



REQUEST FOR PROPOSALS

Project
FINANCIAL AUDITING SERVICES

Due Date:
April 28, 2011

Submit Proposals to:

Baltimore Metropolitan Council
ATTN: **Larry Klimovitz**
The Offices @ McHenry Row
1500 Whetstone Way, Suite 300
Baltimore, MD 21230

Contact for More Information:

Larry Klimovitz
E-mail: lklimovitz@baltometro.org

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I. INTRODUCTION

The Baltimore Metropolitan Council (BMC) is a coalition of the region's elected executive officials. The BMC Board is composed of the Mayor of Baltimore, the executives of Anne Arundel, Baltimore, Harford and Howard counties, and a member of the Carroll County Board of Commissioners. BMC employs a forty person staff largely consisting of planners who work on transportation, demographics, air and water quality, and economic forecasting. BMC serves as the host agency for the Baltimore Regional Transportation Board (BRTB), our region's federally recognized Metropolitan Planning Organization (MPO).

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

For more information, please visit our website at www.baltometro.org.



II. PURPOSE

This is a multi-year procurement of services. BMC seeks an accounting and/or auditing firm to perform a comprehensive audit of financial statements, a Single Audit and certified fringe and indirect rate calculation for the fiscal years ending June 30, 2011, 2012, and 2013. The audit for the first fiscal year (FY2011) is to be completed and certified prior by October 1, 2011 and presented at a meeting of the BMC Board of Directors tentatively scheduled for November 14, 2011.

III. SCOPE OF WORK

Each of the audits shall include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. Each of the audits will be presented by the auditor to the BMC Board of Directors. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as

evaluating the overall financial statement presentation. The audits must be conducted in accordance with:

- OMB Circular A-133, Compliance Supplement
- Generally accepted auditing standards as contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America.
- Any other auditing standards applying to BMC in its role as both a non-profit Council of Governments and host to a federally designated Metropolitan Planning Organization.

IV. PROPOSAL CONTENT

The proposal should consist of two separate parts: (1) a Technical Proposal; and, (2) 1 Cost Proposal (in a sealed envelope). They shall meet, at a minimum, the following requirements.

Technical Proposal

The Technical Qualifications should contain the following:

- *Cover Letter* – signed by an executive with authority to commit the proposing firm and stating the period for which the proposal is valid.
- *Management Summary* – Brief History
- *Audit Approach* – How the Auditor will plan, conduct, and report on the audit; expected levels of materiality by fund; expected levels of materiality for the A-133 audit; coordination with management; and detail proposed interim work.
- *Qualifications and Experience of Auditors* – How the individual Auditors, who will be assigned to the BMC audit are qualified by training and experience, to perform the audit. How the quality of staff over the term of the agreement will be assured.
- *Qualifications and Experience of Firm* – How the firm is qualified to perform the audit, including experience auditing other entities subject to OMB Circular A-133.
- *Accessibility* – The degree of accessibility that the Auditor will be able to provide to BMC staff who will be administering the contract.
- *Resumes* – Resumes of partner or employees expected to supervise BMC's audit. Specifics such as professional certifications, college degrees, type and levels of experience in auditing entities subject to OMB Circular A-133, and relevant training courses should be clearly shown.

Cost Proposal

The Cost Proposal should be composed of two parts: Project Budget and Affidavits and Certifications.

1. *Project Budget*. When submitting your cost proposal, please address the items below:
 - Provide your 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 the overall audit.
 - 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.

2. *Affidavits and Certifications* – An original signed copy of Proposal Affidavit attached at the end of this RFP shall be included in the Cost Proposal.

Proposals not meeting the above requirements will be rejected.

V. SUBMISSION OF QUALIFICATIONS

All respondents shall submit **3 copies** of their proposal to:

Baltimore Metropolitan Council
Attn: Larry Klimovitz
The Offices @ McHenry Row
1500 Whetstone Way
Baltimore, Maryland 21230

The proposal must be received by BMC no later than 2:00 p.m. Eastern Daylight Time on April 28, 2011. Allow adequate time for mail or other carrier delivery. Proposals arriving after the deadline will not be accepted. Please direct any questions to Larry Klimovitz by fax (410) 732-8248 or e-mail: lklimovitz@baltometro.org.

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

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

VI. TENTATIVE SCHEDULE

RFP Issued:	April 1, 2011
Proposals Due:	April 28, 2011 at 2:00 p.m.
Consultant Selection:	May 13, 2011
Start of Work:	August 2011
Completion of Work:	September 23, 2011

VII. CONSULTANT SELECTION CRITERIA

All proposals will be evaluated on the basis of technical merit and proposed cost. This is not a low-bid procurement. BMC staff will conduct the evaluation of proposals. Technical merit includes work program and approach, as well as staff experience and qualifications. Teaming is permissible but the contract will be with a single prime contractor.

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

VIII. MANDATORY STATEMENTS

Public Information Act Notice

Respondents 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 the 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.

Disadvantaged Business Enterprise Subcontract Participation Goal

The Baltimore Metropolitan Council hereby notifies all respondents 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 the BMC that certified businesses participate in all federal-aid contracts. A DBE subcontract participation goal of twenty four point five (24.5) percent of the total contract amount has been established for this procurement. Proposers must make a good faith effort to meet this goal. 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. The BMC reserves the option to accept this certification in lieu of MDOT certification.

Required Terms and Conditions

The following terms and conditions are required in contracts executed by the BMC. A copy of BMC's standard consultant contract is available upon request.

- Parties to the Contract
- Scope of the Contract
- Compensation and Method of Payment
- Payment Schedule
- Non-Hiring of Employees
- Disputes
- Maryland Law To Control
- Non-Discrimination in Employment
- Multi-Year Contracts Contingent Upon Appropriations
- Termination for Default
- Termination for Convenience
- Delays and Extensions of Time
- Suspension of Work
- Retention of Records
- Compliance with Laws
- Truth in Negotiation Certification
- Contract Affidavit
- Insurance Coverage
- Confidential Information
- Contractor Publication Rights
- Severability Clause
- Conflict of Interest
- Indemnification
- Consequential Damages

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

(1) I am the (title) _____ and the duly authorized representative of (vendor) _____ and that I possess the legal authority to make this Affidavit on behalf of myself and the vendor 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 vendor, 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 bidder or respondent 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 vendor was not founded or established or is not operated in a manner designed to evade the application or defeat the purpose of the Debarment Regulations, COMAR 21.08; is not currently suspended or debarred pursuant to COMAR 21.08 or by the action of any other public entity; and is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business.

(2)

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

(b) If the affirmation described in subsection (1) cannot be given, and debarment proceedings have been instituted against the business pursuant to COMAR 21.08, indicate the status of such proceedings.

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the Procurement Officer and may be distributed to units of: (1) the State of Maryland; (2) counties or other subdivisions of the State of Maryland; (3) other states; and (4) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the State of Maryland, both criminal and civil, and that nothing in this Affidavit or any contract resulting from the submission of this bid or proposal shall be construed to supersede, amend, modify or waive, on behalf of the State of Maryland or any unit of the State of Maryland having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of Maryland in respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above firm in respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

(Date)

(Affidavit)