and presentation. The report should summarize the scenario planning process and methodology, but will focus on results from the scenario analysis. In particular, the report should summarize impacts on selected performance indicators and identify strategies or policy options that yield good results (in terms of chosen indicators) across scenarios, tradeoffs across scenarios, and anticipated impacts on equity emphasis areas. Policies and recommendations may well extend beyond the BRTB, such as informing local land use and housing development policies and decisions.

The final report should also identify potential scenario-related next steps for the 2027 LRTP, including but not limited to updates to the [goals and strategies](#) from Resilience 2050, updates to the Resilience 2050 [project scoring methodology](#), innovative policies and programs that could be incorporated into the preferred alternative, and scenarios (or individual variables) that should be studied further.

**Task 7 Deliverables:**

- Final report including elements detailed above. The report will be included as an appendix to the 2027 LRTP and should be provided in InDesign, Word, and PDF formats.
- Presentation of final report to BRTB

# Proposal Content and Requirements

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

## Technical Proposal

The Technical Qualifications shall contain the following:

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

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

- *DBE Participation* – The offeror shall present the program for assuring the maximum opportunity for participation by 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 invoice submission schedule is anticipated to be monthly. The contract type is anticipated as fixed price with partial payments paid based on task completion.
- **Affidavits and Certifications** – An original signed copy of the Proposal Affidavit attached at the end of this RFP shall be included in the Cost Proposal.

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



# Submission of Proposals

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

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

Please direct any questions to Regina Aris at [raris@baltometro.org](mailto:raris@baltometro.org) no later than July 15, 2024. All questions will be collected and answers will be posted to BMC's website by July 19, 2024. Questions arriving after July 15, 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	June 17, 2024
Proposal Questions Due	July 15, 2024
Answers to Questions Posted	July 19, 2024
Proposals Due	August 2, 2024, 2:00 P.M.
Consultant Selection	August 2024
Start of Work	September 2024
Completion of Work	May 2025

# Consultant Selection Criteria

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

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

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

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

# “Sample” Form Contract

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

[https://baltometro.org/sites/default/files/bmc\\_documents/RFP/sample-rfp-contract\\_fy2022.pdf](https://baltometro.org/sites/default/files/bmc_documents/RFP/sample-rfp-contract_fy2022.pdf)

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

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

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

# Confidentiality

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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

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

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

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

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

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

# Mandatory Statements

## Public Information Act Notice

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

## Disadvantaged Business Enterprise Notice

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

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

## Disadvantaged Business Enterprise Subcontract Participation Goal

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

It is the goal of BMC that certified businesses participate in all competitively bid federal-aid contracts. A DBE subcontract participation **goal of 26.2 percent** of the total contract amount has been established for this procurement. Prime contractors holding a DBE certification will be awarded full (100 percent) credit for the DBE goal. Offerors must make a good faith effort to meet this goal in order to receive appropriate consideration. The offeror can demonstrate that it has made a good faith effort by meeting the goal or by documenting good faith efforts to do so in its proposal. Determination of good faith

efforts will be made at the discretion of appropriate BMC staff. All offers submitted in response to this RFP must include a statement specifying the Maryland Department of Transportation (MDOT) has certified the DBE or DBEs utilized to meet this requirement. If the DBE has not been certified by MDOT but has been certified by other state transportation agencies receiving federal funding, the name of the agency should be included in the proposal. BMC reserves the option to accept this certification in lieu of MDOT certification.

# Proposal Affidavit

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

(1) I am the (title) \_\_\_\_\_ and the duly authorized representative of (offeror) \_\_\_\_\_ and that I possess the legal authority to make this Affidavit on behalf of myself and the offeror for which I am acting.

(2) Except as described in paragraph 3 below, neither I, nor to the best of my knowledge, information, and belief, the above offeror, nor any of its officers, directors, or partners, nor any of its employees directly involved in obtaining contracts with the State or any county, bi-county, multicounty agency or subdivision of the State has been convicted of, or has pleaded nolo contendere to a charge of, or has during the course of an official investigation or other proceeding, admitted in writing or under oath acts or omissions committed after July 1, 1977, which constitute bribery, attempted bribery, or conspiracy to bribe under the provisions of Article 27 of the Annotated Code of Maryland or under the laws of any state or federal government.

(3) State "none" or, as appropriate, list any conviction, plea or admission described in paragraph 2 above, with the date; court official, or administrative body; and the sentence or disposition, if any: \_\_\_\_\_.

(4) **I ACKNOWLEDGE THAT** this Affidavit is to be furnished to the Procurement Officer, and may be furnished to the Attorney General pursuant to Sections 16-201, et seq., of the State Finance and Procurement Article of the Annotated Code of Maryland. I acknowledge that if the representations set forth in this Affidavit are not true and correct, the Council may terminate any contract awarded and take any other appropriate action.

**B. (NON-COLLUSION AFFIRMATION). I HEREBY FURTHER AFFIRM THAT** neither I nor, to the best of my knowledge, information and belief, the above firm nor any of its other representatives I here represent have:

(1) Agreed, conspired, connived or colluded to produce a deceptive show of competition in the compilation of the bid or offer being submitted herewith;

(2) In any manner, directly, or indirectly, entered into any agreement, participated in any collusion to fix the bid price or price proposal of the offeror herein or any competitor, or



otherwise taken any action in restraint of free competitive bidding in connection with the contract for which the within bid or offer is submitted.

**C. (PROCUREMENT AFFIRMATION). I HEREBY FURTHER AFFIRM THAT**

(1) Neither the above business nor, to the best of my knowledge, information, and belief, any officer, controlling stockholders, partner, principal, or other person substantially involved in the contracting activities of the business has in the past five (5) years: (a) been convicted under state or federal statute of a criminal offense incident to obtaining or attempting to obtain or performing a public or private contract, fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property; (b) been found civilly liable under state or federal antitrust statutes for acts or omissions in connection with the submission of bids or proposals for a public or private contract; (c) been convicted of any violation of a state or federal antitrust statute; (d) been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organizations Act, 18 USC Section 1961 et seq.; or (e) the Mail Fraud Act, 18 USC Section 1341 et seq., for acts arising out of the submissions that would constitute grounds for conviction or liability under any statute described above. Also, the undersigned offeror was not founded or established or is not operated in a manner designed to evade the application or defeat the purpose of the Debarment Regulations, COMAR 21.08; is not currently suspended or debarred pursuant to COMAR 21.08 or by the action of any other public entity; and is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business.

(2) (a) If the affirmation described in subsection (1) cannot be given and debarment proceedings have not been instituted against the business pursuant to COMAR 21.08, indicate the reasons why the affirmation cannot be given, including any conviction or admission described in subsection (1), above, with the date, court and sentence or disposition, if any; the name(s) of the person(s) involved, and their current positions and responsibilities with the business; the activity specified in COMAR 21.08 in which each person was involved; and the details of the person's participation in the activity, including the name(s) of an entity involved and the person's positions and responsibilities with the entity. (Attach additional sheets as necessary.)

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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)

