



# Request for Proposals

PROJECT 25T13

## SCORING METHODOLOGY FOR BICYCLE AND PEDESTRIAN PROJECTS

ISSUE DATE

**April 17, 2025**

DUE DATE

**June 3, 2025 (2:00 PM)**

**Submit Questions and Proposals (by email only) to:  
Zach Kaufman at: [zkaufman@baltometro.org](mailto:zkaufman@baltometro.org)**

# Table of Contents

[Introduction](#)..... 3

[Purpose](#) ..... 4

[Scope of Work](#) ..... 5

[Proposal Content and Requirements](#)..... 12

[Technical Proposal](#)..... 12

[Cost Proposal](#)..... 13

[Submission Of Proposals](#) ..... 14

[Tentative Schedule](#)..... 15

[Consultant Selection Criteria](#)..... 15

[“Sample” Form Contract](#) ..... 16

[Confidentiality](#)..... 17

[Maryland Registration/Qualification Requirements](#) ..... 17

[Mandatory Statements](#) ..... 19

[Public Information Act Notice](#) ..... 19

[Disadvantaged Business Enterprise Notice](#) ..... 19

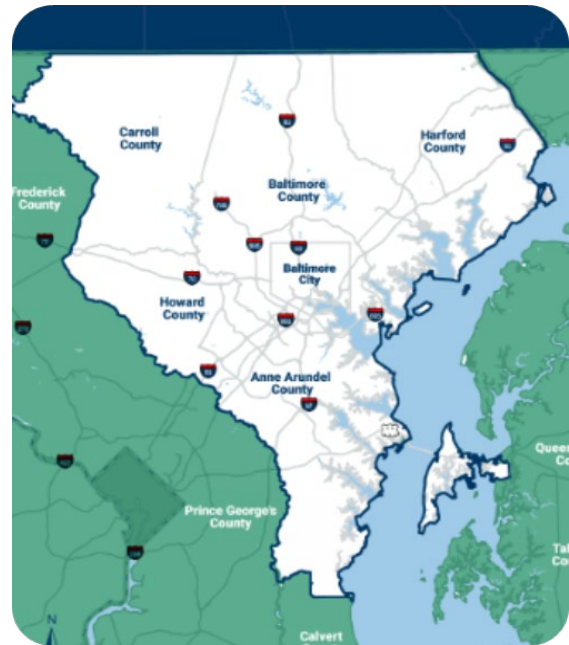
[Disadvantaged Business Enterprise Subcontract Participation Goal](#) ..... 19

[PROPOSAL AFFIDAVIT](#) ..... 21

# 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, and 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 the Regional Transportation Agency of Central Maryland. 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 purpose of this task is to establish a process for further integrating standalone bicycle and pedestrian projects into the Long-Range Transportation Plan (LRTP). This will include development of a robust scoring process for these projects as well as policy recommendations related to incorporating and funding standalone bicycle and pedestrian projects and programs in the LRTP.

The current LRTP for the Baltimore region, [Resilience 2050](#), includes a list of planned major capital projects to be supported with federal funding. Projects for the LRTP are submitted by local jurisdictions and state agencies and then scored based on an adopted scoring methodology.

Candidate projects submitted for the LRTP have historically been large-scale roadway and transit expansion projects anticipated to use federal funding. Most of these projects incorporate bicycle and pedestrian elements. Though this project focuses primarily on standalone bicycle and pedestrian projects, the BRTB is also interested in learning about how other MPOs gather and share information on bicycle and pedestrian elements of roadway and transit projects.

Previous LRTPs for the Baltimore region have accounted for standalone bicycle and pedestrian projects by setting aside a portion of the funds available for capital expansion projects. However, there is growing interest in scoring bicycle and pedestrian projects and including them alongside roadway and transit projects in the preferred alternative of projects.

The current scoring methodology for roadway and transit projects is not suitable for scoring standalone bicycle and pedestrian projects. This project would develop a scoring methodology focused on bicycle and pedestrian projects along with the methods required for scoring each element of the criteria. The bicycle and pedestrian scoring methodology will support the regional goals and strategies identified in the LRTP, similar to the scoring methodology for roadway and transit projects.

Scoring standalone bicycle and pedestrian projects and including them alongside roadway and transit projects in the preferred alternative would elevate the standing of these projects in the LRTP. It would also create a prioritized list of projects to consider

for future funding. However, inclusion in the LRTP does not imply increased funding in the TIP or more rapid implementation of these projects as dedicated funding sources for these projects are limited.

Introducing a scoring methodology for standalone bicycle and pedestrian projects would also lead to policy questions including whether some bicycle and pedestrian projects would not be included due to fiscal constraint, which types of projects should be considered (local vs regional), whether there should be a minimum investment in these projects in the LRTP, and how to better connect inclusion in the LRTP to implementation through the TIP. The consultant will be expected to bring policy expertise related to these, and other, questions and to make recommendations for addressing them.

## Scope of Work

Outlined below is a preliminary scope of work, including a list of tasks and deliverables for this project. This project was identified in the Baltimore Regional Transportation Board's Fiscal Year 2025 Unified Planning Work Program (UPWP) with a maximum Consultant budget of \$150,000. The Consultant is encouraged to suggest modifications to these tasks that would facilitate a successful work program and stay within the project budget of \$150,000.

The methodology to accomplish each task will be agreed upon prior to initiating the work. A prime Consultant may assemble a team of sub-consultants who can conduct these services in accordance with the Scope of Work. The prime Consultant shall be required to organize, manage, and direct the work of any sub-consultants.

The proposed Scope of Work 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 Work must be sufficiently detailed for BMC to determine the effectiveness of the proposal and should explain how this work can be performed in a cost-efficient and timely manner. Material referenced in the earlier Purpose section should be considered germane to the overall scope.

The proposed Scope of Work shall address the following components:

**Task 1: Project Initiation and Project Management**

The successful bidder shall coordinate with the BMC Project Manager to schedule and facilitate an initial meeting to launch the work program for the project and clarify roles, project schedule, scope of work, deliverables and project approach. The emphasis of this meeting will be on the Consultant's planned management, administrative, and technical approach as described in their Work Program. The kickoff meeting will also provide the Consultant with a forum to meet project team members and solicit input from BMC on the individual elements of the project approach, and refine the work program as applicable.

The project will also include a decision-making Steering Committee consisting of local jurisdiction and state agency representatives from the BRTB, Technical Committee and Bicycle and Pedestrian Advisory Committee. The Consultant will facilitate four meetings, including presentation materials, with the Steering Committee. Meetings will align with key tasks in the project scope.

The Consultant shall commence work and communicate progress regularly with the BMC Project Manager, through short (30 minute) phone calls or virtual meetings that are scheduled approximately every two weeks throughout the project; coordinate reviews of deliverables; and provide updates to the project manager and BRTB at key milestones (at meetings or through e-mail correspondence). Invoices should be prepared and submitted monthly to the BMC Project Manager in the first week of each month following the invoice period.

**Task 1 Deliverables:**

- Facilitation of a kickoff meeting (likely virtual)
- Finalized work plan, including project schedule and list of deliverables
- Check-in calls with BMC Project Manager and Consultant Project Manager (and key team members as needed) and documentation of calls
- Preparation for and facilitation of four Steering Committee meetings
- Submittal of monthly invoices and progress updates

**Task 2: Explore Policy Questions with Steering Committee**

Scoring standalone bicycle and pedestrian projects in addition to major roadway and transit expansion projects is a new consideration for the BRTB. The Consultant will work with the Steering Committee to explore important policy questions related to integrating these projects more fully into the LRTP. Exploring these policy questions at the beginning of the project will help to frame the focus of the remainder of the tasks.

BMC staff have drafted an initial list of policy questions to explore, and will work with the Consultant to refine this list following project initiation. Draft questions include:

1. What do we hope to accomplish by adding a scoring methodology for standalone bicycle and pedestrian projects? How should the scoring methodology influence the treatment of bicycle and pedestrian projects in the LRTP?
2. How do we most effectively integrate the bicycle and pedestrian scoring with existing roadway and transit scoring given the very different scopes and scales?
3. Should we envision standalone bicycle and pedestrian projects competing directly with roadway and transit projects for inclusion in the preferred alternative?
4. What kinds of standalone bicycle and pedestrian projects should we reflect in the LRTP? For example, the focus could be projects that span jurisdiction boundaries, fill key regional gaps, or projects reflected in the ongoing [Bikeable Baltimore Region](#) project.
5. How should scores influence inclusion of bicycle and pedestrian projects in the LRTP and will some projects not make the preferred alternative? Should the BRTB establish a minimum investment threshold for standalone bicycle and pedestrian projects in the LRTP to ensure that priority projects are included in the preferred alternative? What are recommended options for that threshold?
6. What criteria should the BRTB include when considering standalone bicycle and pedestrian projects? For roadway and transit projects, the technical scoring methodology includes criteria related to safety, accessibility, mobility, environment and natural resource impacts, security and economic prosperity. Scores for these projects also include a Policy component reflecting jurisdiction priorities and whether the project has demonstrated financial support.

7. Though this project focuses primarily on standalone bicycle and pedestrian projects, most roadway and transit projects submitted for the LRTP also incorporate bicycle and pedestrian elements. Recent public comments have encouraged the BRTB to provide more details in the LRTP on bicycle and pedestrian elements of roadway and transit projects, such as specifying separated vs. non-separated or protected vs. unprotected bicycle facilities. The consultant will explore with the Steering Committee if and how the LRTP can provide additional details on bicycle and pedestrian elements of these projects.

**Task 2 Deliverables:**

- Work with BMC staff to finalize policy questions
- Facilitation of Steering Committee meeting to gather feedback on policy questions
- Summary of feedback (to be integrated into Technical Memorandum #1 in Task 3)

**Task 3: Peer Metropolitan Planning Organization (MPO) Comparison**

Based on feedback received on the policy questions in Task 2, the Consultant will identify 5-7 peer MPOs that have successfully and effectively integrated standalone bicycle and pedestrian projects in their LRTP. If warranted, a state DOT can be included. The selection of peers should emphasize regions where this has led to successful funding and implementation of projects, in addition to evaluating and reviewing the scoring methodology used for bicycle and pedestrian projects.

The peer comparison should also include an exploration of how peers gather information on bicycle and pedestrian elements of roadway and transit projects in their LRTP, including the level of detail provided and best practices for project descriptions and justifications.

Through this task, BMC/BRTB is interested in learning specific information about:

- Technical scoring criteria and supporting data sources used to score standalone bicycle and pedestrian projects
- Methods used to estimate the costs of standalone bicycle and pedestrian projects



- Policies and programs related to incorporating standalone bicycle and pedestrian projects and programs into their LRTP, with an emphasis on regions where this has led to successful funding and implementation of projects.
- How peers collect information on, describe and present standalone bicycle and pedestrian projects as well as bicycle and pedestrian elements of larger roadway and transit projects.
- Qualitative elements such as compelling methods for presenting and visualizing these projects in LRTP websites and documents.
- How peers consider impacts on [lower opportunity areas](#) in their project scoring methodology for bicycle and pedestrian projects in the LRTP.
- Other elements as determined by BMC/BRTB and the consultant prior to initiating the task.

If possible, the peer regions should comprise multiple jurisdictions representing a mix of urban, suburban and rural land uses and be demographically similar to the Baltimore region.

**Task 3 Deliverables:**

- Identify 5-7 MPOs (or State DOTs as appropriate) that best align with project goals and that have successfully and effectively integrated standalone bicycle and pedestrian projects in their LRTP.
- Conduct interviews with MPOs regarding their policies and practices for incorporating bicycle and pedestrian projects into their LRTP, including elements listed above.
- Technical Memorandum #1: Summary of Steering Committee feedback on policy questions, summary of best practices and policies learned during peer MPO comparison, and draft recommendations for addressing policy questions drawing on steering committee input and peer review.
- Presentation of Technical Memorandum #1 to the Steering Committee to gather feedback, with one round of revisions to incorporate their feedback.

**Task 4: Create Scoring Methodology and Criteria for Bicycle and Pedestrian Projects**

Based on feedback from the Steering Committee in Task 2 and best practices from other MPOs in Task 3, the Consultant will create a scoring methodology for incorporating standalone bicycle and pedestrian projects into the LRTP. The criteria included in the scoring methodology should be specific and include details on the methods to be used to assign points for each criteria, similar to the level of detail for the [scoring methodology for LRTP roadway and transit projects](#).

While the scoring methodology will be influenced by the information learned in tasks 2 and 3, the criteria should also support the [regional goals and strategies](#) identified in the LRTP, similar to the scoring methodology for roadway and transit projects. The scoring methodology should also consider impacts on lower opportunity areas similar to the existing scoring methodology for roadway and transit projects.

The scoring methodology should take into account that most LRTP projects have only generally defined scopes, and thus project sponsors can often only provide very general project information. The Consultant should incorporate recommendations for providing as detailed project information as possible given these limitations consistent with information learned during the peer review. The Consultant will also consider BMC staff resources and tools available for scoring when drafting the criteria.

The Consultant will create an associated project submittal form in Adobe Acrobat based on the new scoring methodology. The project submittal form will be used by local and state agencies to submit standalone bicycle and pedestrian projects and should gather the information required to score these projects. BMC will provide the project submittal form for roadway and transit projects as an example.

**Task 4 Deliverables:**

- Technical Memorandum #2:
  - Detailed scoring methodology along with methods to be used to assign points for each criteria in the methodology as well as data needs.
  - Project submittal form in Adobe Acrobat to be used by sponsoring agencies to submit project information required for scoring.
- Present scoring methodology at one Technical Committee meeting and one steering committee meeting

- Refine Technical Memorandum #2 based on feedback from the Technical Committee and Steering Committee. The consultant will provide this report in Indesign and PDF formats.

**Task 5: Policy Recommendations beyond Scoring Methodology**

This task involves synthesizing the information learned in Tasks 2 and 3 into final policy recommendations for incorporating standalone bicycle and pedestrian projects into the LRTP. The recommendations should also include effective policies for creating more meaningful connections between the LRTP and TIP, with a focus on successful funding and completion of these projects.

This will include recommendations related to the policy questions in Task 2, as well as other innovative policies and procedures for integrating bicycle and pedestrian projects into the LRTP learned in Task 3. For example, recommendations should include practical items related to the LRTP such as how bicycle and pedestrian projects are visualized, described and presented in the document and online. The recommendations should also identify peer MPO policies and programs identified in the LRTP that have advanced bicycle and pedestrian project implementation, including connections to the TIP.

**Task 5 Deliverables:**

- Technical Memorandum #3: Policy recommendations drawing from information learned in Tasks 2 and 3 extending beyond the scoring methodology related to incorporating and elevating bicycle and pedestrian projects in the LRTP, including connections to the TIP. The consultant will provide this report in Indesign and PDF formats.
- Final presentation to the Steering Committee
- Final presentation to the Technical Committee

# 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 separate .pdf files. Proposals shall meet, at a minimum, the following requirements.

## Technical Proposal

The Technical Qualifications shall contain the following:

- *Cover Letter* – summarizing the offeror’s expertise and availability to do the work, all firms on the team and DBE commitment. Letter must be signed by an executive with authority to commit the offeror and stating the period for which the proposal is valid. (1 page maximum)
- *Experience and Qualification* – The offeror shall list the qualifications of the prime and subconsultants, as applicable, with regard to the selection criteria identified in this RFP. The summary should contain information on projects of a similar nature that the offeror has completed, including brief descriptions, dates, and names of contact persons. In the project descriptions, identify the roles of the identified project manager and key personnel. Please include links to relevant work if possible. (10 pages maximum)
- *Work Program* – Offerors shall provide a discussion of each task to be undertaken, how it will be performed, and the products/deliverables to be provided. An overall schedule of work in Gantt chart or similar format should be included. Offerors may include but are not limited to the tasks identified in the Scope of Work, and are encouraged to suggest modifications that would facilitate a successful work program. (14 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; include a breakdown of key staff hours by task in this section. (9 pages maximum)

- *DBE Participation* – The offeror shall present the program for assuring the maximum opportunity for participation by Disadvantaged Business Enterprises (DBEs) in accord with BMC’s goals. 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, table of contents or divider pages without content 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, including the prime firm and all subconsultants. Direct costs shall be itemized by category (e.g., travel, per diem, printing and reproduction, /etc.) for the entire project. The invoice submission schedule is anticipated to be monthly.
- **Affidavits and Certifications** – An electronic signature is acceptable on the Proposal Affidavit attached at the end of this RFP and shall be included in the Cost Proposal.
- Additionally, if there are any proposed exceptions to the “sample” form contract located on page 13, these should be noted in this section.

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 [zkaufman@baltometro.org](mailto:zkaufman@baltometro.org).

The proposal must be received by BMC no later than **2:00 PM on Tuesday, June 3, 2025**. 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 Zach Kaufman at [zkaufman@baltometro.org](mailto:zkaufman@baltometro.org) no later than Monday, May 12, 2025. All questions will be collected and answers will be posted to BMC's website by Thursday, May 15, 2025. Questions arriving after May 12, 2025 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	Thursday, April 17, 2025
Proposal Questions Due	Monday, May 12, 2025
Answers to Questions Posted	Thursday, May 15, 2025
Proposals Due	Tuesday, June 3, 2025, 2:00 P.M.
Consultant Selection	June 2025
Start of Work	July 2025
Completion of Work	January 2026

# Consultant Selection Criteria

BMC staff and/or appropriate project partners will conduct an evaluation of proposals. All proposals will be evaluated on the basis of technical merit and proposed cost. Teaming is permissible but the offeror will be with a single prime contractor. Technical merit will be evaluated as follows:

Topic	Considerations	Maximum Points
Project Management	Staff Roles and Responsibilities; Subconsultant/DBE Integration; Staff Availability and Commitment	25 pts
Experience and Qualifications	Firm Experience with Similar Projects; Staff Experience	30 pts

Work Program	Understanding of Issues/Objectives; Technical Approach; Clarity of Deliverables	30 pts
Proposal Quality	Cover Letter; Adherence to Proposal Requirements; Proposal Presentation	15 pts
<b>Available Technical Score</b>		<b>100 pts</b>

This is not a low-bid procurement. The FY 2025 UPWP budgeted \$150,000 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 reserves the right to negotiate with one or more offerors selected based on the initial technical merit and proposed cost. Offerors may be asked to make personal appearances or to provide additional information regarding their proposals.

## “Sample” Form Contract

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

[https://baltometro.org/sites/default/files/bmc\\_documents/RFP/sample-rfp-contract\\_fy2022.pdf](https://baltometro.org/sites/default/files/bmc_documents/RFP/sample-rfp-contract_fy2022.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

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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

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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

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## 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 26.2 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.)

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(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)

