



REQUEST FOR QUALIFICATIONS

Project

Port of Baltimore Rail Analysis Study

Due Date:

February 4, 2011

Submit Qualifications to:

Baltimore Metropolitan Council
ATTN: Bala Akundi
Offices @ McHenry Row
1500 Whetstone Way - Suite 300
Baltimore, MD 21230

Contact for More Information:

Bala Akundi
E-mail: bakundi@baltometro.org

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I. INTRODUCTION

The 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, and Howard County, the City of Annapolis, plus the Maryland Department of Transportation, the Maryland Department of the Environment, and the Maryland Department of Planning.

The Baltimore Metropolitan Council (BMC) staff provides technical support to the Baltimore Regional Transportation Board (BRTB). 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. Our Board of Directors includes the Mayor of Baltimore City, the County Executives of Anne Arundel, Baltimore, Harford and Howard counties, and a Carroll County Commissioner.



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.

II. PURPOSE

To evaluate rail served properties in the Port of Baltimore (Port) area to understand land uses and capacity opportunities and to develop a generic database, potentially usable by all stakeholders, describing real estate properties that currently serve, or can potentially serve, Class One, shortline and switching freight railroads.

BACKGROUND

The Port and surrounding Baltimore metropolitan area's ability to absorb additional freight rail capacity is compromised due to a lack of concentrated information on the availability of rail-served real estate properties. The information needs to be accumulated from all sources, in detail and by geographic location, and combined into a usable product that multiple stakeholders can access to make real estate, land use, project development and policy decisions. Area stakeholders report a lack of freight rail capacity creating bottlenecks for rail movement to and from the Port area, and economic development entities report there are potential business opportunities from businesses seeking to relocate to the Baltimore and Port area and no rail-served properties to house them. There are a number of rail-served properties in the region, but inconsistent information on the use and condition

of the rail complicates opportunities to utilize it. Port area stakeholders estimate there may be property owners in the Port area who are not using rail access leading to questions about land use decisions.

Data will assist the stakeholders in understanding where the freight rail land uses are and where new capacity could be developed. Additionally, capital costs to repair or upgrade rail sidings should be identified for each current location, and costs to add new capacity should be estimated. Finally, a database containing the information should be created for use by potential stakeholders including the Baltimore Metropolitan Council, Port of Baltimore and Maryland Port Administration, City of Baltimore, Maryland Department of Economic Development and Maryland Department of Transportation. The consolidated information will be a source to assist policy makers with future state and local funding decisions regarding rail served properties, as well as to stakeholders on economic development opportunities for the Baltimore region.

Sources of information include the Maryland Department of Business and Economic Development (DBED) database, Maryland Port Administration (MPA), Baltimore Development Corporation (BDC), Baltimore City, Baltimore Metropolitan Council (BMC), Maryland Department of Transportation (MDOT), Canton Railroad Company and others.

III. SCOPE OF WORK

Task 1 – Identify Stakeholders

Identify the major stakeholders, determine what data is available and in what format. BMC/MDOT will provide a listing of known databases on all public and private rail-served properties and non-rail served facilities that may have potential for new service. A sample listing of properties from the Baltimore Development Corporation (BDC) and CSX is available for download from the BMC website.

Task 2 – Identify Geographic Boundary & Develop Matrix of Rail-Served Properties

Identify a geographic boundary/radius around the Port of Baltimore and develop a matrix of all significant rail-served properties. The information to be identified for each property include the size and type of facility (public or private), zoning, historical information, location within the Maritime Industrial Zoning Overlay District (MIZOD), provision of or access to rail, whether it is currently utilizing rail service, what railroad serves the facility (CSX, NS, Canton), is the facility open or closed to other railroad service via switch, number of railcar spots, unloading capability, and condition or quality of the rail (can it handle 286,000 lb railcars, in need of upgrading, etc.). Additionally, there may be non-rail served properties that should be identified as potential candidates for new rail capacity based on location to current rail line and market demand. These properties can be used by local planners to more efficiently locate rail facilities in the future and should also be analyzed in the matrix.

Task 3 – Generate an Opportunities Analysis Narrative

Generate an Opportunity Analysis and prepare a narrative to assess the potential to enhance freight rail opportunities not currently being captured by the local business market. This could be current business diverted from motor carrier or other modes and new business. The analysis should also estimate infrastructure improvements needed and related capital costs, potential changes in land use development to more efficiently accommodate the capturing of freight rail business, and possible changes of location by facility owners to better utilize rail service. It should also discuss the efficiencies of freight rail transportation within the city and how certain locations may be better suited for rail than others (minimizing the number of at-grade crossings and traffic flow).

Task 4 – Develop Electronic Database of Property Information

Develop an electronic database of the property information developed as part of this project. The eventual goal of this database would be that it could potentially be made available to stakeholders showing all available and potential rail served properties in the Baltimore metropolitan geography for land use, real estate, project development and policy decisions; however, this would have to be decided upon by the stakeholder team. Therefore, the format of the database should be something that could be easily transferred to a website and accessed in such a way that it would be easy to sort. The database will be an excellent tool for local and regional economic development departments, as well as commercial real estate offices. It would also be a resource to assist local land use planners in the development of properties for more effective future planning.

Consultant Qualifications

On behalf of the BRTB and the FMTF, BMC is seeking a full service planning/engineering firm with the ability to collect, analyze and develop a database as described above.

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.

- *Experience and Qualification* – Please list your qualifications with regard to the selection criteria identified in this RFQ. Your summary should contain: (a) the information on projects of similar nature that you or your firm has completed, including brief descriptions, dates, and names of contact persons. Please include links to relevant work if possible, and (b) the resumes of proposed project manager and key team personnel.
- *Project Management* – Designation of a project manager and the responsibilities of the manager. Note that the resulting contract will require commitment of the specified staff. An outline showing estimated hours by each staff member by task shall be provided.
- *DBE Participation* – The program for assuring the maximum opportunity for participation by Disadvantaged Business Enterprises (DBEs) in accord with BMC's goals shall be presented. See the section of MANDATORY STATEMENTS for statement of DBE participation goals.
- *Other Information* – Any other material that the proposer wishes to provide.

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 each task.
 - Direct costs shall be itemized by category (e.g., travel, per diem, printing and reproduction, etc.) for the entire project.
 - The contract type is anticipated as fixed price with partial payments paid based on task completion.
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 may be rejected.

V. SUBMISSION OF QUALIFICATIONS

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

Baltimore Metropolitan Council
Attn: Bala Akundi

Offices @ McHenry Row
1500 Whetstone Way - Suite 300
Baltimore, MD 21230

The proposal must be received by BMC no later than 2:00 p.m. Eastern Standard Time on Friday, February 4, 2011. Allow adequate time for mail or other carrier delivery. Proposals arriving after the deadline will not be accepted. Please direct any questions to Bala Akundi by fax (410) 732-8248 or e-mail: bakundi@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

RFQ Issued:	January 19, 2011
Proposals Due:	Friday, February 4, 2011, 2:00 p.m.
Consultant Selection:	February, 2011
Start of Work:	March, 2011
Completion of Work:	June 30, 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/MDOT 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 and a half (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.

- Parties to the Contract
- Scope of the Contract
- Compensation and Method of Payment
- Non-Hiring of Employees
- Disputes
- Maryland Law Prevails
- Non-Discrimination in Employment
- Contingent Fee Prohibition
- Multi-Year Contracts Contingent Upon Appropriations
- Termination for Default
- Termination for Convenience
- Delays and Extensions of Time
- Liquidated Damages
- Suspension of Work
- Retention of Records
- Compliance with Laws
- Truth in Negotiation Certification
- Contract Affidavit
- Insurance Coverage

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)