



# Request for Proposals

PROJECT #26T06

## COMPREHENSIVE FREIGHT STUDY

ISSUE DATE

**August 30, 2025**

DUE DATE

**September 17, 2025, 2 P.M.**

**Submit Questions and Proposals (by email only) to:**

Keith Kucharek: [kkucharek@baltometro.org](mailto:kkucharek@baltometro.org)

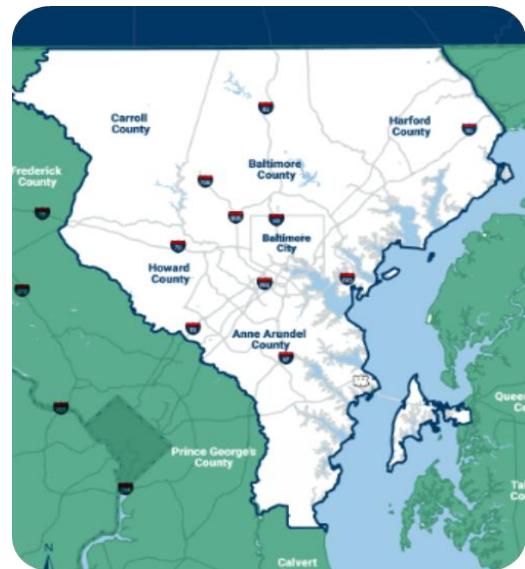
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# Introduction

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, 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

Nearly every aspect of our lives is dependent on the efficient movement of freight, whether by truck, rail, ship, air, or pipeline. In the U.S., over seventy two percent of freight weight is moved by trucks. Without trucks, key services would begin to shut down within 24 hours. Hospitals would not receive needed supplies, grocery stores would not receive food and beverages, and gas stations would begin to run dry.

The Baltimore region is the hub of goods movement in Maryland. Each year, more than 307 million tons of freight valued at nearly \$1 trillion is moved over Baltimore's highway system, two Class 1 railroads, three regional railroads and several short line railroads, through the Port of Baltimore and BWI Airport.

The Baltimore Metropolitan Council (BMC) is soliciting proposals from qualified firm(s) to develop a comprehensive freight study for the Baltimore region. This freight study is intended to: 1) develop a comprehensive assessment of truck parking solutions, 2) document MPO Freight Committee best practices, 3) assess regional impacts from the upcoming completion of two large infrastructure improvements: adding double-stack capability to the Howard Street Tunnel and development of the Sparrows Point Container Terminal, and 4) recommend components and management of a "Baltimore Freight Finder" tool.

# Scope of Work

The proposed Scope of Services 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 staff

to determine the effectiveness of the proposal and should spell out how this work can be performed in a cost-efficient and timely manner.

Any work the Consultant does utilizing computer aided drafting and design (CADD) shall meet the requirements of the [MDOT SHA CADD Standards](#).

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

All data collected should be provided to BMC in its native format when possible, including shapefiles/geodatabases, digital photographs, and/or spreadsheets.

The proposed Scope of Work performed by the consultant shall address the following tasks.

## **Task 1 – Project Management**

The task will be managed by BMC staff and will include a decision-making Steering Committee consisting of key stakeholders including, but not limited to: Maryland Department of Transportation, Maryland Motor Truck Association, and local jurisdictions.

The Consultant shall coordinate with the BMC project manager to schedule and facilitate a kickoff meeting with the Steering Committee that is organized by BMC staff, to launch a work program for the project and clarify roles, project schedule, scope of work, deliverables and project approach.

The Consultant shall communicate progress of the work regularly with the BMC Project Manager, prepare and submit monthly invoicing in the first week of each month following the invoice period, coordinate reviews with the project Steering Committee, and present updates to the Steering Committee at key milestones. The consultant shall prepare a presentation to the BRTB Freight Movement Task Force upon completion of the project.

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; prepare and submit monthly invoicing in the first week of each month following the invoice period; and coordinate with the Steering Committee at key milestones.

**Deliverables:**

- Preparation and maintenance of project schedule
- Facilitation of a kickoff meeting and three (3) subsequent Steering Committee meetings
- Bi-weekly virtual status meetings between BMC Project Manager and Consultant Project Manager (and key team members as needed)
- One presentation to Freight Movement Task Force
- Monthly invoices
- Meeting minutes

**Task 2 –Truck Parking**

The consultant will utilize the 2020 Maryland Statewide Truck Parking Study and collaborate with state and local jurisdictions to identify and document potential overnight truck parking solutions in the Baltimore region. Solutions could include, but are not limited to, expansion of existing truck parking facilities, use of large parking facilities such as stadiums or mall parking lots, development of new facilities on state owned property, and pay to park solutions.

**Deliverables:**

- Tech Memorandum #1 (Draft and final with one round of comments) to include:
  - Detailed schematics and preliminary/planning level cost estimates for expansion of three (3) existing truck parking facilities (welcome centers, weigh stations). Should include analysis of Right-of-Way needs, preliminary potential Storm Water Management and environmental impacts.
  - Detailed schematics and preliminary/planning level cost estimates for three (3) new facilities at locations with sufficient state/local Right-of-Way.
  - Innovative solutions such as roadside facilities (ex: truck turnouts) along major freight corridors. Solutions should include a detailed list of pros and cons of each solution.

## **Task 3 – MPO Freight Committees Best Practices**

This task will develop a set of interview questions, in cooperation with the Steering Committee, to be used in up to ten (10) interviews with MPO Freight Committees from peer regions such as the San Diego Association of Governments, Denver Regional Council of Governments, Miami-Dade MPO, Hampton Roads Transportation Planning Organization, Boston Region MPO and other similar size MPOs around the country. The purpose of this task is to develop a comprehensive set of best freight practices meeting federal requirements from around the country with regards to freight transportation. Topics could include but are not limited to:

- Truck parking
- Mode shifts
- Curb utilization
- Challenges facing the freight industry
- State freight plans
- Performance measures and how they are being used
- Freight resiliency
- Freight funding
- Emerging technologies
- Opportunities to improve sustainability (environmentally friendly freight transport)

### **Deliverables:**

- Draft and final interview questions (One round of comments)
- Technical Memorandum (Draft and final with one round of comments) detailing best freight practices for MPOs with similar size to the Baltimore region.

## Task 4 – Regional Impacts from the Howard Street Tunnel and the proposed Sparrows Point Container Terminal

Consultant shall collaborate with the Maryland Port Administration and TradePoint Atlantic to develop an analysis of the impacts as a result of completion of two major activities.

First, the Howard Street Tunnel will improve clearance in Baltimore City and 22 other locations where obstructions exist along the CSX Transportation (CSX) I-95 rail corridor between Baltimore and Philadelphia. The project will remove all obstructions that restrict passage of modern double-stack intermodal trains along the corridor and is anticipated to be complete by the end of 2025.

Second, the development of the Sparrows Point Container Terminal (SPCT) on the site of TradePoint Atlantic. TradePoint Atlantic (TPA) replaced the former Bethlehem Steel operation and is a 3300-acre global logistics center, featuring a combination of access to deepwater berths, rails, and highways.

Proposed is a new \$1 billion container terminal at [TradePoint Atlantic](#) to be open in 2028, creating thousands of jobs. Development of the 165-acre terminal with an on-dock rail facility is expected to create much-needed additional container-handling capacity in Baltimore and give the port a substantial competitive advantage along the East Coast.

TPA is building the proposed [Sparrows Point Container Terminal](#) in Coke Point in partnership with a subsidiary of shipping giant Mediterranean Shipping Co. (MSC), one of the world's largest operators of containerships and the Port of Baltimore's largest shipping line.

While some amount of cargo, particularly containers, will take advantage of new double-stack capabilities, the SPCT is likely to have a major impact on the regional transportation network. The BRTB is seeking a high level analysis of the impact to the roadway network surrounding TradePoint Atlantic.

Consultant should investigate the impacts to the road network (both truck and motor vehicle) surrounding the SPCT as well as the impacts to the roadway network resulting from the double-stack capabilities through the Howard Street Tunnel.



**Deliverables:**

- Technical Memorandum (Draft and final with one round of comments) of the traffic impacts to roadways (SPCT - the network should consider Sparrows Point Blvd, North Point Blvd, I-695 and I-95 North) as well as the impact of dray trucks on local traffic resulting from the completion of the Howard Street Tunnel and the expansion of the SPCT. Analysis should include, but is not limited to:
  - Increase/decrease in truck traffic along major freight routes in the Baltimore region with impacts to travel time, speed, site access, roadway capacity, and safety
  - Increase in auto traffic associated to accessing the TradePoint peninsula
  - Potential impacts to neighboring communities, including to traffic and air quality impacts
  - Recommended improvements to regional infrastructure such as truck lanes, EV charging hubs, truck parking, geometric improvements

## **Task 5 – Analysis of a Regional Freight Locator Tool**

Consultant shall prepare a detailed analysis on the development of a Regional Freight Locator similar to the [Philly Freight Finder](#). The proposed Baltimore Freight Finder (BFF) is to be an online, interactive platform for sharing freight network data to enhance the understanding of performance and value of freight in the regional economy. Our purpose is to expand reach of freight planning efforts, improve visibility and availability of freight data, educate regional planners, economic development specialists, and the public, as well as develop better data sharing with public- and private-sectors. We intend the BFF to support local and state planners searching for knowledge of freight planning capacity, to engage new partners (public and private), to be a centralized and accessible data resource for region, as well as to serve as a foundation for additional performance measure tracking.

This task should provide, but is not limited to, analyzing what key data sets would be necessary, what is the availability of internal, private and public data. Determine what data is available at no cost, what data requires a fee, options for housing the data, timing for data updates, in which application should the locator tool be created. We need a frank assessment of time/cost of processing with our limited staff.

Consultant should develop a chronological sequencing starting with basic needs and a follow-up discussion to determine if additional data should be built into the tool based on user needs. The target audience for the Freight Locator Tool includes, but is not limited to, local jurisdictions, freight developers, truck drivers, other MPO's, etc.

During the scoping process for the BFF, should an ArcGIS Online App or other spatial data be included, please adhere to the following guidelines:

**For projects including an ArcGIS Online App:** The consultant will transfer all ArcGIS Online apps, and any associated web maps and images to BMC using one of two methods, which can be determined at project kickoff. ArcGIS Online apps, and any associated web maps should be transferred to the BMC organizational ArcGIS Online account at project completion using the third-party ArcGIS Assistant in coordination with BMC GIS staff. ArcGIS Online apps, and any associated web maps should be created with a guest account within the BMC ArcGIS Online organization.

The consultant will deliver a copy of all spatial data used in any web maps or static maps as an ArcGIS Pro project package including a file geodatabase.

**For projects with any spatial data or mapping, but no online components:** The consultant will deliver a file geodatabase containing all spatial data from the project as well as an ArcGIS Pro project package for any maps created.

Note on data availability: Consultant should not assume the availability of any data other than what is publicly available from federal, state, and local governments or hosted on our BMC Regional GIS Data Center site (<https://gisdata.baltometro.org/>). The proposal should include a list of any other datasets required or suggested for analysis, along with pricing information for commercial datasets.

**Deliverables:**

- A detailed analysis (Draft and final with one round of comments) of basic needs to develop a regional freight locator tool for the possibility of developing a "Baltimore Freight Finder".

Upon delivery of the closeout materials, the consultant will coordinate a final project debriefing meeting (virtual). The debriefing will review the goals/purpose of the project and discuss if the RFP as well as consultant scope and management structure met the original purpose and any unforeseen challenges that could have been foreseen with a purpose of improving future project scoping.

# 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)
- *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)
- *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. (14 pages maximum)
- *Project Management* – Designation of a project manager and the responsibilities of the manager and key staff. Resumes of the project manager and key staff from

any firm involved, should be included in this section. Note that the resulting contract will require commitment of the specified personnel. (9 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 on a monthly basis.
- **Affidavits and Certifications** – An electronic signature is acceptable on the Proposal Affidavit attached at the end of this RFP and shall be included in the Cost Proposal.
- Additionally, if there are any proposed exceptions to the “sample” form contract, these should be noted here.

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 [kkucharek@baltometro.org](mailto:kkucharek@baltometro.org).

The proposal must be received by BMC no later than **2:00 PM on September 17, 2025**. 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 Keith Kucharek at [kkucharek@baltometro.org](mailto:kkucharek@baltometro.org) no later than September 3. All questions will be collected and answers will be posted to BMC's website by September 5. Questions arriving after Wednesday, September 3 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	August 6, 2025
Proposal Questions Due	September 3, 2025, 2 P.M.
Answers to Questions Posted	September 5, 2025
Proposals Due	September 17, 2025, 2 P.M.
Consultant Selection	Early October
Start of Work	Late October
Completion of Work	June 30, 2026

# 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	30 pts

	Approach; Clarity of Deliverables	
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 2024 UPWP budgeted \$240,000 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. Any proposed exceptions or alternations should be noted at the end of the Cost 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 28.4 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.)

(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.**

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(Date)

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(Affidavit)

