



Request for Proposals

PROJECT: 22T07

TRANSPORTATION SYSTEMS IMPACT CONSIDERATION IN THE DEVELOPMENT REVIEW AND BUILDING PERMIT PROCESSES

ISSUE DATE

November 1, 2021

DUE DATE

January 12, 2022 (2:00 PM)

Submit Qualifications (by email only) to:

Don Halligan: dhalligan@baltometro.org

Contact for More Information: Don Halligan

E-mail: dhalligan@baltometro.org

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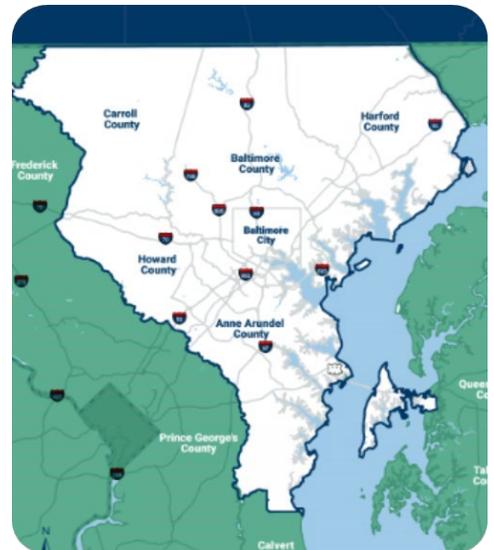
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Introduction

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 MDOT Maryland Transit Administration, and Annapolis 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 qualified firm(s) or organization(s) to provide professional services to understand and examine how local government development planning and review processes function, with particular emphasis

on how these processes consider and evaluate transportation impacts. 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 2022-2023 Unified Planning Work Program (UPWP). Each jurisdiction has a different process for submitting, reviewing and approving land development proposals and permits. Local regulations differ regarding how to treat subdivisions and site development. In addition, each process includes a varying degree of review by different boards and commissions and public input processes. The proposer should be aware of and conversant in ongoing efforts, analysis and studies by the BRTB, the Maryland Department of Transportation State Highway Administration (MDOT SHA) and many local jurisdictions in the Baltimore region who have transportation (deliberately used in place of “traffic”) impact study guidelines or requirements, some governed by their local Adequate Public Facilities Ordinances (APFO). This task will include a review of Baltimore region land development processes and procedures with specific focus on transportation issues. Some key elements to this project in the UPWP are to:

- Interview local jurisdictional transportation, development review, and building permit staff to understand, document and map processes, practices, development regulations, codes and policies in order to understand how each jurisdiction may manage impacts on the transportation system for each of our eight jurisdictional members. Basic information should be documented and described graphically.
- Identify and understand typical developer requested exceptions and exemptions, 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.
- Document required community notification/input processes.
- Document process descriptions available on jurisdictional websites and/or brochures.

Scope of Work



The proposed Scope of work shall include sufficient detail to determine how each task described herein 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 and building permit processes, regulation, codes and policies at each local jurisdiction. The Selected Bidder will interview, document and map current practices with particular attention to when and how transportation issues are addressed, and how these practices and policies are enforced over time. Some of the questions that the Selected Bidder should explore while conducting interviews during this task include but are not limited to:

- What processes, practices, plans, regulations, codes and policies does your jurisdiction use to exercise its local land use power?
- What is required to legally permit improvements to residential, commercial and industrial land in your jurisdiction?
- Do development review processes consider transportation impacts of the proposal within the development process? If so how, when and what aspects (i.e. road, transit, pedestrian and bicycle facilities, and other?) and what standards are being used?
- Do building permit processes consider transportation impacts of the proposal within the development process? If so how, when and what aspects (i.e. road, transit, pedestrian & bicycle facilities, electric vehicle charging consideration, and other?) and what standards are being used?
- Does the jurisdiction implement different standards for different geographic areas or to protect environmental and community resources?
- What solutions do these processes consider as a means to address transportation impacts created by proposed development?

Task 1 Deliverables:

- A document in a report by the Selected Bidder -
 - Staff interviews from the region's local jurisdictions on their development review processes, practices, regulations, codes and policies;
 - Development review processes from notification of application to final plan approval including permits processes. With both textual description and a graphic map of the development review and building permit processes in each

- of the member jurisdictions;
 - Current thresholds for development review processes (number of lots, minor vs. major subdivisions, etc.);
 - Schedule outlining timing and the time-frame of reviews for each member jurisdiction with staff contact information;
 - Assurances (e.g. owner associations, bonds, etc.) and fees if required, when these may be assessed, levied or otherwise required and their how these are established;
 - Describe required community notification/input processes;
 - Summary of research of existing local practices and recommended improvements to processes;
 - Boards and/or Commissions involved and their role in the process(es);
 - Identify and describe typical developer requested exceptions and exemptions, including other associated site impacts. Description of waiver processes focusing on transportation issues, items or impacts;
 - Any specialized software used by jurisdictions in the planning process including in the permit process;
 - Comparison of review and permit fees;
 - Adequately describe processes or project status on jurisdictional websites and/or brochures that may exist (should be cited);
 - The findings from an investigation by the Selected Bidder into the issues and 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 to review the Selected Bidder task 1 report.

Task 2: Best practices – Regional, Statewide and other relevant development review practices and techniques and potential improvements to these processes within the region.

The Selected Bidder will:

- Identify and document best practices found in the region and across Maryland that may improve processes here locally. Develop case studies to demonstrate potential improvements and recommendations for how these might be accomplished;
- Undertake a scan and literature review of best practices nationally. Identify and report on best development review processes, practices and techniques from peer regions and local governments nationally.

Task 2 Deliverables:

- Summary of best practices (local and national examples as appropriate) and recommended improvements to processes;
- Develop case studies to highlight best practices;
- Document findings as a series or set of potential best practices, processes, techniques and improvements to current local development review practices and permit processes;
- Prepare presentation materials (presentations, graphics, handouts, illustrations, and maps, etc.);
- Meeting with work group to present and review work undertaken in this task.

Task 3: Meeting Facilitation

Through this process, the Selected Bidder shall be responsible for participating in and facilitating discussions with the project manager and a work group. Work group meetings will be comprised of staff from BRTB member jurisdictions and the Baltimore Metropolitan Council. The Selected Bidder shall be prepared to 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 other presentations on draft deliverables, data, and other relevant information to member jurisdictions or the Technical Committee (up to eight meetings). The Selected Bidder shall also make other presentations on final deliverables, data, and other relevant information to member jurisdictions or the Technical Committee (up to eight meetings). 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 3 Deliverables:

- Facilitate project work group meetings (including work groups, local jurisdiction staff, 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.
- Presentations to stakeholders on draft and final products.

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 and requirements involved in the study as well as experience working on development review and building permit processes in other municipalities. A qualified offeror’s firm or team should have specific knowledge and experience of the land development and permit processes and requirements in the region.

Proposal Content and Requirements

The proposal shall consist of two separate parts: (1) a Technical Proposal; and, (2) a Cost Proposal. Each offeror shall provide their technical proposal and cost proposal in a separate .pdf file. Proposals shall meet, at a minimum, the following requirements.

Technical Proposal

The Technical Qualifications shall 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. (12 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)

The body/narrative of all documents will be formatted to a 12-point font size. Headers and cover pages may utilize larger font sizes. Cover pages will not be counted toward the page limits. Digital signatures are acceptable for all documents.

Cost Proposal

The Cost Proposal shall be composed of two parts: (1) Project Budget and (2) Affidavits and Certifications.

- *Project Budget* – Proposers shall provide a price quote as a fixed price in United States dollars. The price quote shall include the number of labor hours and cost by staff member and total hours and cost estimated for each task. 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.
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BMC reserves the right to reject proposals that do not meet the Technical and Cost Proposal requirements.

Submission Of Proposals

All offerors shall submit by email two (2) separate digital pdf files – one (1) for each of the Technical and Cost Proposals to: dhalligan@baltometro.org.

The proposal must be received by BMC no later than 2:00 PM Eastern Standard Time on January 12, 2022. Proposals arriving after the deadline will not be accepted. Note that BMC's email will accept files up to 25MB. If your proposal documents exceed 25MB, please upload the documents to a file sharing service like Google Drive or Dropbox and email the link to the files.

Please direct any questions to Mr. Don Halligan at dhalligan@baltometro.org no later than December 1, 2021. All questions will be collected and answers will be posted to BMC's website by December 8, 2021. Questions arriving after December 1, 2021 will not be answered.

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

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

The BMC Staff member listed above shall be the sole point of contact for any offeror during the procurement process.

BMC reserves the right to waive minor irregularities, to negotiate in any manner necessary to best serve the public interest, and to make a whole award, multiple awards, a partial award, or no award. BMC reserves the right to cancel this RFP, in whole or in part, any time before the closing date.

Tentative Schedule

RFP Issued	Monday, November 1, 2021
Proposal Question Due	Wednesday, December 1, 2021
Answer to Questions Posted	Wednesday, December 8, 2021
Proposals Due	Wednesday, January 12, 2022, 2:00 p.m.
Consultant Selection	Late January/early February 2022
Start of Work	February 2022
Completion of Work	June 30, 2022

Consultant Selection Criteria

All proposals will be evaluated on the basis of technical merit (including areas required within the Technical proposal such as work program, team and personnel experience, project management, adherence to RFP and DBE integration) and proposed cost. This is not a low-bid procurement. The FY 2022 UPWP budgeted \$180,000 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-rfpcontract_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

Offerors 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 subcontractors 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. Prime contractors holding a DBE certification will be awarded full (100 percent) credit for the DBE goal. Offerors must make a good faith effort to meet this goal in order to receive appropriate consideration. The offeror can demonstrate that it has made a good faith effort by meeting the goal or by documenting good faith efforts to do so in its proposal. Determination of good faith efforts will be made at the discretion of appropriate BMC staff. All offers submitted in response to this RFP must include a statement specifying the Maryland Department of Transportation (MDOT) has certified the DBE or DBEs utilized to meet this requirement. If the DBE has not been certified by MDOT but has been certified by other state transportation agencies receiving federal funding, the name of the agency should be included in the proposal. BMC reserves the option to accept this certification in lieu of MDOT certification.

PROPOSAL AFFIDAVIT

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

(1) I am the (title)_____and the duly authorized representative of (offeror) and that I possess the legal authority to make this Affidavit on behalf of myself and the offeror for which I am acting.

(2) Except as described in paragraph 3 below, neither I, nor to the best of my knowledge, information, and belief, the above offeror, nor any of its officers, directors, or partners, nor any of its employees directly involved in obtaining contracts with the State or any county, bi-county, multicounty agency or subdivision of the State has been convicted of, or has pleaded nolo contendere to a charge of, or has during the course of an official investigation or other proceeding, admitted in writing or under oath acts or

omissions committed after July 1, 1977, which constitute bribery, attempted bribery, or conspiracy to bribe under the provisions of Article 27 of the Annotated Code of Maryland or under the laws of any state or federal government.

(3) State "none" or, as appropriate, list any conviction, plea or admission described in paragraph 2 above, with the date; court official, or administrative body; and the sentence or disposition, if any: _____.

(4) **I ACKNOWLEDGE THAT** this Affidavit is to be furnished to the Procurement Officer, and may be furnished to the Attorney General pursuant to Sections 16-201, et seq., of the State Finance and Procurement Article of the Annotated Code of Maryland. I acknowledge that if the representations set forth in this Affidavit are not true and correct, the Council may terminate any contract awarded and take any other appropriate action.

B. (NON-COLLUSION AFFIRMATION). I HEREBY FURTHER AFFIRM THAT neither I nor, to the best of my knowledge, information and belief, the above firm nor any of its other representatives I here represent have:

(1) Agreed, conspired, connived or colluded to produce a deceptive show of competition in the compilation of the bid or offer being submitted herewith;

(2) In any manner, directly, or indirectly, entered into any agreement, participated in any collusion to fix the bid price or price proposal of the offeror herein or any competitor, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for which the within bid or offer is submitted.

C. (PROCUREMENT AFFIRMATION). I HEREBY FURTHER AFFIRM THAT

(1) Neither the above business nor, to the best of my knowledge, information, and belief, any officer, controlling stockholders, partner, principal, or other person substantially involved in the contracting activities of the business has in the past five (5) years: (a) been convicted under state or federal statute of a criminal offense incident to obtaining or attempting to obtain or performing a public or private contract, fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property; (b) been found civilly liable under state or federal antitrust statutes for acts or omissions in connection with the submission of bids or proposals for a public or private contract; (c) been convicted of any violation of a state or federal antitrust statute; (d) been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organizations Act, 18 USC Section 1961 et seq.; or (e) the Mail Fraud Act, 18 USC Section 1341 et seq., for acts arising out of the

submissions that would constitute grounds for conviction or liability under any statute described above. Also, the undersigned offeror was not founded or established or is not operated in a manner designed to evade the application or defeat the purpose of the Debarment Regulations, COMAR 21.08; is not currently suspended or debarred pursuant to COMAR 21.08 or by the action of any other public entity; and is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business.

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

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

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

undertaken by the above firm in respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.

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

(Date)

(Affidavit)

