

**MARYLAND STATE HIGHWAY ADMINISTRATION
REQUEST FOR PROPOSALS (RFP)
PROJECT**

Maryland Strategic Highway Safety Plan (SHSP)

CONTRACT NO.: MHSO-001-09

ADVERTISEMENT DATE: September 8, 2009

PRE-PROPOSAL DATE: September 30, 2009

INQUIRY DUE DATE: October 8, 2009

PROPOSAL DUE DATE: November 4, 2009

ISSUING OFFICE

Maryland Department of Transportation (MDOT)
State Highway Administration (SHA)
707 N. Calvert Street, Mail Stop -----
Baltimore, Maryland 21202

NOTICE: For persons with disabilities who need an alternate form of reading this Request for Proposal (RFP), alternate forms of this document will be provided upon request.

Pursuant to 34 CFR 345.21 (g), the State of Maryland must assure that the State will comply with the guidelines established under Section 508 of the Rehabilitation Act of 1973 relating to accessibility of electronic office equipment. The 508 guidelines are contained in the Federal Information Resources Management Regulation ("FIRMR"), 41 CFR Chapter 201, and requires generally that electronic office equipment procured by the State be accessible, or be capable of being made accessible, to persons with disabilities. Offerors can receive additional information about hardware and software accessibility items and supply sources by calling the Maryland Technology Assistance Program (MDTAP) at 1-800-832-4827.

WARNING: Prospective Offerors who have received this document from a source other than the Issuing Office should immediately contact the Issuing Office and provide their name and mailing address in order that amendments to the RFP or other communications can be sent to them. Any prospective offeror who fails to notify the Issuing Office with this information assumes complete responsibility in the event that they do not receive communications from the Issuing Office prior to the closing date.

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**MARYLAND STATE HIGHWAY ADMINISTRATION
REQUEST FOR PROPOSALS (RFP)**

PROJECT: Maryland Strategic Highway Safety Plan (SHSP)

CONTRACT NO. MHSO-001-09

I. PROCUREMENT OBJECTIVES

A. Definitions

1. **COMAR:** Code of Maryland Regulations available on-line at www.dsd.state.md.us.
2. **Contract:** Contract awarded to a successful Offeror pursuant to this RFP. A sample of the Contract is included in this RFP as Attachment VII.
3. **Contract Administrator:** The State representative for this project, who is primarily responsible for Contract administration functions.
4. **Contractor:** Firm which is selected for performing the services set forth in this RFP.
5. **Contractor Representative:** Representative appointed by the Contractor who is responsible for the daily management and administrative functions of the Contract from the Contractor's perspective.
6. **CTSP:** Community Traffic Safety Program Coordinator
7. **EA Teams:** Emphasis Area Teams
8. **Local Time:** Time in the Eastern Time Zone as observed by the State of Maryland
9. **Maryland SHSP Statewide Coordinator:** Lead individual responsible for providing leadership, support and direction in conducting a comprehensive and effective network of Highway Traffic Safety Programs in Maryland designed to reduce traffic crashes, and related traffic fatalities and injuries. Also responsible for the development of Maryland's SHSP and associated outreach activities.
10. **MBE:** Minority Business Enterprise certified by the Maryland Department of Transportation under COMAR 21.11.03.
11. **MHSO:** Maryland Highway Safety Office
12. **NHTSA:** National Highway Traffic Safety Administration
13. **Offeror:** An entity that submits a proposal in response to this RFP.
14. **OOTS:** Office of Traffic and Safety

15. **Procurement Officer:** State representative designated responsible for the Contract, and is the only State representative that can authorize changes to the Contract.
16. **Request For Proposals (RFP):** Request for Proposals for the Maryland Strategic Highway Safety Plan, Contract Number MHSO-001-09 issued on __?, including any amendments.
17. **SAFETEA-LU:** Safe Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users
18. **SHA:** State Highway Administration
19. **SHSP:** Strategic Highway Safety Plan

B. Summary and Mission Statement

Maryland State Highway Administration-Office of Traffic and Safety is releasing this Request for Proposal (RFP) to seek proposals from qualified and responsible service providers under a single contract to improve existing programs and to provide guidance as to the development of new programs associated with the Maryland Strategic Highway Safety Plan (SHSP). The entire State of Maryland will benefit from Strategic Highway Safety Plan. This is a four (4) year contract with the option of two (2) additional one (1) year renewal periods. The contractor shall provide project management, production coordination, quality control and assurance for all tasks and work activities assigned to support the SHSP. The contractor shall establish and maintain communication with the SHA/OOTS/MHSO. Other responsibilities of the contractor will include but are not limited to, working with various agencies, collaborating with the Executive Committee, Emphasis Area Team Leaders, Community Traffic Safety Program Coordinators (CTSP) and other highway safety stakeholders.

Maryland Highway Safety Office (MHSO) is dedicated to saving lives and preventing injuries by reducing the number and severity of motor vehicle crashes through the administration of a comprehensive and effective network of traffic safety programs.

C. Issuing Office and Procurement Officer

Mr. Jeff Walters
Procurement Officer
Maryland State Highway Administration
Office of Traffic & Safety
7491 Connelley Drive
Hanover, MD 21076
E-mail: jwalters@sha.state.md.us

Sole point of contact for purposes of this RFP is Procurement Officer, Mr. Jeff Walters. Procurement Officer may be contacted at telephone number 410-787-7672 toll free 1-888-963-0307 or via fax at 410-590-9073.

NOTE: Offeror is solely responsible for ensuring any information sent to the Procurement Officer by fax has been received by the Procurement Officer

D. Maryland SHSP Statewide Coordinator

Mr. Vernon F. Betkey Jr., Chief
Maryland Highway Safety Office &
Maryland Highway Safety Coordinator
Maryland State Highway Administration
Office of Traffic and Safety
Phone: 410-787-5824 Fax: 410-787-4020
E-mail: vbetkey@sha.state.md.us

Contract Administrator

Ms. Lolita C. Stewart
Inattentive Driving, Diversity & T-SAFE Program Coordinator
Maryland State Highway Administration
Maryland Highway Safety Office
7491 Connelley Drive
Hanover, MD 21076
Phone: 410-787-4078 Fax: 410-787-4020
E-mail: lstewart@sha.state.md.us

E. Referenced State Documents

Appropriate sections of the Annotated Code of Maryland and the Code of Maryland Regulations (COMAR) are referenced throughout this RFP. These documents are available for review by contacting the Procurement Officer; however, the Administration will not provide copies or excerpts from these documents. Copies of the Annotated Code of Maryland may be obtained by contacting the Lexis Law Publishing Co. at 1-800-446-3410. Copies of the Code of Maryland Regulations (COMAR) are available from the Division of State Documents 410-974-2486.

F. Declining to Submit a Proposal

If the Offeror determines they are not interested in responding to this RFP, they are requested to use (Attachment No. I) to notify the Maryland State Highway Administration, Office of Traffic and Safety. Responses should be sent as soon as possible directly to the Procurement Officer by mail to 7491 Connelley Drive, Hanover, MD 21076 or FAX 410-590-9073.

G. Pre-Proposal Conference

A Pre-Proposal Conference will be held on September 30, 2009 at the Maryland State Highway Administration, Office of Traffic and Safety (OOTS), 7491 Connelley Drive, Hanover, MD 21076, at 9 AM EST in the Traffic Development and Support Division Conference Room located on the bottom floor. All persons obtaining an RFP are invited to attend the Pre-Proposal Conference. All interested consultant firms are strongly encouraged to attend the Pre-Proposal Conference. While attendance at the Pre-Proposal Conference is not mandatory, this is an opportunity for the Offeror to raise questions and or issues of concern regarding this RFP and to gain an understanding of the proposal process. Appropriate auxiliary aids and services for qualified individuals with disabilities will be provided upon request. If required, please contact the Procurement Officer at least five (5) working days prior to the Pre-Proposal Conference.

NOTE: *Contracts over \$100,000 require minutes of the pre-bid conference be taken and distributed to all vendors who receive bid documents.*

H. Questions and Inquiries

Excluding questions at the Pre-proposal Conference, all questions must be submitted in writing and received by the Procurement Officer prior to October 8, 2009 at 2 PM EST to be considered. On any matters related to this RFP, only information communicated by the Procurement Officer in writing shall be the official position of the Administration and the Administration will assume no responsibility for oral instructions or suggestions.

Each Offeror is responsible for carefully reading and understanding the full terms and conditions of this RFP. Any Offeror finding any discrepancy in, or omission from, the RFP or in doubt as to the meaning, shall direct written questions or requests for clarification to the attention of the Procurement Officer identified above. The Procurement Officer shall be the sole point of contact for the State Highway Administration. The State Highway Administration is not obligated to change this RFP in any way, but will issue an Addendum if necessary.

I. Proposal Due Date

Proposals must be organized in two separate parts. Part one will include information pertaining to the Technical Proposal. Submit an original and five (5) copies of the Technical Proposal. Part two will include the Price Proposal content. Submit an original and four (4) copies of the Price Proposal. Each proposal will need to be submitted in separate, sealed envelopes that are clearly marked with the full name and address of the Offeror and the contents of each envelope (i.e., Price Proposal - Contract No. MHSO-001-09 and Technical Proposal - Contract No. MHSO-001-09).

Proposals must be received by Mr. Jeff Walters, Procurement Officer, Maryland State Highway Administration, Office of Traffic & Safety on or before November 4, 2009 at 2 PM local time.

Offerors shall be responsible for assuring that their proposals are delivered to the specified location before the deadline for receipt of proposals, including those delivered by U.S. Postal Service.

Oral, fax, telegraphic, mailgram or E-mail proposals will not be accepted.

Proposals, withdraws, and modifications not received by the time and at the place indicated are late and may only be considered in accordance with COMAR 21.05.02.10.

J. Duration of Proposal Offer

Price proposals submitted in response to this solicitation are irrevocable for one hundred twenty (120) days following the price proposal due date or submission of best and final offers, if requested. The Procurement Officer may, however, request Offerors to extend the time during which the State may accept their proposals. Once a proposal is accepted, all prices, terms, and conditions shall remain unchanged throughout the contract period.

K. Procurement Method

This solicitation shall be conducted in accordance with COMAR 21.05.03 Procurement by Competitive Sealed Proposals.

L. Contract Type

The contract that results from this RFP shall be fixed price, indefinite quantity contract with firm fixed hourly rates.

M. False Statements

Offerors are advised that Section 11-205.1 of the State Finance and Procurement Article of the Annotated Code of Maryland provides as follows:

- a. In connection with a procurement contract a person may not willfully: falsify, conceal, or suppress a material fact by any scheme or device; make a false or fraudulent statement or representation of a material fact; or use a false writing or document that contains a false or fraudulent statement or entry of a material fact.
- b. A person may not aid or conspire with another person to commit an act under subsection (a) of this section.
- c. A person who violates any provision of this section is guilty of a felony and upon conviction is subject to a fine not exceeding \$20,000 or imprisonment not exceeding 5 years of both.

II. GENERAL INFORMATION AND INSTRUCTIONS FOR OFFERORS

A. Purpose

Purpose of this RFP is to provide information to Offerors interested in preparing and submitting Proposals that meet the State's requirements.

B. Addenda to the RFP

If it becomes necessary to revise any part of this RFP, addenda will be provided to all Offerors who received the initial RFP. The Offeror must acknowledge receipt of all amendments, addenda, and changes issued within two (2) working days of the Offerors' receipt. The initial acknowledgment may be accomplished by contacting the Procurement Officer by E-mail at jwalters@sha.state.md.us, or telephone 410-787-7672 between 8:00 A.M. and 3:00 P.M. EST. The Offeror shall provide their name, the addenda number and the name of the individual acknowledging receipt of the addenda.

Important: In addition to the above acknowledgment, the transmittal letter issuing each addendum shall be signed by the Offeror and attached to the cover of the Proposal.

Failure of the Offeror to acknowledge each issued Addenda will not be an excuse for failure to comply with changes issued via the addenda. Failure to comply may result in disqualification.

C. Cancellation of the RFP

After obtaining appropriate State approvals, the State may cancel this RFP as provided by COMAR 21.06.02 or reject all Proposals submitted when cancellation is determined to be in the State's best interest.

D. Proposal Acceptance/Responsibility

The State reserves the right to accept or reject any or all Proposals, in whole or in part, received in response to this RFP, to waive or permit correction of minor irregularities, in any manner necessary, to serve the best interest of the State of Maryland.

Discussions may be conducted with those responsible Offerors that submit proposals initially judged to be reasonably susceptible of being selected for award. However, the State also reserves the right, in its sole discretion, to award a contract on the basis of initial proposals without discussion.

Contract award, if any, is subject to appropriate State approvals. Any proposal may be rejected in whole or in part when it is in the State's best interest (COMAR 21.06.02.03).

E. Opening of Proposals

Proposals will be opened in accordance with the provisions in COMAR 21.05.02.11B. Proposals will **not** be opened publicly.

F. Incurred Expenses

The State will not be responsible for any costs incurred by any Offeror in preparing and submitting Proposals in response to this RFP, or for any other associated costs.

G. Economy of Preparation

Proposals should be prepared simply and economically, providing a straightforward, concise description of the Offerors ability to meet the requirements of this RFP.

H. Multiple or Alternative Proposals

For this RFP, the State will not accept for consideration any multiple or alternative Proposals.

I. Public Information

In accordance with the Public Information Act of the Annotated Code of Maryland, Proposals received by the State Highway Administration, in connection with the transaction of public business, are public records. Pursuant to the Code, the custodian may deny the right of inspection of various types of records, including trade secrets, privileged information and confidential commercial and financial data furnished by or obtained from any person. For the convenience of, and to assist the State Highway Administration, the Offerors may stamp or otherwise clearly identify each page or portion of the data submitted which it considers "Not for Public Information", and to which the public should be denied inspection. Offerors are advised that such markings are advisory only. The use of a blanket confidentiality statement for the entire submittal is unacceptable.

J. Disadvantaged Business Enterprises and Equal Employment Opportunity

Offerors are notified that in regard to any contract entered into pursuant to this RFP; Disadvantaged Business Enterprises will be afforded full opportunity to submit Proposals and will not be subjected to discrimination on the basis of political or religious opinion or affiliation, race, color, creed, sex, age or national origin in consideration for an award. Minority Business Enterprises are encouraged to respond to this RFP.

Offerors for this project will be required to comply with all applicable Equal Employment Opportunity laws and regulations.

K. Minority Business Enterprises (MBE) Goal:

For the purpose of this contract, a goal of **25 PERCENT (%)** has been established for Minority Business Enterprises. For assistance in identifying certified Minority Business Enterprises (MBE's), Offerors attention is directed to the Maryland Department of Transportation (MDOT) MBE Directory which can be found at www.mdot.state.md.us.

Per MDOT promulgated Disadvantaged Enterprise Program, the use of the term MBE is synonymous with DBE, and MBE includes WBE.

Each submittal shall be accompanied by:

- A completed MDOT DBE Form A, Federally-Funded Contracts (Proposals Only) "Certified DBE Utilization and Fair Solicitation Affidavit" (Attachment No. IX)
- A completed MDOT DBE Form B, Federally-Funded Contracts (Proposals Only) "Part 2 DBE Participation Schedule" (Attachment No. X)

For more information, please refer to attached "Affirmative Action Requirements, Utilization of Disadvantaged Business Enterprises for Federal-Aid Contracts" (Attachment No VIII)

L. Basis for Award

SHA/OOTS/MHSO will select a firm for this project based on the best combination of Technical and Price Proposals. In making a determination for contract award, technical factors shall receive greater consideration than price. (See Section IX for a description of the evaluation criteria.)

This RFP does not commit the State to award a contract. The contents of the proposal may become contractual obligations if a contract ensues. Failure of the Offeror to honor these obligations may result in termination for default.

Any Contract entered into by SHA/OOTS and the Contractor will be subject to the approval of the Department of Transportation, the Department of Budget and Management and the Board of Public Works.

M. Bid/Proposal Affidavit

Bid/Proposal Affidavit (Attachment No. V) must be completed by all contractors responding to this RFP. This affidavit includes anti-bribery, non-collusion, debarment, and financial disclosure and political disclosure affirmations.

N. Registration

All corporations doing business in Maryland are required by law to be registered with the State of Maryland, Department of Assessments and Taxation, Comptroller's Office as well as with the Department of Labor, Licensing and Regulation and must have a resident agent. The resident agent must be either an individual (not the corporation itself) with an address within the boundaries of Maryland or a corporation that represents other corporations as a resident agent.

Any potential contractor who is not sure of resident/foreign corporate status is advised to contact the Maryland Department of Assessments and Taxation at 410-767-1330. It is strongly recommended that any potential contractor be completely registered prior to the due date for receipt of Proposals.

The attached Contract Affidavit (Attachment No. VI) may be completed and submitted by the contractor with the Proposal. If it is not submitted with the Proposal, it will be required before the contract is awarded. This affidavit includes the certification of corporation registration and tax payment and a reaffirmation of the Bid/Proposal Affidavit (Attachment No. V)

O. Compliance with the Law and Arrearages

By submitting an offer in response to this RFP, an Offeror, if selected for award, agrees that it will comply with all Federal, State, and local laws applicable to its activities and obligations under the contract. By submitting an offer in response to this RFP, the Offeror shall be deemed to represent that it is not in arrears in the payment of any obligation 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 if selected for award, that it shall not become so in arrears during the term of the contract.

P. Contractor Responsibilities and Labor Categories

The State may enter into a contractual agreement with only the selected Offeror whom shall be responsible for all products and services as required by this RFP. Subcontractors, if any, must be described and a complete description of their role relative to the Proposal must be included in the technical response. Acts of both omission and commission by subcontractors shall be the sole responsibility of the primary Contractor.

The following task assignments are examples of the type of work required under this RFP and will be performed under the direction of SHA/OOTS/MSHO.

- Work with Contract Administrator, Executive Committee, Emphasis Area Teams (EA Teams) and others to identify additional objectives, strategies, action steps and measures to support the initiatives of the Statewide SHSP.
- Plan and support programs associated with all Emphasis Areas as directed by SHA/OOTS/MHSO. Maintain working relationships with all key personnel including but not limited to SHA, OOTS, MHSO, Modal Administrations, CTSP's, other highway safety professionals and partners.
- Design and produce materials, spreadsheets, presentation materials, and publications as requested by SHA/OOTS/MHSO. Produce and implement direct responses to team leaders and provide assistance in the areas of response tracking to SHA/OOTS/MHSO.
- Coordinate Maryland's Annual Highway Safety Summit and Program by coordinating all program logistics, scheduling of speakers, provide facilitation for each breakout session, track all meeting recommendations and provide appropriate follow-up.

- Provide guidance and recommendations to each SHSP Emphasis Area Team and Community Traffic Safety Program Coordinators (see scope of contractor services).

The following Labor Categories are required under this RFP.

Program Manager:

The Program Manager possesses the experience and expertise necessary to achieve and implement the overall tasks and objectives relative to the SHSP. The Program Manager will be responsible for assisting MHSO staff in the continual development and implementation of the SHSP on a daily or as needed basis as well as be considered the contractors representative for this (SHSP) contract. Interact with MHSO Management Team, Emphasis Area Team Leaders, Executive Committee, and SHA's Office of Traffic and Safety staff in developing specific highway safety related programs based on statewide identified needs. Selected consultant will be responsible for assisting MHSO in coordinating Maryland's Annual Highway Safety Summit and Program including ancillary tasks as assigned.

Support the Task Force to Combat Driving Under the Influence of Drugs and Alcohol including professional, technical, planning and administrative services. Manage marketing of programs and activities by promoting highway safety statewide and in conjunction with the Public Information and Education Special Team. Work with MHSO relative to legislative action plans and possible impact of such legislation. Ensure outreach activities are reported in concert with MHSO and CTSP.

Additional duties will include but not limited to:

- Oversee the development of the SHSP Implementation Tracking Tool
- Prepare and negotiate SHSP Report and Evaluation
- Prepare monthly itemized invoices and progress reports
- Prepare for Executive Committee Meetings, Quarterly SHSP Meetings, and Management Team Meetings by providing agendas, talking points, PowerPoint presentations, materials, handouts and track action items and provide follow-up to various teams.
- Oversee the on-going realignment of the CTSP responsibilities for SHSP strategies and action steps.
- Provide staffing support to the Task Force to Combat Driving Under the Influence of Drugs and Alcohol.
- Prepare progress reports for plan strategies and action items
- Prepare materials for State Highway Administration Safety Fast Response Action Team Meetings (FRAT)
- Create an Annual Report to be submitted to the Executive Committee and other highway safety stakeholders

- Meet with MHSO and contractor staff to formulate and review plans, deliverable items, ensure compliance with task schedules, cost and periodic review of contract including performance and management.
- Coordinate and direct Minority Business Enterprise sub-contractor(s) to ensure all specific aspects of the scope of work and assigned tasks are completed successfully.
- Related duties as directed by MHSO

Education: Possession of a Bachelor's degree in related field is required, Master's degree is preferred.

Experience: Ten years of progressive experience of which five years must include transportation, highway safety planning, management and supervision of staff and oversight of all aspects of previous related projects. The applicant can substitute two years of experience for the required educational requirements.

Principal Planner:

Provide assistance, direction and support to Maryland's SHSP in terms of statewide initiatives, provide research and collaborate with Executive Committee, MHSO staff, Emphasis Area Teams and CTSP Coordinators. Develop strategic highway safety plans/programs to reflect statewide initiatives. Coordinate the development of the SHSP Implementation Tracking Tool. Research best practices of other States SHSP, interpret and identify how these practices can improve Maryland's SHSP efforts and processes. Attend quarterly meetings and work with all Emphasis Area Teams to ensure the objectives, strategies and action items are being implemented statewide. Offer expert advice, recommendations and suggestions for the overall SHSP process.

Education: Possession of a Bachelor's degree in related field is required, Master's degree is preferred.

Experience: Seven years of employment in the field of planning. Four years of this experience must have involved professional planning, innovative transportation related studies, research techniques, data analyses and management. The applicant can substitute two years of experience for the required educational requirements.

Transportation Planner:

Work with Principal Planner by conducting highway safety related research, draft reports, attend meetings, and assist Executive Committee, Emphasis Area Teams, CTSP's and interact with MHSO staff in preparation of information relative to developing specific statewide programs and plans to support the SHSP. Plan, promote, schedule and coordinate strategic transportation related planning. Coordinate meetings designed to assist MHSO, community partners, county officials and municipalities in the development of a comprehensive Highway Safety Plan that incorporates all SHSP recommendations and findings.

Prepare and submit research results based on the review of various Maryland Transportation Plans relative to identifying Highway Safety Mobility issues.

Provide recommendations for maximizing available resources to state and local transportation agencies. Identify transportation and highway safety related program strategies that may require additional funding resources and recommend how limited resources can be managed or utilized.

Education: Possession of a Bachelor's degree in related field is required, Master's degree is preferred.

Experience: Five years regional planning experience including knowledge of state and local levels of government, initiating and conducting statewide studies, preparing reports and findings and providing recommendations for improvements or changes. The applicant can substitute two years of experience for the required educational requirements.

Graphic Designer:

Advise and assist with the most effective means of developing and presenting various Highway Safety related graphic materials. Establish and maintain quality standards for all graphic arts materials utilized in the development of the Maryland SHSP. Prepare layouts, designs, graphic art work; and develop various types of illustrations such as line art, glossy reports, and brochures. Provide technical assistance to MHSO staff, Executive Committee, Emphasis Area Teams and CTSP's related to materials, graphic artwork or designs.

Education: Possession of a Bachelor's degree in Fine Arts from an accredited four-year college or university.

Experience: Five 5 years in the field of commercial or graphic publication art as a designer, illustrator or graphic artist. The applicant can substitute two years of experience for the required educational requirements.

Administrative Assistant:

Serve as administrative assistant to Program Manager, Principal Planner, Transportation Planner and other contractor staff as needed. Compose and distribute meeting minutes, correspondence, quarterly reports, maintain meeting materials, log detailed reports, supporting documentation and prepare documents to support Maryland's SHSP. Provide other essential administrative assistant and clerical duties including billing and itemization reports as required by the contract.

Education: Graduation from a standard high school or possession of a high school equivalency certificate.

Experience: Two years professional experience including knowledge of office practices, procedures, equipment Microsoft Office, various software programs and the ability to type accurately at a speed of not less than forty words per minute.

Q. Substitution of Personnel:

All personnel described in the Offeror's proposal shall perform continuously for the duration of this Contract as a result of this procurement, and for so long as performance is satisfactory to the Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator. The Maryland SHSP Statewide Coordinator and

or MHSO Contract Administrator shall give written notice of performance issues to the MHSO Contractor, clearly describing the problem and delineating remediation requirements (s). The Offeror shall respond with a written remediation plan within three business days and implement the plan immediately upon written acceptance of the Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator.

Should performance issues persist, the Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator may give written notice or request the immediate removal of person (s) whose performance is at issue, including the Contract's Project Manager, and determine whether a substitution is required. The Offeror may not substitute personnel, other than by reason of an individual's death, termination of employment, or for a sudden incapacitating illness that is projected to last more than five days, without prior written approval of the Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator. The Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator approval will not be unreasonably withheld.

To replace any personnel specified in this Contract, Offeror shall submit resumes of the proposed substituted personnel, specifying the intended approved labor category, to the Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator. All proposed substitute personnel shall have qualifications at least equal to those of the replaced personnel, and must be approved by the Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator upon recommendation by the Maryland SHA-OOTS Procurement Officer that the proposed substitutes meet the minimum qualifications specified for this Contract. Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator will arrange for the interview of the substitution. After interviewing, the Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator will notify the Offeror in writing of the acceptance or denial of the requested substitution.

R. Mandatory Contractual Terms

By submitting a Proposal in response to this RFP, a Offeror, if selected for award, shall be deemed to have agreed to and accepted all contract terms and conditions set forth in the Department of Transportation General Conditions for Service Contracts (July, 1997) attached hereto as (Attachment No. II). Offerors who cannot agree to, or propose modifications to these General Conditions, risk having their proposal declared "not reasonably susceptible for award".

S. Sample Contract

Attached to this RFP as (Attachment No. VII) for the Offerors' information, is a sample contract similar to the one that will be presented to the Contractor for signature. All Offerors should review this contract in detail prior to submitting their Proposals. Most of the contract language is required by Maryland law; therefore, it is unlikely that the State will make any changes to the sample

contract. Any questions regarding any provision of this contract should be submitted in accordance with Section I, Sub-section H - "Questions and Inquiries" of this RFP.

T. Conflict of Interest and Confidentiality

The Offeror covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of services required under this RFP. Without limitation, the Offeror represents to, and agrees with, SHA that the Offeror has no conflict of interest between providing the State services hereunder. Any interest the Offeror may have with respect to any other person or entity (including but not limited to any Federal or State regulatory agency), which has any interest adverse or potentially adverse to the State, shall be fully disclosed and fully explained in their response to the RFP.

The Offeror agrees that any information, whether proprietary or not, made known to or discovered by the Offeror during the performance of this contract will be kept confidential and not be disclosed to any person other than the State Highway Administration, its designated officials, employees, and authorized agents. The Offeror is required to disclose any information made known to or discovered during the performance of or in connection with this contract to designated officials or authorized agents of the State Highway Administration.

U. Order of Precedence

The contract between the State and the selected Offeror will be embodied in the contract documents. The contract documents will consist of:

1. The contract including contract modifications by all concerned parties.
2. This Request for Proposal (RFP).
3. The Contractor's Proposal consisting of the technical and price proposal, best and final offers, and any amendments or modifications to those documents.

In the event of a conflict between provisions of the contract documents, the controlling provisions shall be in the order of the contract documents listed above.

V. Debriefing of Unsuccessful Offerors

Debriefings shall be allowed in accordance with COMAR 21.05.03.06. Unsuccessful Offerors shall be debriefed upon their written request submitted to the Procurement Officer within a reasonable time.

W. Protests and Appeals

Maryland's Procurement Law and Regulations provide a specific process for making protests and for appealing decisions. This process is described in detail in COMAR Title 21 – State Procurement Regulations (COMAR reference 21.10.02 and 21.10.07). To insure that all the rights of appeal available are utilized, a reference to specific laws is suggested should a vendor have a need to protest.

A protest based on alleged improprieties in a solicitation that are apparent before bid opening, shall be filed before bid opening. Other protests shall be filed not later than seven days after the basis of the protest is known or should have been known, whichever is earlier. Oral protests are not provided for in the process and will not be considered.

X. Payments to Contractors by Electronic Funds Transfer (EFT)

(Applies to Contracts Awards Over \$200,000)

By submitting a response to this solicitation, the Offeror agrees to accept payments by electronic funds transfer unless Maryland's State Comptroller's Office grants an exception. The selected Offeror shall register using the attached form COT/GAD X-10 Vendor Electronic Funds Transfer (EFT) Registration Request Form (Attachment No. XIII). Any request for exemption must be submitted to the State Comptroller's Office for approval at the address specified on the COT/GAD X-10 form and must include the business identification information as stated on the form and include the reason for the exemption.

Y. eMaryland Marketplace

In order to receive final contract award, a vendor must be registered on eMarylandMarketPlace. To register your company, connect to www.emarylandmarketplace.com. Click on Vendor Registration and follow the instructions.

NOTE: There is no fee to register.

Z. Living Wage

A solicitation for services or maintenance services under a State contract valued at \$100,000 or more may be subject to Title 18, State Finance and Procurement (SFP) Article, Annotated Code of Maryland. Additional information regarding the State's wage requirement is contained in this solicitation (Attachment No. XIV) entitled Living Wage Requirements for Service Contracts. If the Bidder fails to submit and complete the required documentation under State law, the State may determine a Bidder to be not responsible.

Contractors and Subcontractors subject to the Living Wage Law shall pay each covered employee at least the minimum amount set by law for the applicable Tier Area; currently \$11.72 per hour in the Tier 1 Area and \$8.81 per hour in the Tier 2 Area. The specific Living Wage rate is determined by whether a majority of services take place in a Tier 1 Area or Tier 2 Area of the State. The Tier 1 Area includes Montgomery, Prince George's, Howard, Anne Arundel, and Baltimore Counties, and Baltimore City. The Tier 2 Area includes any county in the State not included in the Tier 1 Area. In the event that the employees who perform the services are not located in the State, the head of the unit responsible for a State contract pursuant to §18-102 (d) shall assign the tier based upon where the recipients of the services are located.

The contract resulting from this solicitation has been deemed to be a Tier 1 contract.

AA. Prompt Pay Requirements

This procurement and the contract to be awarded pursuant to this solicitation are subject to the Prompt Payment Policy Directive issued by the Governor's Office of Minority Affairs and dated August 1, 2008. Promulgated pursuant to Sections 11-201, 13-205(a), and Title 14, Subtitle 3 of the State Finance and Procurement Article (SFP), and Code of Maryland Regulations (COMAR) 21.01.01.03 and 21.11.03.01 et seq., the Directive seeks to ensure the prompt payment of all subcontractors on non-construction procurement contracts. The successful Offeror who is awarded a contract must comply with the prompt payment requirements outlined in the Contract, §13 (Attachment No. XVI). Additional information is available on the GOMA website at www.mdminoritybusiness.com.

III. SCOPE OF CONTRACTOR SERVICES

The work required herein shall be assigned on a Task Order basis. Work assignments will consist of all the SHSP Emphasis Areas and may also consist of the following project components:

A. Plan Implementation/Committee Meetings

This process will help with facilitation and identify methods to clearly develop a polished plan.

- Prepare materials for distribution to returning and new Executive Committee members including all updates that reflect any new implementation assignments
- Attend and participate in quarterly meetings with EA Team Leaders, as well as prepare agendas and handouts
- Attend and participate in Executive Committee meetings; provide materials including agendas, talking points, power point presentation, and handouts.
- Prepare minutes, action item reports as well as quarterly reports
- Attend and participate in EA Team Meetings as requested

B. Emphasis Area Teams (EA Teams)

Each Emphasis Area Team is part of an on-going process within the SHSP structure. All effective and creative measures will help to streamline the efforts, goals and strategies of all Emphasis Areas. EA Teams are expected to work in concert with MHSO requirements in maintaining deadlines and actively implementing goals and strategies. Selected consultant will be required to work directly with all EA Teams to maintain consistent and continuous program development.

- Review and update EA Team lists and identify individuals whose expertise can assist in various highway safety areas.
- Schedule quarterly meetings with EA Team Leaders and review:
 - Completion of implementation plans

- Approach for assigning agency/organization responsibilities for strategies and action steps
- Identification of funding sources as related to SHSP
- Provide quarterly reports and updates
- Follow-up with EA Team Leaders to finalize strategies or changes
- Update plan as quarterly reports are submitted and or as changes are made to the SHSP and coordinate with MHSO.
- Document action steps including responsible persons, timelines, etc.
- Determine “Champions” or responsible persons and or agencies for program implementation
- Identify resource needs
- Determine performance measures and evaluation strategies

C. Task Force to Combat Driving Under the Influence of Drugs and Alcohol

Consultant will provide professional, technical, planning, and administrative services to the Task Force. Services will include, but not be limited to conducting meetings with legislative representatives, assist in the implementation of the sanctions and recommendations of the DUI Task Force which is supported by the Governor.

- Provide staffing support to the DUI Task Force as needed per MHSO
- Provide administrative and report writing assistance
- Provide assistance to implement key strategies and goals
- Assist with establishing follow-up procedures identified by the Task Force

D. Action Step Items and Implementation Measures

Consultant will support measures identified by the evaluation component of SHSP. Essentially, this process will support the anticipated measurable improvements of the overall plan.

- Continue to coordinate performance measures/action measures reporting tools for all CTSP’s associated with SHSP.
- Continue to coordinate CTSP efforts in coordination with the National Study Center for Trauma and EMS.
- Identify impact performance measures for action steps that have been developed for SHSP implementation plan.

E. Maryland Annual Highway Safety Summit and Program/Strategic Highway Safety Plan

Maryland’s Annual Highway Safety Summit and Program is a statewide symposium designed to engage concerned citizens and stakeholders from across the state an opportunity to collaboratively address the concerns of motor vehicle fatalities and injuries. This coordinated effort provides the comprehensive framework to discuss and establish statewide goals, objectives, and strategies to be implemented. Consultant will be required to manage all the necessary details of organizing a conference.

- Follow up with the 2007 Maryland Highway Safety Summit attendees by providing copies of SHSP newsletter to update attendees on activities since last Summit.
- Consultant will coordinate with MHSO to select date, time and location for Maryland's Annual Highway Safety Summit and Program
- Consultant will coordinate with MHSO to develop agenda, conference tracks, organize breakout sessions, schedule speakers as well as other conference logistics.
- Consultant will prepare remarks, participant materials and other materials to support initiatives as directed by MHSO.
- Consultant will invite all summit attendees to join EA Teams and maintain a point of contact spreadsheet.
- Consultant will provide summit facilitation for each breakout session
- Coordinate all aspects of the Annual Summit activities per MHSO's direction and provide a written document outlining the activities and recommendations discussed throughout the summit.
- SHA/OOTS/MHSO will provide guidelines for any materials to be prepared by the successful Offeror relative to Maryland's Annual Highway Safety Summit.
- Any materials prepared by the successful Offeror must be reviewed and approved by MHSO. Consultant must provide a sample of required deliverables associated with the Summit at a minimum of two weeks prior to the Summit that will require the approval of the SHSP Statewide Program Manager and or MHSO Contract Administrator. One copy of the final product must be submitted to MHSO for final approval before printing of all Summit materials one week prior to the Summit.

F. Marketing

Consultant will be required to market a wide range of activities and programs. For example, the consultant will be required to make certain that the statewide priority programs are conveyed throughout the SHSP Newsletter as well as other communication sources.

- Create a new brochure to reflect any changes regarding the SHSP as directed by MHSO
- Update standard SHSP PowerPoint presentation
- Create new fact sheet to reflect any changes to the current SHSP
- Continue developing and disseminating SHSP newsletter to all SHSP safety stakeholders and Highway Safety Summit attendees.
- Branding of all materials related to the overall statewide traffic safety campaign in coordination with MHSO.
- Continue to develop strategies to inform, involve, and maintain interest in SHSP
- Develop power point presentations and talking points for remarks at conferences, meetings, events, etc. in coordination with MHSO.
- Develop content for SHSP web page on SHA web site in coordination with SHA/MHSO.

- Work with Public Information and Education Committee to ensure requests for assistance are being met and to provide assistance for any SHSP related media event in coordination with MHSO.

G. SHSP Implementation Tracking and Reporting Tool

This process will help generate better communication as well as the ability to share information with all interested stakeholders. The consultant is required to generate a quarterly report from each Emphasis Area. This tracking tool is in place to ensure that the information is being submitted.

- Maintain spreadsheet to track the progress, challenges and opportunities on a regular basis in coordination with MHSO.
- Maintain program updates based on EA Teams and other traffic safety stakeholders.
- Coordinate the SHSP Tracking Tool with the National Study Center for Trauma and EMS.
- Provide written updates to each EA Team Leader and group members

H. Transportation Plans

Consultant will be required to research, analyze, and determine how to incorporate the SHSP into other highway safety plans and documents.

- Review existing Maryland transportation plans to determine how to align the Statewide SHSP strategies as required by SAFETEA-LU.
 - Maryland Consolidated Transportation Plan (CTP)
 - Maryland Transportation Plan (MTP)
 - Maryland Attainment Report (AR)
 - Maryland Transportation Improvement Plan (TIP)
 - State of Maryland's Transportation Improvement Plan (STIP)
 - Maryland Highway Safety Plan (HSP)
 - Maryland Highway Safety Improvement Plan (HSIP)
 - Consolidated Safety Improvement Plan (CSIP)
 - SHA and Office of Traffic & Safety Business Plan/Key Performance Areas
- Identify those SHSP strategies that are already funded in these plans
- Identify gaps, and SHSP strategies not covered
- Identify opportunities to coordinate SHSP strategies within existing funding programs
- Identify strategies that will require additional funding and determine how these new strategies will be funded in the future
- All funding task shall be coordinated with MHSO

I. Outreach

SHSP development will be an ongoing process. Outreach is a very important part of the SHSP process and the selected consultant will be required to make contact with numerous stakeholders across Maryland, as well as contact other agencies to gather information and identify successful solutions valuable to the success of Maryland's program.

- Regional Meetings
 - Provide information and material to individuals organizing regional forums, meetings and CTSP Task Force Meetings.
 - Assist with aligning CTSP responsibilities with SHSP strategies and action steps.
 - Determine how each Task Force can and or will participate in the implementation of SHSP
 - Review roles and responsibilities and advise MHSO
- Local Highway Agencies, MDOT Modal Administrations, SHA District Offices
 - Develop draft document outlining responsibilities for SHA Assistant District Engineers for Traffic (ADE-T)

J. Public Information and Education (PI&E) Special Team

PI&E Special Team was organized to work directly with key agencies and offices to assist in maintaining and promoting the vision and clarity of the SHSP and keep various state/local agencies informed of strategic modifications to the SHSP. Various state and local agencies have established action plans which are currently being implemented. The consultant will be required to continue working with all agencies, offices and partners to ensure all public information is periodically disseminated to state and locals.

- Coordinate and help develop PI&E efforts with SHA Office of Communication's, Director, Marketing & Safety Education Manager and MHSO's Communication Coordinator to further outreach efforts as related to SHSP and "Choose Safety For Life" Campaign
- Develop and distribute quarterly newsletter highlighting SHSP Emphasis Area Team activities, with input from SHA Office of Communication, MHSO, and other stakeholder agencies
- Provide quarterly updates of progress related to SHSP objectives to be distributed to stakeholder agencies and public
- Coordinate other outreach efforts as needed:
 - Impaired Driving (Coordinate with Washington, DC area Checkpoint Strikeforce and Over the Limit, Under Arrest Campaigns)
 - Roadway Safety (Keep Vehicles on the Road/Intersections)
 - Work Zones (FHWA sponsors Work Zone Safety Awareness Week in April)
 - Pedestrian Safety
 - Occupant Protection (Coordinate with annual Click It or Ticket Campaign)
 - Distracted Driving
 - Older Drivers
 - Younger Drivers
 - Motorcycles (May is NHTSA's Motorcycle Safety Awareness Month)
 - Trucks and Buses
 - Emergency Medical Services

- Provide updates to the Choose Safety For Life Website.
choosesafetyforlife.com

K. Safe Routes To School Program (SRTS)

Consultant will be required to assist with any statewide initiatives associated with children/young adults and parents attending Maryland's school systems to promote the SRTS Program. SHSP's main goal is to reduce fatalities and injuries. SRTS Program was designed to encourage and enable more children to walk and bike safely to and from school. SRTS Program is a component of EA Team #3d.

- Develop a collaborative effort to implement programs with MHSO's Program Coordinator to create outreach initiatives to support SRTS program:
 - Provide assistance to MHSO's SRTS Coordinator
 - Assist with National Walk To School Program
 - Assist with Kick-off Event for SRTS Program
 - Provide outreach to local partners and stakeholders
 - Create opportunities for awareness including disseminating materials
 - All outreach activities shall be coordinated with MHSO

L. Legislative Action

In the event that legislation is introduced and or passed, relative to MHSO's mission, selected consultant will be required to work with MHSO pertaining to legislative requirements impacting the SHSP process.

- Develop legislative action plans in the following emphasis areas:
 - Aggressive Driving
 - Distracted Driving
 - Impaired Driving
 - Motorcycle Safety
 - Older Drivers
 - Pedestrian Safety
 - Trucks and Buses
 - Young Drivers
- Provide legislative guidance and recommendations for each SHSP Emphasis Area Team (EA Team) as well as any proposed or pending legislation.

EA Team #1	Reduce Impaired Driving
EA Team #2	Improve Information and Decision Support Systems
EA Team #3	Eliminate Hazardous Locations
EA Team #3a	Keep Vehicles on the Roadway
EA Team #3b	Improve Safety at Intersections
EA Team #3c	Create Safer Work Zones
EA Team #3d	Make Walking and Crossing Streets Safer
EA Team #4	Increase Occupant Protection
EA Team #5	Improve Driver Competency

EA Team #5a	Reduce Distracted Driving
EA Team #5b	Enhance Safe Driving for Older Drivers
EA Team #5c	Develop Safe Young Drivers
EA Team #5d	Improve Motorcycle Safety
EA Team #5e	Make Truck and Bus Travel Safer
EA Team #6	Curb Aggressive Driving
EA Team #7	Improve Emergency Response Systems

Additional Tasks

SHA/OOTS/MHSO reserves the right to issue additional planning tasks, or modify tasks similar in nature to those listed above.

IV. SHA/OOTS/MHSO RESPONSIBILITIES

SHA/OOTS/MHSO will be responsible for initiating all task order requests, approving the offeror's proposed approach to satisfying the requirements of the Task Order, including the proposed hours for each labor category, proposed price and proposed key personnel; working directly with the consultant to implement Maryland's SHSP until completion of this contract. MHSO will also ensure that all MBE components are being met throughout the term of the contract.

V. DURATION OF THE CONTRACT and BASIS OF PAYMENT

- A. Duration of the initial contract is four (4) years. SHA/OOTS/MHSO has the option to renew this contract on the same terms, with appropriate approvals, for a maximum of two additional one year renewal periods. SHA/OOTS/MHSO shall give the Offeror written notice of their desire to exercise this option not less than ninety (90) days before the commencement of each contract term.
- B. Prior to the conclusion of contractual year, including any exercised options, the price(s) will be adjusted in accordance with the annual rate of change of the Consumer Price Index (CPI) as published by the US Department of Labor, Bureau of Labor Statistics. This price adjustment will be based on the percent change in the CPI for "All Urban Consumers" (CPI-U) for the Washington-Baltimore Average over the past 12 months using the month of March as the baseline. This information is found at <http://stats.bls.gov/news.release/cpi.t03.htm>. The maximum allowable change in any single year will be four (4) percent.
- C. After award, SHA/OOTS/MHSO shall have the unilateral right, at its discretion to change, alter or modify in writing the services provided for in this RFP, and such changes, alterations or modifications may be made even though it will result in an increase or decrease in the services of the contractor or in the contract cost thereof.

VI. TASK ORDER PROCESS

Task Orders Requests resulting from this RFP shall be initiated through the following process. Each Task Order Request will be initiated by the MHSO Project Manager and or MHSO Contract Administrator. The MHSO Project Manager and/or MHSO

Contract Administrator shall define the scope and requirements of the specific task and submit the Task Order Proposal to the successful Offeror before any work commences.

The Task Order Request may contain the following information:

- A. Project, Technical and Contractual points of contact;
- B. Background information including task objectives;
- C. Technical Requirements (scope)
- D. Performance objectives and or deliverables;
- E. Personnel skill categories required;
- F. Period of performance, including estimated start date.
- G. Deliverable/delivery Schedule

Task Order Proposals:

Upon receiving the Task Order Request, the successful Offeror shall provide a proposal in response to the requirements of the Task Order. At a minimum, the proposal shall provide the following:

- A. Proposed approach to satisfying the requirements of the Task Order;
- B. Development of Task Order deliverables;
- C. Proposed hours for each labor category;
- D. Proposed price;
- E. Proposed key personnel with attached resumes.

Task Order Agreements-Notice To Proceed:

Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator will issue Task Order Agreements (TOA) with Notice to Proceed (NTP). The successful Offeror should only proceed after having received the TOA and NTP by the MHSO Project Manager and or MHSO Contract Administrator.

VII. TECHNICAL PROPOSAL CONTENT

A. Transmittal Letter:

A transmittal letter must accompany the technical proposal. The purpose of this letter is to transmit the Technical/Price Proposal, response to Sample Questions and acknowledge the receipt of any addenda. The letter is to be signed by the individual who is authorized to commit the Offeror to the services and requirements as stated in this RFP.

B. The Offeror shall submit an original and five (5) copies of the Technical Proposal and an original and four (4) copies of the Price Proposal for this RFP in accordance with the outline set forth herein. All pages in the Technical Proposal should be sequentially numbered. One of the copies is to be unbound.

Technical Proposals and Price Proposals must be submitted in separate sealed envelopes, each addressed to ATTN: Jeff Walters, Procurement Officer, SHA-OOTS, 7491 Connelley Drive, Hanover MD, 21076 and clearly marked with the full name and address of the Offeror and the contents of each envelope (i.e., Technical Proposal - Contract No. MHSO-001-09 or Price Proposal - Contract No. MHSO-001-09).

C. The Offeror shall submit the Technical Proposal in eight (8) distinct sections as follows:

1. **Scope of Services:** The Offeror shall set forth their vision or understanding of the services to assist MHSO. Provide the on-going development of Maryland's SHSP. Specific reference must be made to the services required that are essential to successfully developing, managing and communication of Maryland's SHSP and General Conditions, and all other required criteria. The response should demonstrate the firm's understanding of the services expected; however, simply restating the RFP is neither necessary nor acceptable. Responses are not to exceed two (2) pages.
2. **Work Plan:** The Offeror shall set forth their proposed work plan that will successfully accomplish the goals and objectives of the SHSP. Specifically, the response should address the methodology, techniques and processes they propose to use and their implementation schedule. Responses should not exceed four (4) pages.
3. **Labor Categories:** Shall not exceed six (6) pages including a one (1) page introduction, one (1) page resume for each Labor Category, one (1) page listing of the primary support staff available for the Contract and a one (1) page organizational chart that includes reporting relationship with the proposed sub-contractors.
4. **Sub-contractors:** The Offeror shall provide a description of each proposed sub-contractor, and including name, one (1) page for each key personnel proposed, qualifications, familiarity with and understanding of the Scope of Services and Work Plan, previous experience on similar type projects and a clear statement of commitment from each proposed subcontractor, to the Prime Contractor must be included in the Technical Proposal. The commitment shall include a definitive statement of the services to be performed by the sub-contractor.
5. **Similar Projects:** The Offeror shall list between one (1) and three (3) projects, with at least one (1) similar project (wherein the firm has performed similar services) and include a synopsis for each project. For each reference, provide a contact person's name, title, phone number, fax number and e-mail address for verification. References will be contacted by the SHA/OOTS

Procurement Officer and or Maryland SHSP Statewide Coordinator and or MHSO Contract Administrator.

6. **Financial Capability and Insurance:** The Offeror shall include in the Technical Proposal a Section which includes:

- a. A letter addressed to the SHA-OOTS Procurement Officer setting forth the following:
 - i) Evidence that the Contractor has financial capacity to provide the services.
 - ii) A statement as to whether there are any outstanding legal actions or potential claims against the Offeror.
- b. A copy of the firm's current certificate of insurance which, at a minimum, should contain the following:
 - i) Carrier (Name and Address)
 - ii) Type of Insurance
 - iii) Amount of Coverage
 - iv) Period covered by insurance
 - iv) Exclusions
- c. The types and amounts of coverage proposed to be carried for this project by the firm. Each area of insurance shall be clearly set forth in the proposal (i.e. Comprehensive General Liability Insurance, Workers Compensation Insurance, etc.) **The Offeror will be required to provide a current Insurance Certificate prior to the contract award.**
- d. A copy of the last two (2) year end audited financial statements.

7. **Past State Contract Experience**

As part of its offer, each Offeror is to provide a list of all contracts with any entity of the State of Maryland that it is currently performing or which have been completed within the last 5 years. For each identified contract the Offeror is to provide:

- i. The State contracting entity
- ii. A brief description of the services/goods provided
- iii. The dollar value of the contract
- iv. The term of the contract
- v. The State employee contact person (name, title, telephone number and if possible e-mail address)
- vi. Whether the contract was terminated before the end of the term specified in the original contract, including whether any available renewal option was not exercised.

Information obtained regarding the Offeror's level of performance on State contracts will be considered as part of the experience and past performance evaluation criteria of the RFP.

8. Response to Technical Question:

In order to further determine the Offeror's qualifications, understanding of the work required herein and technical ability, a one page (8-1/2 x 11) written response is required in response to the attached technical question (Attachment No. XVII).

- D. All pages within the Technical Proposal Submission are required to be on standard size 8½ X 11 paper. Sections of the Technical Proposal shall be separated by Dividers. Dividers can have photographs/graphics, but no narrative on the reverse side. The reverse side shall be un-marked.
- E. Attachments to the Technical Proposal beyond the seven sections required are unacceptable
- F. **MANDATORY TECHNICAL PROPOSAL SUBMISSION REQUIREMENTS**
- Completed Bid/Proposal Affidavit (Attachment No. V– Submit with original of Technical Proposal only)
 - Executed Living Wage Affidavit of Agreement (Attachment No. XV)
 - Acknowledgment of each amendment or addenda, if applicable, signed by the Offeror and attached to the cover of the Technical Proposal.
 - A completed MDOT DBE Form A, Federally-Funded Contracts (Proposals Only) "Certified DBE Utilization and Fair Solicitation Affidavit" (Attachment No. IX)
 - A completed MDOT DBE Form B, Federally-Funded Contracts (Proposals Only) "Part 2 DBE Participation Schedule" (Attachment No. X)
- G. **ORAL PRESENTATION**
- Separate from the Technical Proposal submission, those Offerors whose Proposals are reasonably susceptible of being awarded a contract will be required to make an oral presentation having a maximum duration of thirty (30) minutes. Following the presentation, the SHA/OOTS/MHSO panel will have twenty (20) minutes for specific questions and or comments. The Offeror will then have five (5) minutes for closing remarks.

The Offeror shall have all of the "Labor Categories" identified in response to Section II, Sub-section P of this RFP in attendance.

The Offeror will be notified of the time, date and location of the oral presentation. The Offeror will be responsible for providing any audio/visual or other equipment they require for the presentation.

VIII. PRICE PROPOSAL CONTENT

- A. The Offeror shall submit an original and four (4) copies of the Price Proposal for this Project. All copies of the Price Proposal are to be submitted in one (1) sealed envelope, separate from the Technical Proposal. The envelope shall be clearly marked with the full name and address of the Offeror and the contents of the envelope (i.e., Price Proposal – Contract No. MHSO-001-09. The Price Proposal shall be submitted on the attached form (Attachment No. III) entitled Contract Price Proposal Form.
- B. The enclosed Truth-in-Negotiation Certification, (Attachment No. IV) is to be completed by the Prime Offeror and each subcontractor proposed and included within the price submittal.

IX. PROPOSAL SIGNATURES

The original Technical and original Price Proposal shall be signed by an Officer authorized to make a binding commitment for the firm making the proposal, including their title and position in the firm.

X. EVALUATION CRITERIA AND SELECTION PROCESS

Evaluation Criteria

Evaluation of the proposals will be based on the criteria set forth below. The Contract resulting from this RFP will be awarded to the responsible Offeror whose proposal represents the most advantageous offer to the State, considering price and the technical factors set forth herein. In making this determination, technical factors shall receive greater consideration than price.

A. Technical Criteria

The technical evaluation criteria to be applied to each technical proposal are listed in descending order of importance:

1. Quality and Comprehensiveness of Proposed Services and response to technical question.
2. Similar Project Experience of Offeror
3. Oral Presentations
4. Experience of Key Staff and Staffing

B. Financial Criteria

All qualified Offerors price proposals will be ranked from lowest price to highest price. . The technical proposal will have greater merit than the price proposal.

C. General Selection Process

The contract will be awarded in accordance with the Competitive Sealed Proposals Process under Code of Maryland Regulations 21.05.03. SHA/OOTS/MHSO may hold discussions with all Offerors judged reasonably susceptible of being selected for award, or potentially so. However, SHA/OOTS/MHSO also reserves the right to make an award without holding discussions. In either case of holding discussions or not doing so, the SHA/OOTS/MHSO may determine an Offeror to be not responsible and/or not reasonably susceptible of being selected for award, at any time after the initial closing date for receipt of proposals and the review of those proposals.

D. Selection Process Sequence

The first level of review will be for submittal compliance followed by an evaluation for technical merit. During this review oral presentations and discussions with each Offeror may be held. The purpose of such discussions will be to assure a full understanding of SHA's requirements and the Offeror's ability to perform, and to facilitate arrival at a contract that will be most advantageous to SHA/OOTS/MHSO

Offerors must confirm in writing any substantive oral clarification of their proposals made in the course of discussions. Any such written clarification becomes part of the Offeror's proposal.

The Price Proposal of each qualified Offeror will be evaluated independently from the technical evaluation. After a review of the Price Proposals of qualified Offerors, the Procurement Officer may again conduct discussions. When in the best interest of the State, the Procurement Officer may permit Offerors who have submitted acceptable proposals to revise their initial proposals and submit, in writing, best and final offers.

Upon completion of all discussions, reference checks, and site visits, if any, the Procurement Officer will recommend award of the contract to the responsible Offeror whose proposal is determined to be the most advantageous to SHA/OOTS/MHSO considering technical evaluation and price factors as set forth in the RFP. In making the most advantageous Offeror determination, technical factors shall be given greater consideration than financial factors.

XI. FINAL CONTRACT TERMS AND CONDITIONS

The Contract entered into with the Offeror shall meet all standard provisions required by the Maryland Department of Transportation, the State Highway Administration and Maryland State Procurement Regulations. Any contract entered into shall also contain the "Conditions" (Attachment No. II) hereto.

XII. LISTING OF ATTACHMENTS

Declining to Submit a Proposal - Attachment No. I

General Conditions for Service Contracts - Attachment No. II

Price Proposal Form (Required with Price Proposal submittal) - Attachment No. III

Truth-in-Negotiation Certificate (Required with Price Proposal submittal) - Attachment No. IV

Bid/Proposal Affidavit (Required with Technical Proposal submittal)-Attachment No. V

Contract Affidavit (Required of Successful Offeror) - Attachment No. VI

Sample Contract - Attachment No. VII

Affirmative Action Requirements, Utilization of Disadvantaged Business Enterprises for Federal-Aid Contracts” -Attachment No VIII

MDOT DBE Form A, “Certified DBE Utilization and Fair Solicitation Affidavit” (Required with Technical Proposal Submittal) - Attachment No. IX

MDOT DBE Form B, Part 2, “DBE Participation Schedule” (Required with Technical Proposal Submittal) – Attachment No. X

MDOT DBE Form C, “Outreach Efforts Compliance Statement” (Required of Successful Offeror)- Attachment No. XI

MDOT DBE Form D, “DBE Subcontractor Project Participation Statement” - (Required of Successful Offeror)Attachment No. XII

COT/GAD X-10 Vendor Electronic Funds (EFT) Registration Request Form - Attachment No. XIII

Living Wage Requirements for Service Contracts – Attachment No. XIV

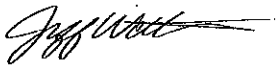
Living Wage Affidavit of Agreement - Attachment No. XV (Required with Technical Proposal Submittal)

Prompt Pay Requirements – Attachment No. XVI

Technical Question – Attachment No. XVII

Prepared By:

Mr. Jeff Walters, Procurement Officer
Maryland State Highway Administration
Office of Traffic & Safety

Signature:  _____

Date: _____

Approved By:

Mr. Thomas Hicks, P.E., Director
Office of Traffic and Safety
Maryland State Highway Administration


Signature: _____

Date: _____