

REQUEST FOR PROPOSALS

P32-119

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Functional Master Plan for Parks, Recreation and Open Space

**Written Proposals are to be Received by:
11:00 AM, Thursday, November 3, 2011**

REQUEST FOR PROPOSALS

Proposal No. P32-119

The Maryland-National Capital Park and Planning Commission (Commission) hereby invites proposals from interested firms in accordance with this Request for Proposals (RFP) as set forth herein. The enclosed sections contain information related to the below Project and this information is provided to all prospective Offerors.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Functional Master Plan for Parks, Recreation and Open Space

Written Proposals to be Received by:

11:00 AM, Thursday, November 3, 2011 at the

The Maryland-National Capital Park and Planning Commission

Purchasing Division, Suite 300

6611 Kenilworth Avenue

Riverdale, Maryland 20737

All inquiries regarding this proposal request are to be made by telephone to:

Stephanie Akerley, Principal Procurement Specialist

(301) 454-1605

Request for Proposal No: P32-119

Proposal Name: Functional Master Plan for Parks, Recreation and Open Space

Pre-Proposal Meeting: **Tuesday, October 18, 2011**

10:00 a.m.

M-NCPPC

6611 Kenilworth Avenue

Conference Room 305

Riverdale, MD 20737

PLEASE NOTE:

Vendors may conference call in for the Pre-Proposal Meeting. If you are interested in exercising this option, please forward an e-mail to Stephanie.Akerley@mncppc.org for the call-in number and passcode.

Deadline for Proposals: **Friday, November 3, 2011**

2:30 p.m.

M-NCPPC

6611 Kenilworth Avenue

Purchasing Division – Suite 300

Riverdale, Maryland 20737

One (1) original and five (5) copies all bound and sealed must be received as follows:

Offerors are requested to confirm that their Offers are valid for a period of 120 days after submittal.

Delivery of proposals to the Purchasing Division, third floor, Suite 300, may only be made during Commission business hours, 8:00 AM to 5:00 PM, Monday through Friday. The submittal should have the Proposal No. indicated on the outside of the package envelope. **Please be advised that access to the elevators at the Executive Office Building is restricted and requires an official Commission access card. Upon arrival to the building, please utilize the lobby wall phone to dial extension 1600. A member of the Purchasing Division staff will come to the lobby to grant you access, or accept your proposal.**

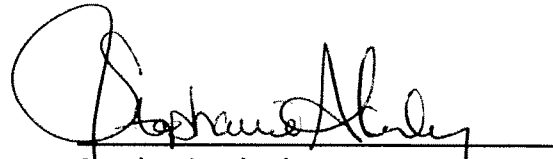
Proposals delivered to any location other than the Purchasing Division office listed above will not be considered. Oral, telephonic, telegraphic, and facsimile proposals will not be accepted. If a proposal is sent by mail or courier service, the Offeror assumes full responsibility for its timely delivery to the designated location. Proposals received after the date and time specified for receipt of proposals may be rejected and returned unopened.

Offerors are to conform to the procurement conditions herein including, those for Subcontracting. The proposal shall clearly indicate the proposed subcontractors to be utilized to accomplish the Scope of Services.

Request for Proposal No.: P32-119

This RFP has significant subcontracting opportunities and, therefore, each Offeror must demonstrate compliance with the Commission's Non-Discrimination in Subcontracting Program. **An MFD subcontracting level of participation of thirteen percent (13%) has been established for this RFP.** A Non-Discrimination in Subcontracting Bid Form must be completed and signed by an authorized person in order to be deemed responsive.

All inquiries regarding this proposal are to be made to Stephanie Akerley, Principal Procurement Specialist, at 301-454-1605 (phone), 301-454-1606 (fax), or e-mail Stephanie.Akerley@mncppc.org.



Stephanie Akerley
Principal Procurement Specialist

Part 1

GENERAL INFORMATION and GENERAL CONDITIONS

PART I – GENERAL INFORMATION

PRE-SUBMISSION INFORMATION

Examination of Proposal Documents

Offerors must examine all of the solicitation documents very carefully and must tailor their proposal to the location and requirements of the proposed work. The submission of a proposal indicates that the Offeror thoroughly understands all of the terms and conditions, instructions, notices, and specifications of the proposal.

Commission Assistance in Proposal Preparation

Commission staff will not assist any Offeror or Offeror's agent in the actual preparation of the proposal. Offerors or their agents will not be permitted to use Commission telephones or other facilities in the preparation of the proposal.

Interpretation of Proposal Documents and Correction of Proposal Documents

Should an Offeror require an interpretation or clarification of any provisions of the RFP documents or related information provided by the Commission, or believes that there is an ambiguity, error, inconsistency or discrepancy in these documents or information, the Offeror must notify the Commission in writing at least five (5) working days prior to the date set for receipt of proposals.

An Offeror who fails to request any such interpretation or clarification waives any claim for additional cost or time spent addressing any ambiguity, error, inconsistency or discrepancy in any such documents or information which is found to have been apparent at the time of receipt of proposals.

All interpretations, clarifications, corrections, changes, or other directions related to these requests of Offerors will be provided in writing by the Commission and sent to all prospective Offerors who obtained copies of the documents and information from the Commission.

Extension of Proposal Opening

The Commission may extend the proposal opening date at its option. If the date is extended, the Commission will notify all prospective Offerors who have obtained copies of the proposal documents from the Commission.

Response to Solicitations

In the event a firm does not submit a proposal on this solicitation, the firm should respond with an explanation as to why the firm is unable to do so. Because of the large number of firms listed on the Commission's bidders list, it may be necessary to delete from this list the name of those firms that repeatedly fail to respond to Commission solicitations for proposals. The return of a "No Proposal" is not considered a failure to respond.

PREPARATION and SUBMISSION OF PROPOSALS

The Offeror should submit an original and five (5) copies of the proposal as indicated in the RFP announcement. The proposal must be:

Initialed by the Offeror where there are erasures or other changes in the proposal.

Signed in ink by authorized principals with the Offeror's legal name fully stated. Corporations must give the state in which incorporated, using phrase "A Corporation organized under the laws of the State of ____." Partnerships must give names of partners, using phrase, "Co-partners, doing business under the firm name of ____." Individuals using a trade name must give the individual name, using phrase, "An individual doing business under the trade name of ____."

Submitted in accordance with the format as specified in the section entitled "Proposal Format." Proposals may be submitted as the Offeror may determine, but the proposals must follow the prescribed format as to the requirements of content and order of content.

Fully completed by the Offeror, including all information requested and any attachments that may be required.

Enclosed in a sealed envelope, the face of which shall indicate the RFP Number, time, and date of opening, and title of the proposal.

Faxed or Electronic Proposals will not be accepted.

Received on or before the time, date, and at the location specified in the RFP Announcement herein.

RECEIPT and OPENING of PROPOSALS

Proposals received prior to the date and time specified for the receipt of proposals will be securely kept, unopened. The Commission representative, whose duty it is to open the proposals, will decide when the specified opening time has arrived.

If the Offeror to whom an award is made should fail to execute the contract (see Appendix for sample contract) or deliver any insurance certificates within the time specified:

1. The award may be annulled and the project awarded to the Offeror ranked second under the evaluation criteria, who shall be required to fulfill all stipulations as if such Offeror were the original Offeror to whom the award was made, or
2. The Commission may reject all remaining proposals.

Unless otherwise stated in the Scope of Services Section, the Commission reserves the right to award in the aggregate or to make separate awards.

The Commission reserves the right, when reviewing proposals for award, to waive minor informalities or irregularities in the proposals and in the proposing procedure. The Offeror to whom the award is made will be notified at the earliest possible date.

The Commission reserves the right to reject any or all proposals, and to reject any or all optional items included in the proposal.

BID PROTESTS

Any actual or prospective Offeror who is aggrieved in connection with the solicitation of bids or award of a purchase may protest to the Commission's Purchasing Manager. Protesters are urged to seek resolution of their complaints initially with the purchasing agent. A protest related to a Request for Proposals shall be submitted in writing prior to the closing date for the proposals, unless the aggrieved person did not know and should not have known of the facts giving rise to such protest prior to closing date for proposals. The protest shall be submitted in writing and received within ten (10) business days after such aggrieved person knows or should have known of the facts giving rise to the protest.

The protest must include:

- the name and address of the protester;
- identification of the solicitation or purchase;
- statement of reasons for the protest;
- any supporting documentation to substantiate the claim made, unless the documentation is not available within the protest delivery time, in which instance the expected date the material will be available is to be stated; and
- the remedy sought.

The purchasing agent shall, upon written request, make available to the protestor information submitted that bears on the substance of the protest except where information is proprietary or otherwise confidential. The protester shall submit any additional information requested by the Purchasing Manager within five (5) calendar days after receipt of the request for such information. Failure of the protester to respond to a request for information may result in the resolution of the protest on the basis of available information.

The decision of the Purchasing Manager shall be final and conclusive; unless fraudulent, or:

- within ten (10) business days from receipt of the written decision, the protester mails or otherwise furnishes a written appeal to the Executive Director, or
- any person adversely affected by the decision commences an action in court.

The decision of the Executive Director shall be final and binding.

PART 1: GENERAL CONDITIONS

ETHICS IN PROCUREMENT

By submitting a bid, the Offeror agrees to adhere to the Commission's policy on ethics in purchasing. This policy prohibits any person from offering, giving, or agreeing to give any Commission employee or former Commission employee a gratuity or an offer of employment in connection with any aspect of Commission procurement. Further, payment or offers to pay contingent fees related to procurement of Commission purchases are prohibited except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business. Potential Offerors are urged to review the ethics policy in detail. Copies may be requested from the Purchasing Division (Phone: 301-454-1600).

SPECIFICATIONS

All work must be furnished in accordance with the Scope of Services Section of the RFP.

PAYMENT

Payment will be made by the Commission after acceptance of the work and submission by the Contractor of a properly prepared invoice.

COMPLETION OF WORK

Upon award of the proposal, Offeror must be prepared to complete/deliver the work within the time stated in the proposal.

ANTI-DISCRIMINATION PROGRAM

This RFP falls into the major procurement category of Professional Services. For the Professional Services category, African American and Disabled-owned firms, which meet certain requirements and have been approved as eligible by the Fair Practice Office, receive an evaluation preference. A copy of the letter of approval issued by the Fair Practice Office must be attached to the Offeror's response in order to receive an evaluation preference.

By submitting a proposal, an Offeror shall understand and agree to:

- Not discriminate against minority, female and disabled-owned firms (MFDs) in the selection of subcontractors on Commission contracts. For contracts with subcontracting opportunities, Offerors are required to provide MFDs the opportunity to submit proposals as subcontractors and to award those MFDs submitting low proposals the subcontracts unless there are legitimate reasons not to do so. On certain contracts, the Commission will require Offerors to submit standard forms with the proposals that indicate how they have complied with the subcontracting non-discrimination requirements. The Special Instructions section of the RFP specifies whether these forms must be submitted.

- Not discriminate against MFD in their performance of work as subcontractors on Commission contracts.
- Submit forms verifying payment to subcontractors throughout the course of a contract.
- Not discriminate against any employee or applicant for employment because of age, sex, race, creed, disability, or national origin. If a firm is determined by a final order of an administrative agency or a court to be in violation of federal, state, or county non-discrimination laws, any agreement entered into by the Commission with a firm may be terminated or suspended in whole or in part by the Commission, and the firm may be debarred from proposing on future contracts with the Commission.

This RFP has significant subcontracting opportunities and, therefore each Offeror must demonstrate compliance with the Commission's Non-Discrimination in Subcontracting Program.

The subcontracting non-discrimination program shall apply not only to the initial contract award, but also to certain major change orders and amendments that serve to increase the dollar value of the initial contract.

Any violation of the Commission's Anti-Discrimination Program may result in suspension or debarment of the violator as well as other civil or administrative remedies. A minority-owned business is any entity that engages in commercial transactions and is at least 51 percent owned and controlled by one or more individuals from the following groups: African Americans (all persons having origins in and of the black racial groups of Africa), Hispanics (all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race), Asians or Pacific Islanders (all persons having origins in any of the original people of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands), and Native American (all persons of American Indian, Aleut, Eskimo or Native Hawaiian).

A female-owned business is any entity that engages in commercial transactions and is at least 51 percent owned and controlled by one or more women. A disabled-owned business is any entity that engages in commercial transactions and is at least 51 percent owned and controlled by persons with physical or mental impairment that substantially limits one or more of the major life activities of the individual, as defined in the Americans with Disabilities Act of 1990.

Part 2

REQUIREMENTS

SCOPE OF SERVICES

SPECIAL CONDITIONS

PROPOSAL FORMAT AND SUBMISSION CONTENTS

EVALUATION CRITERIA

PART 2: REQUIREMENTS

Introduction

The Maryland-National Capital Park and Planning Commission (Commission), Prince George's County Department of Parks and Recreation (DPR) is seeking qualified professional consulting firms to provide assistance to staff in specialty areas to produce a park and recreation system master plan. The project will be staff driven, with a legislated mandate to complete a preliminary plan for public review and hearing within eight (8) months of initiation by the Prince George's County District Council (the County Council becomes the District Council when it acts on planning and land use issues). The specialty services sought under this solicitation, including two that are optional are:

- A. Project Support
- B. Public, Staff and Executive Outreach and Participation
- C. Research Comparable Agency Benchmarks and Reality-Test Proposed Level of Service (LOS) Standards
- D. Departmental Program Standards
- E. Program and Facility Matching
- F. Development Guidelines and Standards for Urban Facilities
- G. Methods to Monitor and Understand Patterns of Indoor and Outdoor Facility Use
- H. Graphic Design and Project Documentation
- I. Land Dedication Process
- Option 1 -- Statistically Valid Survey
- Option 2 -- Social Media Outreach Program

Background

Prince George's County MD is a fast-growing and urbanizing county outside Washington, DC. The selected Offeror will work with staff, Departmental leadership, the Parks and Recreation Advisory Board appointed by the County Executive, County Planning Board, County Council in their role as District Council and the Office of the County Executive to create a foundational framework and vision that will become a reference point for determining the ultimate facility and programmatic composition of the Department at build out. The master plan will have a time horizon to the year 2040 and will be developed to meet the criteria of a functional master plan that, upon adoption by the District Council, will become part of the County General Plan. DPR does not have a current master plan.

The statutory process for a functional master plan provides a window of only eight (8) months to produce a preliminary plan for review. Therefore, the Offeror and associated team members must be prepared to commence work immediately at date of project initiation by the District Council and have staff available to work without interruption for the 8-month planning period.

The master plan process will build upon ***Parks & Recreation: 2010 and Beyond*** an extensive needs assessment and visioning project that was completed in 2009 (see www.2010Beyond.com for more information). The master plan will use several products and processes as foundational elements. Much of this work has been done in response to the ***2010 and Beyond*** initiative. These include:

- Updated Recreation Programming Plan
- Program Think Tank Recommendations, including service assessment
- Facility Maintenance Work Group Recommendations on needs for maintenance yards and organizational restructuring.
- Building Condition Study (ongoing)
- Facility Utilization Study (analysis of data collected by volunteers over 8 weeks at 41 community centers)
- Six-year Capital Improvement Program (CIP)
- Land Preservation Park and Recreation Plan (6-year plan mandated by the State of Maryland that establishes the park classification system and establishes levels of service (LOS) for key facilities
- County Master Plans and policies.

In contrast to master plans that are land and facility focused, the new DPR master plan must be driven by the future need for recreation and leisure services. An overarching theme of the plan will be matching existing and new facilities, indoor and outdoor, with programmatic need. A principle established by **2010 and Beyond** is that all County citizens should be serviced by an “equivalent mix” of programs, facilities and services. This principle reflects the reality that desired LOS for every key facility cannot be uniformly applied in all areas due to a variety of constraints, such as pre-existing development, topography, environmental concerns, land and facility development costs.

The final report should be a product that is progressive, innovative and a fitting memorial to the planning process. The final report should: 1) document activities and participation in those activities, 2) present a compelling and inspiring vision for the future, and 3) establish measurable outcome objectives in multiple and complementary thematic areas (vision elements) that will demonstrate the positive impacts the land, facilities, programs and services provided and managed by DPR have on the lives of Prince Georgians. The vision elements have not been selected, but they will build on the existing emphasis on services for youth and seniors. Candidates are:

- Community Health and Wellness
- Cultural Diversity
- Environmental Stewardship
- Economic Development
- Community Capacity Building
- Transit Oriented Development

In addition, the plan will be a vehicle to promote visionary thinking on programs and facilities. It must answer the question, “What are the signature facilities and programs that will: 1) continue DPRs reputation as a national innovator, 2) enhance quality of life in the County, and 3) stimulate economic development through tourism and investment decisions that “prime the pump” for additional investment?” Ultimate success will depend on our ability to achieve broad consensus on action recommendations and implementation steps and performance measures to track progress.

Purposes

- Achieve consensus among key stakeholders on a future vision for the park and recreation system in Prince George's County, MD
- Develop a planning tool to assist and guide leaders and developers in making wise capital and operating investment decisions with respect to acquiring park land, upgrading and modernizing existing facilities and adding new programs and facilities
- Adopt progressive state-of-the-art approaches to providing recreation and leisure services that will maintain and promote the Department's reputation for innovation and excellence.

Desired Outcomes

- A vision for the future parks and recreation system, based upon:
 - Changing Demographics
 - Prospective Development Build-Out of Prince George's County
 - Changing and Emerging Recreation Trends
 - Community Needs and Priorities
 - Need to conserve resources and achieve organizational sustainability
 - Findings and recommendations from the 2010 and Beyond initiative and subsequent implementation activities.
- Standards, Targets and Measures for land, facilities and programs based upon:
 - National, regional and local trends
 - Current availability and condition of existing
 - Citizen and resident desires
 - Practicability of implementing LOS standards, program standards, cost recovery targets and performance measures/indicators.
- Performance measures and indicators that will be used to track and monitor progress toward attaining outcome objectives and demonstrating the value of parks and recreation services in the lives of Prince Georgians
- Clearly articulated sets of objectives, strategies and actions steps that will address current need and prepare the Department to meet future need.
- Short and longer-term implementation priorities with action steps, timeframes and assignments of responsibility.
- Identification of capital investment priorities.

Services to be Provided by the Consultant

Proposals should address the following needs at a minimum. The Offeror may also propose additional related services that the Offeror believes may be needed to successfully conduct the work. If additional related services are proposed, a separate price must be provided for each additional related service.

Tasks

Task A. Project Support

Overall project guidance is to be provided by DPR through its project manager. It shall be mandatory to complete the preliminary draft master plan within the first 8 months after the notice to proceed. Upon selection and after issuance of a notice to proceed, the Offeror's project manager and other key representatives of the consulting team will meet with the DPR project manager, key members of the DPR management team including staff and other identified stakeholders for a project kickoff meeting. The agenda for the kickoff meeting shall include:

- Timelines and schedules for milestones and deliverables to be contained in a scoping memo;
- Types, numbers, timing, participants and locations of meetings to be held;
- Formats, contents and expected quality of deliverables;
- Roles, responsibilities and division of effort; and
- Methods and strategies to be deployed and resource requirements for each.

Given the time 8-month constraint described above, it will be imperative that any issue that may delay the project be raised, discussed and addressed at the earliest possible opportunity. DPR encourages alternative responses to the respective staff and consultant responsibilities outlined below.

Staff Responsibilities:

- Create an interdisciplinary staff management team to be lead by a project manager to administer the consulting contract and direct the activities of the consultant team.
- Arrange for times and locations for project team meetings.
- Assure coordination and integration of the project with previous, concurrent, ongoing and proposed planning and development activity for land, facilities and programs, e.g. CIP and concurrent study of adequate public facilities requirements and review procedures for parks and recreation.
- Read and provide timely written feedback on weekly project updates provided by the Offeror, including response to all requests for clarification or assistance.

Consultant Responsibilities:

- Offeror shall complete the preliminary draft master plan within the first 8 months after the notice to proceed.
- Submit a scoping memorandum for review and approval by the DPR project manager within 10 business days following the kick-off meeting. The scoping memorandum shall include:
 - Preliminary project schedule/timeline in the form of a Gantt Chart developed with Microsoft Project or SmartDraw that specifies the tasks and deliverables, with delineation of key milestones to be accomplished with task/deliverable descriptions
 - Identification of the lead and support staff persons responsible for tasks and deliverables
 - Résumé/qualification statement for each person assigned to the project
 - Projected start and completion timeframes for each task
 - Completion timeframe for each consultant responsibility
 - A working outline of the format and content of all documents to be produced
- Provide weekly written project updates on all elements of the project via e-mail to the DPR project manager, including notice of any situation or issue that could or will impact project progress. The format and timing of the project updates will be jointly determined by the Consultant and DPR project managers. Project updates shall track accomplishments to date, current and projected project timeline, current and projected schedule for attaining milestones, current and projected budget and a running tally of meetings held by type.
- Submit monthly detailed invoices with required documentation.
- Provide meeting notes for project team meetings.
- Present draft and final reports, if required, to:
 - DPR Senior Management
 - Prince George's County Planning Board
 - Prince George's County District Council
 - Prince George's County Executive
 - Prince George's County Parks and Recreation Advisory Board
 - Citizens and residents at public forums

- Assist staff in the development of “vision elements” – those big ideas that will inspire and drive plan implementation. These are measureable outcomes that will demonstrate how parks and recreation contributes to the quality of life and economic development in the County.
- Assist staff with identifying signature programs and facilities that will put Prince George’s County on the map as a national or regional innovator and that will attract tourists.
- Assist with the development of the future management and organizational structure that will need to be in place to manage and support the system at build-out.
- Synthesize ongoing work products into recommendations for the final report.

Task B. Public, Staff and Executive Outreach and Participation

The Department’s current public outreach network of Regional Managers who work with small clusters of community centers is the backbone for the program. A legacy of this process will be a revitalized and improved network for engagement and participation. The public participation program will involve of all sectors of the Prince George's community, including: civic and homeowners' associations, recreation, sports and arts councils, non-profits, faith-based and community organizations. Multiple approaches will be used to disseminate information and receive feedback. DPR encourages alternative responses to the respective staff and consultant responsibilities outlined below to achieve a state-of-the-art outreach and participation process.

Staff Responsibilities:

- **"Outreach Corps"**-- Intermittent staff will work with regional managers and facility directors to engage in grassroots level outreach. The Outreach Corps members will attend meetings of organizations, boards and councils to provide information on the status of the planning process and engage the participants in dialogue. Corps members will journal their experiences; this will provide insight into what is happening on the ground at our facilities on a day-to-day basis. They will also document alternative service providers and facilities.
- **Information Distribution**-- Information regarding the Functional Master Plan process and the public engagement program will be included at all Department of Parks and Recreation facilities and community events throughout the county. Department staff will be able to answer questions and refer interested parties to additional information on the website, upcoming open houses, etc.
- **Advisory Panel**-- Establish a Stakeholder Advisory Panel made up of community leaders, key staff representatives from the departments of Parks and Recreation and Planning, representatives from parks and recreation interest groups, recreation councils and advocacy organizations, representatives from the Parks and Recreation Advisory Board (PRAB) and the Federation of Advisory Councils and representatives from other units of government, such as the Prince George’s County Public Schools. The Panel will serve as advisors throughout the Functional Master Plan development process. Staff will provide support to the Stakeholder Advisory Panel, including: scheduling of meetings, providing notices and other communications, arranging for meeting locations, providing meeting and workshop supplies, taking and distributing meeting notes.
- **Website and E-blasts** -- Establish a public web-based forum for ongoing dialogue and posting of the historical record of the project. The Website will include general project information, ways to get involved, and online surveys. Information will also be included in the Department’s e-newsletter, as well as e-blasts created specifically for the plan.

- Community Open Houses and Open houses will be offered in different geographic locations, at different points throughout the Master Plan development process to allow residents, visitors and others to get information and share their opinions. Community Open Houses will be held for extended hours to facilitate more participation.
- Public Hearing /Required Public Notification — A public hearing will be held, as required, by the statutory Functional Master Plan process.
- Speakers Bureau-- Staff will be available to speak to community groups and organizations throughout the project about findings and next steps.

Consultant Responsibilities:

- Attend and document up to 50 meetings of the staff management team.
- Attend and facilitate up to 6 public meetings or open houses.
- Attend and present at up to 10 formal presentations to:
 - DPR Senior Management
 - Prince George's County Planning Board
 - Prince George's County Council
 - Prince George's County Executive
 - Prince George's County Parks and Recreation Advisory Board
- Attend, facilitate and document up to 20 community and interest group meetings.
- Prepare progress postings, videos and pod casts for posting via Website, E-blast, E-Newsletter or social media.

Task C. Research Comparable Agency Benchmarks and Reality-Test Proposed Level of Service (LOS) Standards

Create a verifiable and reality-tested foundation for determining and meeting future need for land and key recreation and maintenance facilities. To define what is both an equitable and realistic provision of key park and recreation facilities, it is important to: a) Know "industry" trends in facility planning, design, construction and programming plus and b) Understand the actual experiences of comparable jurisdictions in setting and achieving LOS levels. Information collected will be used to reality test and refine LOS standards in the Land Preservation Park and Recreation Plan (LPPRP). DPR encourages alternative responses to the respective staff and consultant responsibilities outlined below.

Staff Responsibilities:

- Provide development trends and projections, including population growth and build-out density.
- Provide current and historical recreation program registration and park facility use data.
- Provide current park and facilities classifications.
- Provide recommended LOS standards for key facilities from the 2012 LPPRP.
- Provide recreation and leisure activity projections, based upon national, regional and local trends and historical data pertaining to recreation program registration and park facility use in Prince George's County.
- Provide maintenance facility needs and requirements from the facility maintenance staff work group.
- Determine "key" facilities to be studied and comparable jurisdictions to be studied.

Consultant Responsibilities:

- Develop recreation and leisure activity projections, based upon national, regional and local trends and historical data pertaining to recreation program registration and park facility use in Prince George's County.

- Research comparable agency benchmarks for facilities, services and maintenance in five (5) to seven (7) comparable jurisdictions. The jurisdictions to be studied and the facilities, services and maintenance activities to be benchmarked will be decided jointly by staff and consultant.
- Engage staff in development of the data collection template for the benchmarking study. Populate the template for the chosen jurisdictions.
- Examine policies and objectives that were used to guide park planning, design, development and programming decisions in each jurisdiction, with emphasis on anticipated use and programming of facilities.
- Test the recommended land and facility (indoor and outdoor) level-of-service standards, service areas and location criteria in the 2012 LPPRP, based upon local history, need (existing and projected), local and national recreation trends and performance benchmarks from other similar jurisdictions. Document the methodology, findings and recommendations in an interim report.
- Recommend facility space standards, e.g. land requirements for various types of recreation facilities, and typical groups of indoor and outdoor facilities, including ancillary requirements such as parking and maintenance based upon projected recreation and leisure activity—both programmed and non-programmed.
- Project land and facility requirements at build-out and over the next 30 years.
- Determine requirements for maintenance yards at system build-out (numbers, sizes and locations).
- Review park and recreation impact fees and mandatory land dedication and fee in lieu of dedication rules, regulations and procedures in comparable jurisdictions.

Task D. Departmental Recreation and Leisure Program Standards

The 2010 and Beyond initiative recommended a service assessment and cost recovery analysis to address program issues that include a high percentage of programs offered that are dropped from the schedule because of insufficient registration, evidence that citizens travel long distances away from their neighborhood to access programs, low utilization rates at many community centers, declining rates of cost recovery, and recessionary pressures that are reducing available resources.

Work with staff to establish Department-wide measurable program expectations and standards that can be used to track progress on implementation of program objectives. DPR encourages alternative responses to the respective staff and consultant responsibilities outlined below.

Staff Responsibility:

- Provide draft Comprehensive Recreation Programming Plan.
- Provide draft options for Departmental program standards from staff Program Think Tank.
- Provide the recent service assessment (“Stop Light” Model).
- Provide 2011 indoor facility utilization study prepared by staff with volunteers.
- Provide recreation and leisure activity data pertaining to recreation program registration and park facility use in Prince George’s County.

Consultant Responsibility:

- Develop recreation and leisure activity projections, based upon national, regional and local trends and historical data pertaining to recreation program registration and park facility use in Prince George’s County.
- Recommend Departmental Program Standards
- Review and recommend refinements to the draft Comprehensive Recreation Programming Plan and draft program standard options.

- Benchmark program standards from other relevant jurisdictions. Engage staff in development of the data collection template for the benchmarking study. Populate the template for the chosen jurisdictions.
- Work with Program Think Tank to reach consensus on Departmental Program Standards and methods to monitor and measure progress on program objectives.
- Recommend specific areas for collaboration (partnerships and sponsorships).
- Determine existing and future gaps in provision of recreation programs, leisure services and recreational facilities.
- Determine the best providers of various types of community recreation and leisure services and identify the areas where 1) DPR has a competitive advantage and should continue to provide service and 2) how DPR can be instrumental in filling gaps in areas (geographically, demographically and programmatically) where needs are unmet.

Task E. Recreation Program and Facility Matching

The continuing ability of DPR to function at a high level will depend on the ability to anticipate future program need and provide facilities to accommodate those needs. Thus, it is important to assess the current program capacity of current facilities and determine where gaps or weaknesses will occur given the anticipated future demand for programs.

Assess the strengths and weakness of current facilities to meet future program demand. DPR encourages alternative responses to the respective staff and consultant responsibilities outlined below.

Staff Responsibilities:

- Provide data on local recreation and leisure trends.
- Provide the recent community center utilization study.
- Provide current six-year CIP.
- Provide recommendations of the Facilities Maintenance Workgroup regarding need for maintenance facilities to support proposed reorganization of maintenance functions.

Consultant Responsibilities:

- Develop recreation and leisure activity projections, based upon national, regional and local trends and historical data pertaining to recreation program registration and park facility use in Prince George's County.
- Recommend methods to rationally determine functional/programmatic facility capacity, including current capacity of community centers, recreation centers and specialty indoor and outdoor facilities.
- Work with staff to test and select appropriate methods.
- Recommend strategies to increase underutilized facility use tailored to up to five (5) specific sites to be determined by staff.
- Review long-range capital improvement program and recommend changes to align the CIP with the functional master plan recommendations.
- Work with staff to develop projections of future program need.
- Determine where future gaps or weaknesses will occur given the anticipated future demand for programs, projected population and development trends, current facility capacity and future facility development plans and proposed strategies to bridge those gaps.

Task F. Development Guidelines and Standards for Urban Facilities

Prince George's County is striving to develop compact transit-oriented mixed-use development around its 15 Metro stations. This is a priority economic development issue for the County. A new class of urban parks will be required to complement this development. Parks and recreational facilities can themselves stimulate additional investment.

Urban parks are different in several ways from suburban parks. Context and location are particularly sensitive in how the park will contribute to the character and identity of an area. Other characteristics that differentiate an urban park are: function/purpose, access, ownership/management/operation, amenities, level of design, park size and service area.

The consultant team will work with staff to determine desirable outcomes, roles the Department should play in achieving them, and the skills and organizational structures that will be required to support those roles. DPR encourages alternative responses to the respective staff and consultant responsibilities outlined below.

Staff Responsibilities:

- Convene meetings with staff from Planning Department, Parks and Recreation and county economic development agencies to determine and document how parks and recreation facilities both contribute to quality of life and stimulate investment.

Consultant Responsibilities:

- Benchmark examples of indoor and outdoor urban facilities from comparable jurisdictions. Engage staff in development of the data collection template for the benchmarking study. Populate the template for the chosen jurisdictions.
- Facilitate staff dialogues to achieve common vision.
- Recommend guidelines, standards and conditions, including a typology with criteria to complement existing park classifications.
- Prepare one or two illustrative color site plans for each urban park type. Each plan shall be accompanied by a brief written summary (1 – 3 pages) of key features and major design concepts incorporated in the plan.
- Prepare five street-level perspective color renderings of key design features. Renderings may be drawn free-hand or prepared using computerized rendering applications.
- Recommend strategies to ensure that future facilities are sited to support, enhance or stimulate economic development, especially within developing transit corridors.

Task G. Methods to Monitor and Understand Patterns of Indoor and Outdoor Facility Use

Use data are an important indicator of how well we serve community need. A recent study was conducted by volunteers indicates strongly that our indoor facilities are underutilized. The DPR program registration database, SMARKlink, contains a wealth of program registration information.

Recommend and test methods and protocols to both collect baseline data on use of key indoor and outdoor facilities and track periodic performance.

Staff Responsibilities:

- Facilitate access to facilities for test measurements.
- Make available data and information about prior attempts to collect facility use information.
- Participate in dialogues about the pros and cons of alternative methods.
- Facilitate and participate in pilot project to test data collection methods.

Consultant Responsibilities:

- Review the content of the internal SMARTlink program registration database and make recommendations on reports, data tracking and performance measures that will provide useful information for managers and supervisors.
- Participate in staff dialogues to discuss data collection and tracking options.
- Make recommendations.
- Engage staff in setting up on-site demonstrations to in test alternatives and to determine feasibility and efficacy of implementation in Prince George's County.

Task H. Graphic Design, Project Documentation and Deliverables

The final report and appendices will memorialize the planning effort. It must reflect the seriousness of purpose and level of consensus reached among the many participants.

Prepare and print a final report that features compelling graphics and photography in a user-friendly format. The consultant will prepare preliminary and final drafts, giving at least 2-weeks for review prior to the deadline for the final version. The report will be a synthesis of all materials and information collected, including staff and consultant work products, plus an implementation action plan showing in detail what will need to happen in each of the 3 decades to implement plan recommendations. DPR encourages alternative responses to the respective staff and consultant responsibilities outlined below.

Staff Responsibilities:

- Provide timely feedback.
- Assure coordination and integration of the project with previous, concurrent, ongoing and proposed planning and development activity for land, facilities and programs.

Consultant Responsibilities:

- Provide at least three options for text layout and cover design.
- Provide reports in electronic format for reproduction.
- Provide a final report that is a synthesis of all materials and information collected, including staff and consultant work products, plus an implementation action plan showing in detail what will need to happen in each of the 3 decades to implement plan recommendations. The action plan will present outcome objectives and the actions required to achieve those outcomes in three area: 1) Land Acquisition, 2) Facilities Development and 3) Programs and Services Delivery.
- Provide Interim technical reports on up to 10 topics that are suitable for public posting on the project web site.
- Submit preliminary draft and final draft reports for DPR review before submitting the final report, giving at least 2-weeks for review for each prior to the deadline for the next version.
- Report Submittal Specifications for Each Report:
 - Each report submittal will consist of an unbound original and 15 bound copies, including a two-page executive summary and a Microsoft PowerPoint presentation on CD-ROM. The consultant shall also provide the full report and executive summary in Microsoft Word or Adobe InDesign. Images should not be embedded if the digital submittal is provided in Microsoft Word.
 - Written work products will be submitted on 8.5 x 11-inch paper, portrait orientation, unless otherwise agreed by DPR. Prepare the report for black and white (gray scale) reproduction. Use Times New Roman font size 11 for the report unless otherwise agreed by DPR.

- Consultant shall provide a copy of all electronic files, text, graphics, illustrations, uncropped photographs, etc., in their original unflattened electronic format plus a PDF copy of the document. Resolution of all raster-based images (e.g., JPEG, TIFF, etc.) must be at least 300 dpi. In addition to the unflattened original file formats and the document PDF, all graphics, maps, illustrations, photos, or any other image shall also be submitted as a JPEG, EPS, AI, INDD, or PSD (if the original is different than these formats). Images should be linked and not embedded or flattened in the digital submittal.
- Consultant must either own or have written permission for all images within the document. All images should be clear of copyright issues, meaning no graphics should be captured from other sources without written permission from the source for both print and web use by M-NCPPC. Copies of the written permission must be provided to DPR prior to inclusion in any preliminary draft report, final draft report, final report or interim technical report.
- The document will be grammatically correct and edited in accordance with the Planning Department's most recent editions of the Way With Words style manual. A copy of the manual will be provided to the successful consultant.
- Large scale maps and graphics shall be compatible with ArcGIS 8.0 and higher software.

Task I. Mandatory Land Dedication Process and Procedure

DPR needs to update its mandatory land dedication program. The Offeror will make recommendations on how to implement a program that will meet the challenges associated with implementing the 2040 Functional Master Plan recommendations.

Staff Responsibilities:

- Assemble a staff team experienced with the current process and procedure from Park Planning and Development (DRR), Development Review (Planning Department) and Department of Law and other economic development agencies.
- Present case studies that show strengths and weaknesses of current system.

Consultant Responsibilities:

- Review current applicable law and precedent from U.S. Supreme Court, State of Maryland and Prince George's County.
- Assess strengths and weaknesses of current system, including: current exclusions, applicability in mixed use zones, fee schedule, the calculation of the monetary value of private recreation facilities, and percentages of property required to be set aside for parkland.
- Prepare menu of land dedication and fee options that are legal in Maryland.
- Make recommendations on which tools to employ to achieve the goals of the 2040 Functional Master Plan and how they should be calibrated to achieve maximum effectiveness.

Optional Services

Option 1. Statistically Valid Survey

As a part of the Parks & Recreation: 2010 and Beyond project, a 2008-2009 statistically valid survey mail-back survey was conducted. It reflected opinions during more optimistic economic times. DPR seeks services to redo the survey with a survey instrument and questions that are substantially the same. The 2008-2009 survey was a 6-page mail-back survey with an on-line completion option. Survey results were summarized by Public Use Micro Data Areas (PUMAs).

Staff Responsibilities:

- Provide and updated set of questions, based upon the 2008-2009 mail-back survey.
- Provide marketing and outreach support for the survey.

Consultant Responsibilities:

- Design and implements a survey that will produce statistically valid results by Public Use Micro Data Areas (PUMAs).
- Analyze results for the entire county and for the individual PUMAs.
- Include a random (not statistically valid) on-line survey completion option.
- Compare statistically valid results with on-line responses.
- Provide cross-tabulation and analysis by age groups.

Option 2. Social Media Outreach Program

Use of social media in Prince George's County has historically been low, but is rising. To complement the traditional outreach methods used by the DPR and current use of social media, DPR seeks to provide a compelling and effective range of social media tools to engage a larger and younger audience for the master plan process.

Staff Responsibilities:

- Provide access to existing social media tools.
- Provide information on DPR experience with social media.

Consultant Responsibilities:

- Design and implement a customized program of marketing and outreach using social media that complements existing marketing and outreach methods.
- Periodically (at least monthly) provide an analysis and evaluation of each social media method methods.

Resources Available from the Department of Parks and Recreation

- GIS Mapping
- Demographic Analyses
- Growth Policy and Development Projections
- Local Recreation Program and Facility Use Trends
- Document Printing
- Park School Guidelines
 - Planning Study for Public Community Centers and Swimming Pools in Prince George's County, 1987
- Ordinances, Regulations and Policies Pertaining to Parks and Recreation
 - 5-year CIP
 - Annual Operating Budget
 - Comprehensive Recreation Programming Plan 2004 (update in process)
 - CAPRA Self-Assessment, 2004
 - Land Preservation and Recreation Program for Prince's County, 20??
 - Prince George's County General Plan, Approved 2002
 - Mandatory Land Dedication and Fee in Lieu of Land Dedication Requirements
 - Park Classification System

Proposal Content and Format

After receipt and initial evaluation, oral discussion and competitive negotiations may be held. The Commission reserves the right to accept or reject any or all parts of this proposal and/or to waive any informality or irregularity. Offerors must respond to all requirements in order to be considered for award, including a narrative describing the Offeror's understanding of the Project and all information regarding skill level and hourly rates for each task described herein, and any additional information deemed pertinent.

The Offeror must submit an original and five (5) copies of its proposal. Pages must be numbered and the proposal must follow the format below. All requested information must be included.

1. **Offeror's Key Personnel and Experience:** Identify the persons who will make up the contract team. Provide titles and an organizational chart. Include resumes for each proposed person, emphasizing their experience in performing studies of this nature, type and size. The key personnel proposed hereunder must each possess at least five years experience with governmental business functions, particularly with parks and recreation planning needs assessments, master planning, public engagement strategies and stakeholder meeting facilitation. If you are proposing to subcontract some of the proposed work to another firm, similar information must be provided for each subcontractor.

Please provide a description of the projects and contact information for reference purposes for each named person. Include the name of the proposed Project Coordinator who will represent the Offeror. Delineate the experiences of the Project Coordinator as it relates to studies of this size, nature and type. Provide a resume for the Proposed Project Coordinator.

2. **Understanding of the Project and Proposed Methodology:** Describe your understanding of the objectives of the project, preferred conceptual approach, and methodology proposed to achieve those objectives. Review the major facts or features of the scope, including any conclusions, assumptions and recommendations. Provide a complete project work plan, together with a proposed time line. At a minimum, include all the tasks described in the Scope of Work above, with details of how they are to be supported and the designation of team members proposed to complete each task.

Provide a detailed project schedule, identifying all required meetings and work session with Commission staff, all on-site activities, task durations and project milestones.

3. **Offeror's Experience and References:** Provide an outline of the firm's experience in performing services similar in nature, type and scope. This experience must include at least five years performing contracts of this type. Offeror must also supply a minimum of two references, for projects completed which were similar in scope. Include the name of the project, contact name and telephone number. The Offeror must identify the local office assigned this project.

4. **Price Proposal:** The Consultant shall itemize costs on the pricing schedule provided herein and provide an all-inclusive total lump sum fee. The Consultant shall include itemized costs and expenses for each labor classification, task/deliverable, project team meeting, and stakeholder presentation listed in the proposal. The quoted fee proposal shall include all incidental costs including, but not limited to, travel, priority mail, binding, photocopying, faxing, photographs, internet service, telephone calls, and supplies/materials as needed to complete the project requirements. If the proposal includes subcontracting for part of the work, the Consultant shall provide a breakdown of the prime costs and the subcontractor costs by Task/Deliverable. The Consultant shall include a proposed payment schedule consistent with the project deliverables and tasks as listed above. Consultants' fee proposal must be guaranteed firm for a minimum of one hundred twenty (120) days, and if awarded a contract, for the duration of the project. **THERE WILL BE NO REIMBURSEMENT OF ADDITIONAL EXPENSES—ALL PROPOSED COSTS (ITEMIZED COSTS AND TOTAL LUMP SUM FEE) MUST BE ALL-INCLUSIVE.**

Evaluation Criteria

The following criteria have been established for the evaluation of the proposals received:

0 – 40 points	1. Project Understanding, Approach and Methodology utilized in performing the scope of services for this project
0 – 25 points	2. Qualifications and experience of key personnel assigned to this project
0 – 15 points	3. Project team organization and capacity to perform the assigned tasks within the one year of notice to proceed
0 – 20 points	4. Proposed costs (to be provided on attached pricing schedule)

**Functional Master Plan for Parks, Recreation and Open Space
Pricing Schedule
RFP #32-119**

The Offeror certifies that this cost proposal is made without any previous understanding, agreement, or connection with any person, firm, or corporation making a bid for the same project, without prior knowledge of competitive prices, and is in all respects fair, without outside control, collusion, fraud, or other illegal action.

The M-NCPPC reserves the right to award all or part of the scope of services of this RFP. Please submit separate cost for each deliverable.

Offeror must fully complete all information below:

<i>Tasks/Deliverables</i>	<i>All-Inclusive Proposed Costs</i>
Task A — Project Support	\$ _____ lump sum
Task B — Public, Staff and Executive Outreach and Participation	\$ _____ lump sum
Task C — Comparable Agency Benchmarks and Level of Service Standards	\$ _____ lump sum
Task D— Departmental Recreational and Leisure Program Standards	\$ _____ lump sum
Task E— Recreation Program and Facility Matching	\$ _____ lump sum
Task F— Development Guidelines and Standards for Urban Facilities	\$ _____ lump sum
Task G— Patterns of Indoor and Outdoor Facility Use	\$ _____ lump sum
Task H— Graphic Design, Project Documentation and Deliverables	\$ _____ lump sum
Task I— Mandatory Land Dedication Process and Procedure	\$ _____ lump sum
All-Inclusive Total Lump Sum Fee for Deliverables A through G	\$ _____ <i>Total</i>
The number of meetings or presentations may be increased at the option of M-NCPPC Unit Cost <u>Per</u> Project Team Meeting Unit Cost <u>Per</u> Community or Interest Group Meeting Unit Cost <u>Per</u> Public Meeting/Open House Unit Cost <u>Per</u> Leadership Presentation	\$ _____ \$ _____ \$ _____ \$ _____
Option 1 – Statistically Valid Survey	\$ _____ lump sum
Option 2 – Social Media Outreach Program	\$ _____ lump sum

Note: *The cost for each of the Tasks listed above should be inclusive of direct costs. If proposal includes subcontracting for part of the work, please provide a breakdown of the prime costs and the subcontractor costs by Task.*

Firm Name: _____ Date: _____

Address: _____

Telephone Number: _____ Fax: _____ E-mail address: _____

Authorized Representative: _____
(Print) (Signature)

Special Conditions

1. MFD Subcontracting Participation

This procurement has significant subcontracting opportunities and, therefore, each Offeror must demonstrate compliance with the Commission's Nondiscrimination in Subcontracting Program.

MFD subcontracting participation for this procurement has been recommended at 13%.

A Nondiscrimination in Subcontracting Form must be completed and signed by an authorized person in order to be deemed responsive to this RFP. (Appendix 4C-3)

2. Subcontracting or Assignment

The proposal shall clearly indicate the proposed subcontractors to be utilized to perform the Scope of Services described herein. Once a contract has been awarded to the successful Offeror, no proposed subcontractor shall be changed, without written approval of the Commission's Contract Manager. Any proposed substitution must be with persons and/or firms of equal or comparable experience and education.

3. Validity of Proposals

All proposals submitted in response to this RFP must be valid for a minimum of 120 calendar days from the proposal due date.

4. Insurance

The successful Offeror shall comply with and keep in force throughout the Project the insurance requirements reflected in Appendix 4C-2, naming the Commission as an additional insured.

5. Total Cost of the Project

The total costs of this Project shall include all professional supervision, labor, materials, services, and indirect costs.

6. Additional Work

If the Offeror is caused extra drafting or other expenses due to changes ordered by the Commission as a result of changes of program, changes of requirements or unforeseen conditions beyond the number predicated in the Offeror's proposal or as proffered in best and final negotiations, the Offeror shall be paid according to the all-inclusive hourly rates provided in the price proposal for such extra services involved. No reimbursables will be paid under the contract.

Part 3

FORMS

A. REQUIRED

B. SUBMISSION IF APPLICABLE

PART 3 FORMS

A. Submit the following REQUIRED FORMS as part of your proposal response:

1. **NON-DISCRIMINATION IN SUBCONTRACTING FORM.** This RFP has significant subcontracting opportunities and therefore, each respondent must demonstrate compliance with the Commission's Non-discrimination in Subcontracting Program. This falls into the Professional Services category. An MFD subcontracting level of 13% has been established for this RFP. Non-discrimination in Subcontracting Bid form must be completed and signed by an authorized person in order to be deemed responsive. Please check the appropriate box on the form and return with the proposal. (APPENDIX 4C-3)

2. **INSURANCE CHECKLIST.** (APPENDIX 4C-2)

3. **PROPOSED SUBCONTRACTOR UTILIZATION FORM** This form is required at the time the proposal is submitted. The Offeror is required to submit a detailed breakdown (type, amount, percentage of total project) of all work to be performed by the Offeror and each Subcontractor. (APPENDIX 4C-4)

B. Submit the following forms, if applicable.

1. **VENDOR INFORMATION FORM.** If the Offeror and/or the Offeror's subcontractors have not submitted a Vendor Information Form, please complete form and submit with proposal or mail to the address indicated on the form. (APPENDIX 4C-1)

2. **PROPOSED SUBCONTRACTOR UTILIZATION FORM** This form is required at the time the proposal is submitted. The Offeror is required to submit a detailed breakdown (type, amount, percentage of total project) of all work to be performed by the Offeror and each Subcontractor. (APPENDIX 4C-4)

Part 4

APPENDIX

A. Sample Contract

B. MFD Requirements

C. Forms to be used for Submittal

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

INDEPENDENT CONSULTANT AGREEMENT

THIS AGREEMENT, is hereby made this ____ day of _____, 2011, by and between THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION, herein after called the "Commission", a public body corporate and agency of the State of Maryland, and _____, hereafter the "Consultant", located at _____.

WHEREAS, the Commission has the need for a particular service as evidenced by the Request for Proposal ("RFP") Number P_____, dated _____ attached hereto and incorporated herein, and

WHEREAS, the Consultant submitted a proposal dated _____, in response to the RFP; and

WHEREAS, the Commission has determined that the Consultant is amongst the highest ranked responsive and responsible offerors; and

WHEREAS, it is a condition of the award that the Commission and the Consultant enter into a Contract

NOW, THEREFORE, in consideration of the mutual promises and agreements herein contained, and other good and valuable consideration, it is agreed by and between the parties as follows.

1. Term. The term of this Contract shall be from _____(insert start date) to _____(insert end date). The Commission reserves the right, in its sole discretion to renew this Contract for two (2) additional one (1) year periods. In the event of such renewal, the Contractor's labor rates shall be adjusted (increased or decreased) in accordance with the current change on file for the US Department of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U) the Washington, DC, Maryland, Virginia and West Virginia area. The Commission's right to extend this contract survives the expiration of the contract.

2. Services. The scope of services to be performed by the Consultant is set forth in the Commission's Request for Proposal,

titled _____, number P _____, which is incorporated herein, in full, by reference.

3. Unit Price Rate. The Consultant's proposal, dated _____, for unit price rates submitted in response to the Commission's Request for Proposal (hereinafter "Unit Price Rates") for providing _____, a copy of which is attached hereto and incorporated herein as Exhibit A, has been accepted by the Commission.

4. Coordinator. This Agreement shall be coordinated and directed on behalf of the Commission by _____, and on behalf of the Consultant by _____.

5. Work Product. All material and work items produced by the Consultant and any sub-consultant under this Agreement shall be the sole property of the Commission. The Consultant may retain copies of such materials for its files.

6. Independent Consultant. _____ is an independent consultant and is not an agent or employee of the Commission.

7. Payment. The Commission shall pay the Consultant a fee as determined by the Unit Price Rates upon satisfactory completion of the services to be rendered under this Agreement. This fee shall be paid when services are provided under the terms and conditions of this Agreement, billed by the Consultant and accepted by the Commission. Payments per project assignment shall not exceed _____.

8. Termination. This Agreement may be terminated by the Commission upon thirty (30) days written notice to the Consultant. In the event of such termination, the Consultant shall receive just compensation for services rendered prior to the effective date of termination. Just compensation shall be determined by the percentage of work completed to date, valued according to the project Schedule of Values and the Unit Prices established by the bid as applicable. Notwithstanding any provision in this Agreement, the Commission may immediately terminate this Agreement for cause for the following reasons: any non-performance; incomplete service; fraud; any fraudulent representation in any invoice or verification required to obtain payment under this Agreement; or services performed in conflict with the terms and conditions of this Agreement. The occurrence of any of these conditions shall constitute a material breach of this Agreement and the Commission may terminate this Contract, with written notice to the Consultant effective immediately.

9. Compliance. The Consultant agrees that it shall comply with the Commission Purchasing Manual, Practices, Rules and all other Commission

regulations and with all applicable laws pertaining to the payment and withholding of wages, worker's compensation, equal opportunity employment, and the subject matter and performance of this Contract. Further, the Consultant hereby represents and warrants that:

- a. It is qualified to do business in the State of Maryland and that it will take such action as, from time to time hereafter, may be necessary to remain so qualified.
- b. It is not in arrears with the respect to the payment of any monies due and owing the State of Maryland, or any department or unit thereof, including but not limited to the payment of taxes and employee benefits, and that it shall not become so in arrears during the terms of this Contract.
- c. It shall comply with all federal, state, and local laws, regulations, and ordinances applicable to its activities and obligations under this Contract; and
- d. It shall obtain, at its expense, all licenses, permits, insurance, and governmental approvals, if any, necessary to the performance of its obligations under this Contract.

10. Disputes. This Contract shall be subject to the provisions of the Commission's Practice 4-10 and the Purchasing Manual. These documents can be obtained by contacting the Commission's Purchasing Division. If there is a dispute concerning this Contract, Consultant shall comply with Chapter 14 of the Commission's Purchasing Manual, which is the procedure for resolving contract disputes and claims between the parties. Pending resolution of a claim, the Consultant shall proceed diligently with the performance of the Contract in accordance with the Purchasing Manual.

11. Cross Default. Upon the occurrence of a [material] breach of Contractor's obligations, due performance, representations, warranties, or other agreements under this Contract, the Commission shall be entitled to exercise, in its sole and absolute discretion, any and all rights and remedies available under this Contract and any other contract the Contractor has with the Commission, including, but not limited to the right to terminate this Contract and/or any other contract the Contractor has with the Commission, whether now existing or arising in the future. Contractor expressly understands and acknowledges the Commission's rights and remedies created by this provision.

12. Insurance. The Consultant shall maintain, at its own expense, during the life of the Agreement, such insurance as shall protect it and any subcontractor(s) performing work under this Agreement, from claims for damages from bodily injury, including death, or property damage, which may arise from operations under this Agreement. The Consultant shall also provide the Commission with a certificate of insurance for the types of coverage and limits required in the Insurance Check List. The Consultant shall furnish a Certificate of Insurance verifying the existence of any insurance coverage required by the Commission's risk management office. The Certificate will name the Commission

as an additional insured and will provide for thirty (30) days advance notice in the event of termination or cancellation of coverage.

13. Non-Discrimination. The Consultant shall not discriminate against any employee or applicant for employment because of age, sex, race, creed, disability or national origin. If the Consultant is determined by a final order of an administrative agency or a court to be in violation of Federal, State, or County non-discrimination laws, this Agreement may be terminated or suspended in whole or part by the Commission, and the Consultant may be declared ineligible for any future contracts with the Commission.

14. Indemnification. The Consultant shall indemnify and hold harmless the Commission from and against all legal actions, liability, claims, damages, costs or expenses of any kind or property arising from the Consultant negligent performance or failure to perform any of the obligations under this Agreement.

15. Assignment Prohibition. The Consultant shall be prohibited from assigning or transferring any rights under this Agreement without prior written consent of the Commission.

16. Entire Agreement. This instrument contains the entire agreement between the parties and shall not be modified except by written agreement signed by the parties and attached hereto.

17. Severability. The invalidity or illegality of any provision of this Agreement shall not affect the remainder of this Agreement or any other provision contained herein.

18. Applicable Law. This Agreement shall be interpreted and enforced according to the laws of the State of Maryland.

19. Waiver. The failure of the Commission to enforce any part of this Agreement shall not be deemed as a waiver thereof.

20. Authorized Signer. Each person executing this Agreement, whether on its own or behalf of any organization hereby certifies that they have been duly authorized to execute this Agreement on behalf of such organization.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be properly executed on the day and year first written above.

ATTEST

VENDOR NAME

By:

(Seal)

FEIN/Tax ID Number

ATTEST

**THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION**

Joseph C. Zimmerman
Secretary-Treasurer

BY:

Patricia Colihan Barney
Executive Director

4-B MFD PARTICIPATION and REQUIREMENTS

This RFP has significant subcontracting opportunities and, therefore each Respondent must demonstrate compliance with the Commission's Non-Discrimination in Subcontracting Program. This RFP falls into the professional services procurement category. **An MFD subcontracting level of participation of 13% has been established for this RFP.** A Nondiscrimination in Subcontracting Bid Form must be completed and signed by an authorized person in order to be deemed responsive. Offerors will be given points if their firm is in the category of Professional Services and a copy of certification letter from the Fair Practices Office is submitted with the proposal.

PART 4-C FORMS TO BE USED FOR SUBMITTAL

4C-1. VENDOR INFORMATION FORM

4C-2. INSURANCE CHECKLIST FORM

4C-3. NON –DISCRIMINATION IN SUBCONTRACTING FORM

4C-4. PROPOSED SUBCONTRACTOR UTILIZATION FORM



The Maryland-National Capital Park and Planning Commission

VENDOR INFORMATION FORM

Please complete all of the information on this form.

Company/Individual Name: _____

Trade Name: _____

Type (check one):
☐ State agency ☐ Corporation (includes nonprofits)
☐ Federal agency ☐ Local government
☐ Partnership ☐ Sole proprietorship

(check one): ☐ Federal employer ID # ☐ Social security #

Taxpayer ID number: _____ (Must be consistent with company name)

Ownership status:*

- | | |
|---|--|
| ☐ Hispanic Owned | ☐ African American Owned |
| ☐ Asian Owned | ☐ Disabled Owned |
| ☐ Native American Owned | ☐ Female Owned (Non-Minority) |
| ☐ <u>Not</u> Minority, Female, Disable-Owned | ☐ Government or Nonprofit |

*Describe percentage ownership by each group if not 100% owned by one group: _____

Order from Name and Address (Purchasing Contact)

Contact name: _____

Contact title: _____

Address: _____

City: _____ State _____ Zip Code _____

Phone number (_____) _____ Extension _____ Fax number (_____) _____

Email address: _____

Remittance Name and Address (Billing Address)

Contact name: _____

Contact title: _____

Address: _____

City: _____ State _____ Zip Code _____

Phone number (_____) _____ Extension _____ Fax number(_____) _____

Is your firm currently on the Commission's Bidder List? _____

If not, would you like to receive a Bidder's Application? _____

Has your firm received notice that it is eligible for the Commission's MFD preference? _____

If so, please attach.

Would you like information on the Commission's Anti-Discrimination Preference Program? _____

Vendor's Signature required: _____ Date _____

**Request for Taxpayer
Identification Number and Certification**

Give form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

Name

Business name, if different from above

Check appropriate box: ☐ Individual/
Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ▶

☐ Exempt from backup
withholding

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number

or

Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign
Here

Signature of
U.S. person ▶

Date ▶

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

INSURANCE CHECK LIST

COVERAGE REQUIRED	LIMITS (Minimums)
1. Worker's Compensation ☐ Accident (Each) ☐ Disease (policy limits) ☐ Disease (each employee)	Statutory Employer's Liability \$100,000 per person \$500,000 aggregate \$100,000 per disease
2. General Liability ☐ Products Liability & Completed Operations ☐ Contractual Liability ☐ Premises & Operations ☐ XCU for explosion and/or cave in ☐ Independent Contractors ☐ Personal Injury and Advertising ☐ Medical Payment any one person	All items in No. 2: \$1,000,000 Combined Single Limit of Bodily & Property Damage per Occurrence \$5,000 per occurrence
3. Contractual Indemnity/Hold Harmless Exactly as Specified	
4. Automobile Liability Owned Hired, Non-owned & Leased ☐ Bodily Injury Each person Each occurrence ☐ Property Damage Each occurrence Or Combined Single Limit	 \$ 500,000 \$1,000,000 \$ 300,000 \$1,000,000
5. Excess Liability Combined Single Limit	\$1,000,000
6. The Maryland-National Capital Park and Planning Commission named as additional insured on all policies. The coverage is primary to all coverage the Commission may possess.	
7. Other Insurance ☐ Renovation over \$50,000 All Risk Builders Coverage ☐ Professional Liability For errors, omissions and negligent acts, per claim and per aggregate, with one year discovery period and no greater than a \$25,000 deductible. Combined Single Limit (Professional services contracts only)	 \$ 250,000
8. 30 days Cancellation Notice Required 45 days Cancellation Notice Required	Under \$500,000 Over \$500,000
9. Best's Guide A rating or better/ S&P Rating of BBBq	
10. The Certificate Must State Bid Number and Bid Title.	

BIDDER AND INSURANCE AGENT STATEMENT

We understand the insurance requirements of these specifications and will comply in full if awarded this contract.

Bidder Signature

Insurance Agency Signature

Firm Name: _____

IFB/RFP No. _____

The Maryland-National Capital Park and Planning Commission

Nondiscrimination in Subcontracting Form

It is the policy of the Commission that any bidder/offeror seeking to contract with the Commission shall not discriminate against MFDs in the selection of subcontractors/suppliers on Commission projects. Specifically, bidder/offerors are required to provide MFDs the opportunity to submit bids/offers as subcontractor/suppliers and to award those MFDs submitting low bids the subcontracts unless there are legitimate reasons not to do so.

INDICATE COMPLIANCE WITH THIS POLICY BY CHECKING ONE OF THE FOLLOWING TWO STATEMENTS.

____ **Statement 1.** The bidder/offeror will not contract with any subcontractors or materials suppliers to perform any portion of this contract and has not normally contracted with subcontractors or materials suppliers as a part of similar contracts in the past two years. Within five (5) days of notice, the bidder/offeror will show evidence as requested that it has not normally subcontracted portions of similar contracts within the past two years.

____ **Statement 2.** The bidder/offeror has made efforts to provide MFD firms the opportunity to submit bids for subcontracting and/or materials supply components of this contract, and will document same using one of the two (2) options:

____ Option A Within five (5) days of notice, the bidder/offeror will show evidence of the efforts described by providing the Commission copies of documents such as letters or faxes to MFDs; advertisements for bids; telephone logs or other notes concerning contacts with MFDs; evidence of participation in pre-bid conferences where interest in MFD bids was communicated; bids received from MFDs and notes concerning evaluation of those bids. (The above mentioned documents are only examples of possible documentation and are not exhaustive.) **OR**

____ Option B Within five (5) days of notice, the bidder/offeror will show evidence of efforts by producing letters of intent from MFD subcontractors and/or materials suppliers to perform at least 13% to the total dollar value of the contract. Letters of intent from MFD subcontractors and suppliers will be accompanied by a completed Bidders List Registration Form for any MFD subcontractor or supplier who does not have current Forms on file with the Commission. (A blank copy of the Bidders List Registration Form is attached.)

Contractors are encouraged to contact the Commission's Fair Practices Office (301/454-1740) or the Purchasing Office (301/454-1600) with any questions concerning compliance with the nondiscrimination in subcontracting requirements. Either office can also provide a listing of firms, including MFD firms, that have submitted Bidders List Registration Forms to the Commission.

I hereby declare and affirm under penalties of perjury that the contents of the foregoing document are true and correct to the best of my knowledge, information and belief.

Date: _____

By: _____

Authorized Signature

Printed Name/Title

NOTE: FAILURE TO FULLY COMPLETE AND RETURN THIS FORM MAY DEEM THE BID NON-RESPONSIVE, RESULTING IN THE BID BEING REJECTED.

Revised: 8/1/2000

The Maryland-National Capital Park & Planning Commission

Solicitation #P32-119

Proposed Sub-Contractors

[illegible]