



**BALTIMORE
METROPOLITAN
COUNCIL**

Request for Proposals

PROJECT #21T02

DEVELOPMENT OF A RESOURCE GUIDE:

**PLANNING, DESIGNING, OPERATING, AND MAINTAINING
LOCAL INFRASTRUCTURE IN A CHANGING CLIMATE**

ISSUE DATE

September 14, 2020

DUE DATE

October 19, 2020 2:00 P.M.

Submit Qualifications to:

Eileen Singleton at esingleton@baltometro.org

Contact for More Information: Eileen Singleton

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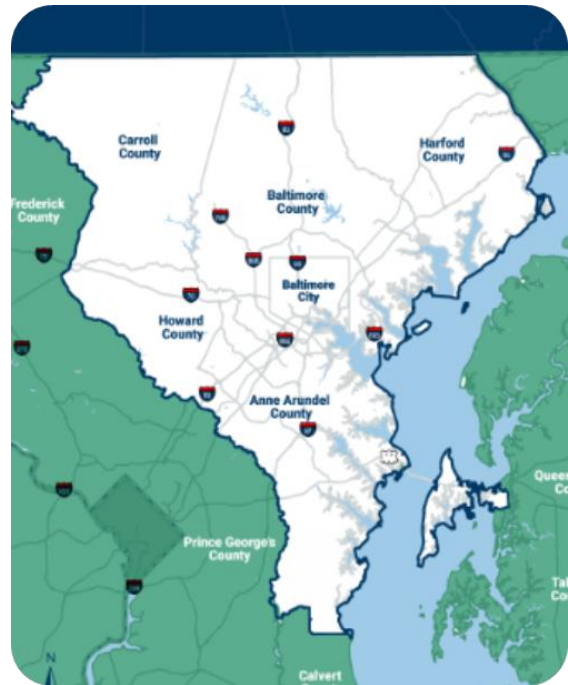
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Introduction

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

The Baltimore Regional Transportation Board (BRTB) is the designated Metropolitan Planning Organization (MPO) for the Baltimore region. The members consist of designated representatives from Baltimore City, Anne Arundel County, Baltimore County, Carroll County, Harford County, and 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, multimodal planning, cooperative purchasing, workforce development, housing and rideshare coordination.

Purpose

The Baltimore Metropolitan Council (BMC) is soliciting proposals from a qualified consultant, or consultant team, to provide professional services to develop a Resource Guide: Planning, Designing, Operating, and Maintaining Local Infrastructure in a Changing Climate. This Request for Proposals (RFP) seeks to identify potential providers for this work.

The Baltimore region is currently experiencing, and will continue to experience, effects of a changing climate. The agencies that plan, design, construct, operate, and maintain local infrastructure must account for these changes in their plans, programs, and projects so they can most efficiently and effectively use their resources. The purpose of this project is to develop a Resource Guide to inform local public works and transportation departments about the changes in climate that are predicted for the region, provide an overview of potential impacts on the region's infrastructure, present recommendations of actions and examples of demonstrated practices on how to adapt to the changes in the short-, medium- and long-terms, develop a Toolkit that agencies can use to implement actions, and serve as a concise resource for these agencies on predicted changes, considerations, possible actions, and state and local regulations.

The BMC will convene a Steering Committee for this project to provide guidance, input, and reviews of deliverables. The BMC will work with the selected contractor team to finalize details of the Steering Committee, including members, meeting frequency, and specific activities. In addition to BMC staff, we anticipate the participation of representatives of local jurisdictions and state agencies. The Steering Committee may continue to meet after the work of this contract is complete to provide guidance on the use of the Resource Guide.

Scope of Work

The product of this contract is a Resource Guide that will inform local public works and transportation agencies in planning, designing, operating, and maintaining local infrastructure in a changing climate. As shown in Figure 1, the focus of this project is impacts on and adaptation strategies that can be taken by public works and transportation departments to address impacts of climate change and how decisions and actions of other local departments might alleviate or exacerbate these impacts.

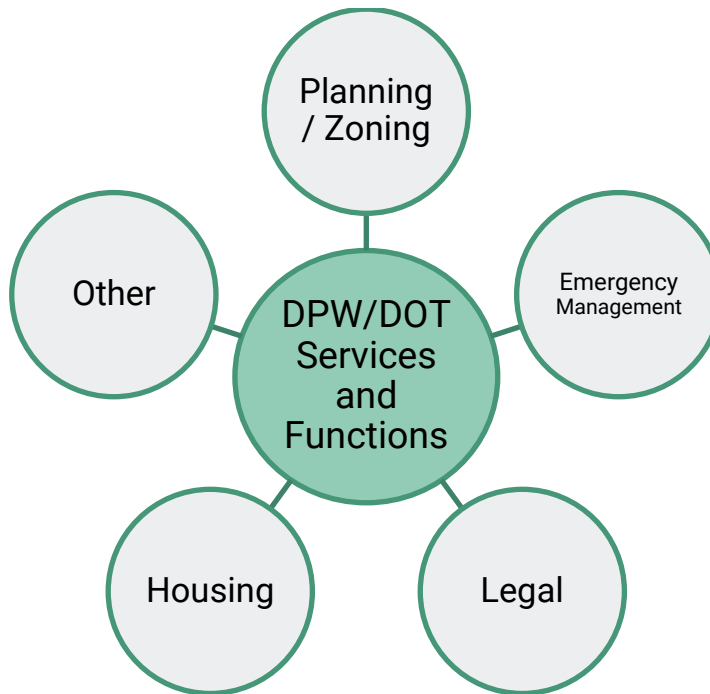


Figure 1. Focus of Project on DPW/DOT

The scope of this project covers the spectrum of services and functions of public works and transportation departments, as shown in Figure 2:

Figure 2. Breadth of DPW/DOT Services and Functions



This project supports the region's transportation planning goals, as noted in the long-range transportation plan, [Maximize2045](#):

- **Improve System Safety** – Make conditions safer for pedestrians, bicyclists, transit riders and operators, and motorists.
- **Improve and Maintain the Existing Infrastructure** – Improve the conditions of existing transportation facilities; systematically maintain and replace transportation assets as needed.
- **Improve Accessibility** – Help people of all ages and abilities to reach specific destinations.
- **Increase Mobility** – Help people and freight to move reliably and efficiently.
- **Conserve and Enhance the Environment** – Pass on to future generations the healthiest natural and human environments possible.
- **Improve System Security** – Provide a secure traveling environment for everyone; improve the region's ability to respond to natural and man-made disasters.
- **Promote Prosperity and Economic Opportunity** – Support the revitalization of communities, the development of activity centers, and the movement of goods

and services.

- **Foster Participation and Cooperation among All Stakeholders** – Enable all interested and affected parties to participate and cooperate to find workable solutions.
- **Promote Informed Decision Making** – Ensure that adopted transportation policies and performance measures guide the regional decision making process.

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 explain how this work can be performed in a cost-efficient and timely manner.

The following is not intended to be a comprehensive checklist of topics to be included in the Resource Guide. Rather it should form the basis and background to shape the components of the consultant’s proposed Scope of Services. It is anticipated (and encouraged) for the consultant suggest additions and/or modifications to improve the Resource Guide.

The proposed Scope of Work shall address the following components:

Task 1: Project Initiation and Project Management

The Consultant shall coordinate with the BMC staff to schedule and facilitate a kickoff meeting, organized by BMC staff, to launch a work program for the project and clarify roles, project schedule, and scope. The emphasis of this meeting will be on the Consultant’s planned management, administrative, and technical approach. The kickoff meeting will provide the consultant with a forum to introduce the consultant project management and proposed project team members and solicit input from BMC and other key stakeholders on the individual elements of the project approach.

The consultant shall present their project approach regarding scope and schedule and propose a detailed flow of data and analysis between BMC staff and the consultant.

The consultant shall present the following items at the kickoff meeting:

- Project Purpose

- Project Goals and Objectives
- Consultant Team Members and Organizational Chart
- Roles/Responsibilities of Participants
- Overview of Consultant's Proposed Approach
- Potential issues that could impact completion on schedule and on budget
- Project Schedule
 - Overview of Tasks
 - Identification of Project milestones and interim deliverables
 - Process to address schedule changes
 - Meetings schedule
 - Project Management and Team Meetings
 - Steering Committee Meetings
- Data Needs, Availability, and Resources
- Project Coordination
 - Communication Protocols
 - Data Sharing
- Deliverables
 - Material distribution (internal and external) and Format
 - Status Reports
 - Consultant Quality Assurance
 - Review Process of Final Documents (draft, final)
- Invoicing

Deliverables:

- Finalized work plan with timeline, benchmarks, and deliverables
- Proposed schedule of Steering Committee meeting dates
- Schedule of regular (i.e., monthly) check-in conference calls between BMC project manager and consultant project manager (and key team members as needed)

Task 2: Meeting Support

Through this process, the consultant shall participate in the project work group meetings (including but not limited to the Steering Committee). The consultant shall prepare presentations for Steering Committee meetings and meeting minutes from these meetings. The consultant may also be asked to prepare up to two presentations for

other regional committees, such as the Baltimore Regional Transportation Board (BRTB) and the BRTB Technical Committee; BMC staff will make the presentation.

The Steering Committee will help guide and provide input on the development of the Resource Guide. For meetings of the Steering Committee, the consultant will be responsible for preparing meeting materials and meeting minutes. All meeting materials shall be submitted to the BMC Project Manager at least four working days prior to the meeting date in order to provide sufficient time for feedback. Consultant can propose to have meetings facilitated by BMC staff if desired to conserve project budget.

Deliverables:

- Prepare meeting materials and meeting minutes for Steering Committee meetings
- Prepare presentation materials (presentations, handouts, illustrations, and maps, etc.) for up to two additional stakeholder meetings

Task 3: Document the Changing Climate in the Baltimore Region: What is Changing and Why

This task involves developing a summary of the documented and projected climate changes on a global scale and on a regional scale. The focus of this section is on regional projections; global projection discussions should be brief and used to provide overall context for how the climate is changing. The consultant shall review relevant existing plans, studies, and datasets that the BMC and consultant possess or have access to and document how the region's climate has changed since an agreed-upon base year and how the region's climate is projected to change in the short- (to 2030), medium- (2031 to 2050), and long-terms (2051 to 2100). The deliverable should provide this information for each jurisdiction or for groups of jurisdictions with similar exposure to the expected changes and similar infrastructure at risk, whichever is most relevant to the available data. The section should maximize the use of graphics to best convey the impacts of climate change. Additional details could be included in an appendix.

A draft section outline is provided below:

- a. brief summary of global changes in climate; difference between climate and weather;

- b. chart/graph showing number and type of extreme weather events over last 50 years in Maryland
- c. summary of climate models considered and explanation for using selected model(s), overview of model assumptions, differences in model outputs, and overview of what models other neighboring states/jurisdictions are using
- d. overview and charts/graphs showing projections of climate change variables that are predicted for the region, by jurisdiction or groups of jurisdictions; examples of variables are listed below, it is anticipated that a portion of these or other recommended variables would be selected by the project Steering Committee in coordination with the selected contractor:
 - 1) Temperature
 - a) average daily max temp
 - b) average daily min temp
 - c) days w/max > 90
 - d) days w/max > 100
 - e) days w/max > 105
 - f) days w/max < 32
 - g) days w/min < 32
 - h) days w/min > 80
 - 2) Precipitation
 - a) Total (annual average)
 - b) days w/ > 1 in
 - c) days w/ > 2 in
 - d) days w/ > 3 in
 - e) dry days
 - f) Ratio of past to future change in modeled rainfall
 - 3) Other variables
 - a) heating degree days
 - b) cooling degree days
 - c) growing degree days
 - d) modified growing degree days
 - e) sea level rise
 - f) average annual temp
 - g) tide gauge data trends
 - h) extreme weather events
 - i) cumulative effects of climate hazards

Existing resources include, but are not limited to:

Resource
Data Resources
MDOT SHA Climate Change Vulnerability Viewer
Maryland Commission on Climate Change
Sea Level Rise Projections for Maryland 2018
MD SHA Sea Level Change Services
Maryland Climate and Health Profile Report
MDOT SHA Adaptation and Vulnerability Assessment
MD DNR Climate Resilience Policy & Programs
Mid-Atlantic Regional Integrated Sciences and Assessments (MARISA) Program and MARISA Chesapeake Bay Watershed Climate Impacts Summary and Outlook
NCHRP 15-61 Applying Climate Change Information to Hydrologic and Coastal Design of Transportation Infrastructure (Provisional Report as of 8/24/20)
National Climate Assessment , particularly State Summaries and Chapter 12 Transportation
US Climate Resilience Toolkit
Climate Explorer
University of Notre Dame Urban Adaptation Assessment
TRB Special Report 290
AASHTO Primer on Transportation and Climate Change
TRB Special Report 299: A Transportation Research Program for Mitigating and Adapting to Climate Change and Conserving Energy
NCHRP Synthesis 454: Response to Extreme Weather Impacts on Transportation Systems
NCHRP Report 750 Strategic Issues Facing Transportation, Volume 2: Climate Change, Extreme Weather Events, and the Highway System: Practitioner’s Guide and Research Report
TR News Number 324 / November-December 2019: Climate Change Resilience
US DOT Coupled Model Intercomparison Project (CMIP) Climate Data Processing Tool
US DOT Climate Model Intercomparison Project (CMIP) User Guide (In development, draft may be available to pilot as part of this project)
Documents with Similar Purpose
Municipal Management in a Changing Climate
CalTrans Climate Change Vulnerability Assessment, District 12

Deliverables:

- White Paper summarizing historic global climate change (very briefly), historic climate change for the Baltimore region, and regional climate projections for short- (to 2030), medium- (2031 to 2050), and long-terms (2051 to 2100). The

White Paper should also show variables for each jurisdiction or jurisdiction group, as determined during the work on the task. The White Paper should present this information as clearly and concisely as possible, using graphics and photographs as much as possible.

- Presentation of the White Paper that can be used by department heads/managers/supervisors to explain the impacts of a changing climate to their staff.
- An appendix that includes a summary of resources used to develop the White Paper and other relevant informational materials and reports.

Task 4: Document the Direct and Indirect Impacts of a Changing Climate on Local Public Works and Transportation Departments

The consultant will develop a White Paper that documents impacts of the changing climate on local public works and transportation agencies, to include impacts that have already been experienced in the region and expected impacts resulting from the changing climate in the short-, medium-, and long-terms.

This task will include:

- Conducting interviews with staff from agencies listed in Figure 1 and DPW/DOT functions and services listed in Figure 2. The interviews will focus on identifying direct and indirect climate change impacts on public works and transportation departments and how actions of other departments might have alleviated or exacerbated these impacts. The purpose of the interviews is to document:
 - how climate change trends (i.e., increases in nuisance flooding events, stronger storms, higher temperatures, etc.) have impacted operations (i.e., increased staff overtime, more weather-related road closures, etc.),
 - planning and operational changes made by agencies to adapt to these changing conditions,
 - concerns of agency staff, and
 - how DPW/DOT plans, policies, and projects result in indirect impacts of climate change (i.e., on health, economies, tourism, farming, livestock, residents and neighborhoods) and uneven impacts of climate change across the region (i.e., disproportionate impacts on minority and low income communities).

Consultant will conduct interviews by phone or virtual meeting with individuals or in small groups. Estimate conducting at least 10 and up to 16 interviews.

- Based on interview responses, as well as additional research and consultant knowledge, provide examples of how public works and transportation departments and their assets have been and could be affected in the short-, medium-, and long-terms. This should include direct impacts (i.e., more road closures due to more frequent flooding) as well as indirect impacts (i.e., increased sick days of staff due to working in higher temperatures; changes to land use to reduce climate change impacts to infrastructure; bonding capacity impacts due to adaptations that have or have not been made). Also provide examples of how public works and transportation department plans, policies, and projects have or could have a disproportionate impact on minority and low income communities. The [BMC Vulnerable Population Index](#) map can be used as a reference to show where vulnerable populations live in the region.
- Review available data and maps to compare flood insurance maps/100 year flood plain with flooding from recent flooding events and Climate Ready Action Boundary (CRAB) layer developed by the Coast Smart Council in the region, and any other 100-year floodplain layers developed by local governments in the region, non-profits, universities, US Army Corps of Engineers (i.e., Variable Infiltration Capacity (VIC) precipitation-runoff model), or MDOT SHA (i.e., Climate Change Vulnerability Viewer).

Deliverables:

- White Paper presenting impacts of the changing climate on local public works and transportation departments, including impacts that have already been experienced in the region and expected impacts resulting from the changing climate in the short-, medium-, and long-terms. This White Paper will incorporate interview responses as appropriate and use photographs and graphics as much as possible to illustrate the impacts. Include summary of interview responses in an appendix.
- If applicable, provide a map showing how recent flooding has varied from flood insurance maps/100-year flood plain and CRAB layer.

Task 5: Summarize Regulations and Relevant Supports for Local Public Works and Transportation Departments

This task will include development of both written and presentation-ready summaries of the following relevant requirements and supports for local jurisdictions, including but not limited to:

- State policies and legislation, including Coast Smart Construction Siting and Design Criteria and Nuisance Flooding planning requirements
- Relevant local policies and legislation
- Climate change impacts on bonding and financial assurances required to fund infrastructure projects
- Potential funding opportunities that can be used on projects addressing impacts from climate change (potential funding sources include, but are not limited to, Maryland Emergency Management Agency, State Historic Preservation Office, FEMA, NOAA, USACE, and USDOT)
- Recommendations of local and state legislation that should be changed or created to support local projects addressing climate change impacts

Deliverable:

- White Paper and presentation that provides summaries of and hyperlinks to relevant regulations and relevant supports. Policy references can be included in an appendix.

Task 6: Recommendations for and Case Studies of Adaptation Strategies by Local Public Works and Transportation Departments

This task involves preparing a White Paper that provides a compilation of recommendations and case studies that local public works and transportation departments could consider in the short-, medium-, and long-terms to adapt to climate change. The strategies should consider all agency services and functions (refer to Figure 2) both internal (i.e., staffing, scheduling, etc.) as well as external (i.e., flood mitigation, facility construction, changes to enhance protection of existing vulnerable areas and infrastructure, etc.). The White Paper should present strategies by agency

service and function (refer to Figure 2). Case studies could be from the Baltimore region and from outside the region.

As noted, the recommendations and case studies should cover the range of timeframes and services/functions and should provide examples for as many of the cells as possible in the table below, with at least one example per row and potentially multiple examples per cell. The recommendations and case studies should consider vulnerabilities, impacts, and solutions. Consultant will work with the Steering Committee to select specific case study scenarios of interest for the various services and functions.

Services	Functions	Short-Term	Medium-Term	Long-Term
Transportation	Planning			
	Design			
	Construction			
	Operations			
	Maintenance			
	Worker safety			
Water/wastewater	Planning			
	Design			
	Construction			
	Operations			
	Maintenance			
	Worker safety			
Solid Waste	Planning			
	Design			
	Construction			
	Operations			
	Maintenance			
	Worker safety			
Facilities	Planning			
	Design			
	Construction			
	Operations			
	Maintenance			
	Worker safety			
Other	Planning			
	Design			
	Construction			
	Operations			
	Maintenance			
	Worker safety			

Examples of state, regional, and federal resources to review include but are not limited to:

- Local interviews conducted in Task 4
- [Baltimore City climate change and extreme weather brochure](#)
- [Baltimore City Climate change and extreme heat brochure](#)
- [MDE brochure Climate Change Adaptation for Maryland Water Utilities](#)
- [Maryland Environmental Health Network](#)
- [FHWA Transportation System Resilience to Extreme Weather and Climate Change](#)
- [FHWA Transportation System Resilience to Extreme Weather and Climate Change – Technical Staff](#)
- [FHWA Climate Change Adaptation Guide for Transportation Systems Management, Operations, and Maintenance](#)

Potential sources of case studies from outside the region include but are not limited to:

- Activities and lessons learned from regions/states that currently have climate similar to climate predicted for our region
- Adaptations in local jurisdictions and states after recent major storms, such as Hurricanes Florence, Katrina, and Sandy.

Deliverable:

- White Paper that provides recommendations of strategies that public works and transportation departments can take to address impacts of climate change for each service and function listed in Figure 2. The White Paper should also include case studies, ideally at least one case study for each service and function listed in Figure 2. To the extent possible, the case studies should include both capital and operating costs for the adaptations.

Task 7: Development of a Resource Guide for Public Works and Transportation Departments

This task involves the development of a Resource Guide to be used by staff of local public works and transportation departments. The Resource Guide will include key findings from previous tasks as well as a Toolkit¹ to turn solutions into actions.

The Toolkit will be used by local public works and transportation departments to identify relevant strategies to implement and adapt agency services and functions to projected climate changes. Where possible, the Toolkit should provide a way to estimate the cost impact of implementing the adaptation. The Toolkit should be easy-to-use and present adaptation strategies by department service and function (refer to Figure 2). The Toolkit should provide a process that departments can use to identify strategies to implement, such as:

- 1) select service and function
- 2) identify potential climate impacts and risks
- 3) review implemented adaptations
- 4) investigate options
- 5) identify regulations
- 6) determine funding impacts
- 7) select strategy to implement

The draft table of contents for the concise, easy-to-use Resource Guide is proposed as:

1. Changing Climate in the Baltimore Region: What is Changing and Why
 - a. Historic regional and local climate change, and regional and local climate projections for short-, medium- and long-terms (Task 3)
 - b. Map showing how 100-year flood plain compares to flooding from recent events and the CRAB layer (Task 4)

¹“Collection of authoritative and adaptable resources for front-line staff that enables them to learn about an issue and identify approaches for addressing them.”

<http://www.ala.org/yalsa/sites/ala.org.yalsa/files/content/ToolkitCreationGuide.pdf>

- c. Map showing Vulnerable Population Index and flooding from recent events (and possibly other climate data) to illustrate any disproportionate impacts of climate change on vulnerable communities (Task 4)
2. Changing Climate in the Baltimore Region: Direct and Indirect Impacts on Local Public Works and Transportation Departments (Task 4)
3. Changing Climate in the Baltimore Region: Regulations and Relevant Supports for Local Public Works and Transportation Departments (Task 5)
4. Recommendations and Case Studies of Climate Change Adaptation for Local Public Works and Transportation Departments (Task 6)
5. Turning Solutions into Actions: Toolkit for Local Public Works and Transportation Departments

Deliverable

- A Resource Guide, including a Toolkit, that is easy for agency staff to use as a paper copy or as an electronic document. Consultant shall provide the deliverable as an easy-to-use and easy-to-navigate electronic document. Document should also be easy to update after the completion of the project so new resources and information can be added.
- Presentation providing an overview of how to use the Guide which focuses on how to use the Toolkit.

Task 8: Training Program for Public Works and Transportation Department Managers (Optional)

The consultant will develop a short (one- to two-hour) training course that provides a summary of the Resource Guide and how to use the Toolkit, that goes into more detail than the presentation prepared as part of Task 7. The course should be developed to be given in person or remotely. The course would be taught by BMC staff or agency staff and taken by agency heads, managers, and supervisors. The training course should be created in an easy to use format that is widely available and will not cost anything for instructors or students to use.

Deliverable

- Training course that can be offered remotely or in person to public works and transportation staff (agency heads, managers, and supervisors).

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 this project, as well as experience working on similar projects developing climate change predictions and developing recommendations for planning, designing, operating, and maintaining public works and transportation resources (infrastructure and staff).

Proposal Content and Requirements

The proposal should consist of two separate parts: (1) a Technical Proposal; and (2) a Cost Proposal. Each offeror shall submit by email a digital copy of their technical proposal and cost proposal saved in separate pdf files. 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 should include, but are not limited to, the

identified tasks. Offerors are encouraged to suggest modifications that would facilitate a successful work program. (20 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) 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. (5 pages maximum)

All documents will be formatted with a 12-point font size.

Cost Proposal

The Cost Proposal should 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.

Submission Of Proposals

All offerors shall submit by email one (1) digital pdf copy of the Technical and Cost Proposals in separate pdf files to: esingleton@baltometro.org.

The proposal must be received by BMC no later than 2:00 P.M. Eastern Standard Time on October 19, 2020. Proposals arriving after the deadline will not be accepted. Please direct any questions to Eileen Singleton by fax (410) 732-8248 or e-mail: esingleton@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 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	September 14, 2020
Questions Due	October 6, 2020
Answers Posted Online	October 8, 2020
Proposals Due	Monday, October 19, 2020, 2:00 p.m.
Consultant Selection	November 2020
Start of Work	November 2020
Completion of Work	August 31, 2021

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 2021 UPWP budgeted \$100,000 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 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.

“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 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

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

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 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)

