



**BALTIMORE
METROPOLITAN
COUNCIL**

REQUEST FOR PROPOSALS

Project T30FD

DEVELOPMENT REVIEW PRACTICES FOR CHANGING MOBILITY

Issue Date:

October 9, 2019

Due Date:

November 8, 2019

2:00 PM EST

Submit Qualifications to:

Baltimore Metropolitan Council

ATTN: Don Halligan

1500 Whetstone Way, Suite 300

Baltimore, MD 21230

Contact for More Information:

E-mail: dhalligan@baltometro.org

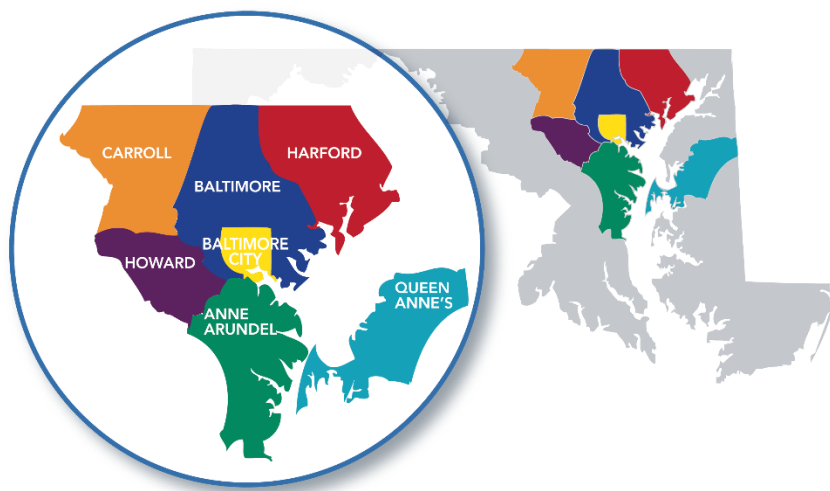
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I. INTRODUCTION

BMC is a private nonprofit organization committed to identifying regional interests and developing collaborative strategies through plans and programs, which will improve the quality of life and economic vitality throughout the region. BMC's Board of Directors includes the Mayor of Baltimore City, Executives of Anne Arundel, Baltimore, Harford and Howard counties, a Carroll County Commissioner, a Queen Anne's County Commissioner, a Delegate and Senator from the State of Maryland, and a gubernatorial appointee.

The Baltimore Regional Transportation Board (BRTB) is the designated Metropolitan Planning Organization (MPO) for the Baltimore region. The members consist of designated representatives from Baltimore City, Anne Arundel County, Baltimore County, Carroll County, Harford County, Howard County, Queen Anne's County, the City of Annapolis, plus the Maryland



Department of Transportation, the Maryland Department of the Environment, the Maryland Department of Planning, the Maryland Transit Administration, and Harford Transit. 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, cooperative purchasing, workforce development, housing and rideshare coordination.

II. PURPOSE

The Baltimore Metropolitan Council (BMC) is soliciting proposals from qualified firm(s) or organization(s) to provide professional services to examine how changing mobility options, particularly the introduction of “new mobility” services, are impacting and are expected to impact the Baltimore region’s roads, pathways and curb space, and how local government development planning and review processes can and should consider and evaluate these services. This Request for Proposals (RFP) seeks to identify potential providers for this work.

The Baltimore Regional Transportation Board (BRTB) has approved this work item as part of the FY 2019-2022 Unified Planning Work Program (UPWP). Some key elements to this project in the UPWP are to:

- Interview local jurisdictional transportation and development review staff to understand practices and policy on how and where in their current process reviews of potential new mobility options occur for each of our eight jurisdictional members.
- Identify and understand typical requested requirements by new mobility companies for curb/sidewalk space including other associated site impacts.
- Identify best practice review/comment techniques and recommend potential improvements to the process for local jurisdictional plan reviewers and other staff in urban, suburban and rural settings.
- Case studies that evaluate the potential for shifts toward flexible allocation of right-of-way uses that balance parking of autos, bicycles and personal electric vehicles (PEV’s) with pick-up and drop-off zones for passengers and freight and other street uses.

III. 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 Services must be sufficiently detailed for the BMC to determine the effectiveness of the proposal and should spell out how this work can be performed in a cost-efficient and timely manner.

The proposed Scope of Work shall address the following components:

Task 1. Interview local jurisdictional staff:

This effort is built on an understanding of the development/site review processes and policies at each local jurisdiction. The Selected Bidder will interview and document current practices and policies on if, how, where and when the current process reviews of potential new mobility options occur, how these practices and policies are incorporated, the level of assurance from service providers required. Some of the questions that the Selected Bidder should explore while conducting interviews during this task include but are not limited to:

- Does the development review process consider new mobility solutions as a means to address transportation impacts created by the proposed development?
- If so, how? For example, are developers permitted to assume new mobility services in their Traffic Impact Studies (TISs)?
- Are TIS traffic flow and LOS impacts from new mobility services considered in the review process? How?
- Are there requirements/standards for ride-hailing? What are they?
- Are there requirements/standards for bike sharing or personal electric vehicles? What are they?

Task 1 Deliverables:

- A document by the Selected Bidder of -
 - Staff interviews from the region's local jurisdictions on if, how, when and where their development review processes, practices and policies consider new mobility options;
 - How these practices and policies are incorporated, the level of assurance from service providers required, fees assessed and limitations established;

- The findings from an investigation by the Selected Bidder into the questions above and others identified by the work group and the Selected Bidder;
- Prepare presentation materials (presentations, graphics, handouts, illustrations, and maps, etc.) that help explain the task results;
- Meeting with work group, BRTB and Technical Committee to review the Selected Bidder task 1 report.

Task 2: New mobility services and service expectations

The Selected Bidder will understand and identify typical implied, assumed or requested requirements of “new mobility” companies on each member jurisdiction for road, pathway, curb and/or sidewalk space including typical associated site impacts in urban, suburban and rural settings. Some of the questions that the Selected Bidder should explore while conducting this task include but are not limited to:

- What are the operating conditions imposed on new mobility services by the State or the region’s local jurisdictions? Are they favorable to the providers or burdensome?
- Have or do any new mobility services assume, expect or imply that certain operating conditions be met to enable their services?
- How do new mobility service providers prefer to work with private property owners to the extent private property is needed to accommodate parking, storage and/or recharging.
- Have they requested anything of our local members? Has any member provided anything? If so, what?
- Are any local member jurisdictions seeking any services they don’t currently have and why don’t they currently have them?
- Are their federal requirements (e.g. ADA) that might prevent provision? How are these new mobility services addressing these types of requirements?

Task 2 Deliverables:

- A report documenting the findings from an investigation by the Selected Bidder into the questions above and others identified by the work group and the Selected Bidder;
- Prepare presentation materials (presentations, graphics, handouts, illustrations, and maps, etc.);

- Meeting with work group to review the Selected Bidder task 2 report.

Task 3: Document best practices, processes and techniques

A scan and literature review of best practices nationally should be undertaken. Identify best development review processes, practices and techniques from peer regions and local governments nationally. Such best practices should, but may not be limited to, include inventories, assessments, enhancements and prioritizing how development may accommodate “new mobility” options and ameliorate development impacts in urban, suburban and rural settings.

Task 3 Deliverables:

- A report documenting the literature scan, and findings as a series or set of potential best practices, processes and techniques and improvements to current local development review practices by the Selected Bidder must be created as part of this task;
- Prepare presentation materials (presentations, graphics, handouts, illustrations, and maps, etc.);
- Meeting with work group to review work undertaken in this task.

Task 4: Case Studies

- The Selected Bidder will identify requirements and places with potential for shifting curb uses toward a flexible allocation of uses and users. Identify several places in the region with “new mobility” services and develop case studies to demonstrate potential for shifts toward flexible allocation of right-of-way uses that balance parking of autos, bicycles and personal electric vehicles (pev’s) with pick-up and drop-off zones for passengers and freight and other street uses and how this might be accomplished.

Task 4 Deliverables:

- Document requirements and identify potential case studies;
- Meeting with work group to review and gain approval on what case studies will be undertaken;

- Develop case studies and how the development review process might accommodate any flexible uses;
- Prepare presentation materials (presentations, graphics, handouts, illustrations, and maps, etc.)

Task 5: Meeting Facilitation

Through this process, the Selected Bidder shall be responsible for participating in and facilitating the project work group meetings made up of staff from member jurisdictions and the Baltimore Metropolitan Council. The Selected Bidder shall provide the work group with presentations on the purpose of the project, the proposed project approach and other information for detailing accomplishments and milestones reached, soliciting input and identifying next steps, upon request. The Selected Bidder shall also make presentations on draft deliverables, data, and other relevant information. The Selected Bidder will be responsible for meeting facilitation, preparing meeting materials, and other tasks as discussed with the project work group. All meeting materials shall be submitted to the BMC Project Manager at least one week prior to the meeting date in order to provide sufficient time for feedback.

Task 5 Deliverables:

- Facilitate project work group meetings (including work groups, BRTB and Technical Committee as needed) and prepare meeting materials and minutes;
- Prepare presentation materials (presentations, graphics, handouts, illustrations, and maps, etc.) that help explain the task results;
- Meeting with work group, BRTB and Technical Committee to review the Selected Bidder task 1 report.

Consultant Qualifications

BMC is seeking a firm, or team, with requisite technical capability and professional expertise

to provide the type of services required and outlined in this Scope of Work. A qualified offeror's firm or team should have knowledge of the Baltimore region and the local and state agencies involved in the study as well as experience working on development review and new mobility transportation options in other municipalities. A qualified offeror's firm or team should have specific knowledge and experience of the new mobility, its ecosystem requirements and land development processes and requirements in the region.

IV. PROPOSAL CONTENT AND REQUIREMENTS

The proposal should consist of two separate parts: (1) a Technical Proposal; and, (2) a Cost Proposal. Each offeror shall provide 5 paper copies of their technical proposal and cost proposal in a sealed envelope. Each offeror shall also submit a digital copy of their technical proposal and cost proposal saved in separate files to a flash drive or CD-ROM. Proposals 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 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 to be provided. An overall schedule of work should be developed. Offerors may include but are not limited to the identified tasks. Offerors are encouraged to suggest modifications that would facilitate a successful work program. (15 page maximum)
- *Experience and Qualification* – The offeror shall list its qualifications with regard to the selection criteria identified in this RFP. The summary should contain: (a) the information on projects of similar nature that offeror has completed, including brief descriptions, dates, and names of contact persons. In project descriptions, identify the roles of the identified project manager and key personnel. Please include links to

relevant work if possible, and (b) the resumes of proposed project manager and key team personnel. (8 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. (5 pages maximum)
- *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 offeror wishes to provide. Please limit to relevant information. (4 pages maximum)

All documents will be formatted with a 12-point font size and printed double-sided, if possible.

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. Direct costs shall be itemized by category (e.g., travel, per diem, printing and reproduction, etc.) for the entire project. The contract type is anticipated as fixed price with partial payments paid based on task completion.
- *Affidavits and Certifications* – An original signed copy of the Proposal Affidavit attached at the end of this RFP shall be included in the Cost Proposal.

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

V. SUBMISSION OF PROPOSALS

All offerors shall submit **five (5) paper copies and one (1) digital copy** (on CD or flash drive media) of their technical and cost proposals to:

Baltimore Metropolitan Council
Attn: Don Halligan
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, November 8, 2019. Allow adequate time for mail or other carrier delivery. Proposals arriving after the deadline will not be accepted. Please direct any questions to Don Halligan at dhalligan@baltometro.org.

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 offerer 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.

VI. TENTATIVE SCHEDULE

RFP Issued:	Wednesday, October 9, 2019
Questions Due:	Monday, October 21, 2019
Answers Posted Online:	Thursday, October 31, 2019
Proposals Due:	Friday, November 8, 2019, 2:00 p.m.
Consultant Selection:	Late November/Early December 2019
Start of Work:	Early-December 2019
Completion:	June 30, 2020

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. The FY 2020 UPWP budgeted \$130,000 for the consultant part of this task but proposal will be considered outside of this range if the proposed work program will provide a greatly superior product. BMC staff and/or appropriate project partners 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 offeror will be with a single prime contractor.

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

VIII. "SAMPLE" FORM CONTRACT

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

https://www.baltometro.org/sites/default/files/bmc_documents/RFP/sample-rfp-contract_fy2019.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, which 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.

IX. CONFIDENTIALITY

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

X. MARYLAND REGISTRATION/QUALIFICATION REQUIREMENTS

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

For information on registering or qualifying a corporation, LLC, LLP or LP call SDAT at 410-767-1340. Sole Proprietors and General Partnerships should call 410-767-4991 or you may download the SDAT forms at <http://www.dat.state.md.us/Pages/sdatforms.aspx>.

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

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

XI. 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 31.7 percent** of the total contract amount has been established for this procurement. 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.

(Date)

(Affidavit)