Issue Date: [Month Day, Year]

PUBLIC NOTICE FOR

[INSERT LPA SPONSOR NAME]

[Insert LPA Project Number]

[Insert LPA Project Title]

NOTICE TO ARCHITECTS & ENGINEERS

REQUEST FOR PROFESSIONAL SERVICES

The [Insert LPA Sponsor Name], hereinafter called "**PROJECT SPONSOR**" is issuing this Request for Proposals (RFP) for [brief description of the project].

The Consultant Firms shall be proficient in the services listed in this RFP and shall bring an experienced and expert staff to the contracts as required. Firms interested in being considered must submit a complete Standard Form (SF) 330 concurrent with the technical proposal.

PROJECT SPONSOR anticipates awarding one project-specific contract for these services. The duration of the Contract will not exceed [Insert days/months/years]. The total funding authority for this contract shall not exceed [$xx,xxx,xxx]. PROJECT SPONSOR reserves the right to modify the total funding authority. No minimum amount of work or funds is guaranteed under this Contract. The Contract will be funded with Federal Aid Highway Program (FAHP) grant funds administered by the Federal Highway Administration, with assistance from the Maryland State Highway Administration.

An Offeror, either directly or through its subcontractor(s), must be able to provide all services and meet all the requirements requested in this solicitation and the successful Offeror (the Contractor) shall remain responsible for Contract performance regardless of subcontractor participation in the work. Firms interested in being considered for work on these contracts must submit a Technical Proposal for the contract as set forth herein.

The procurement of engineering and design related services funded by FAHP funds shall be conducted in with competitive negotiation (qualifications-based selection) procedures in accordance with the Brooks Act codified under 40 U.S.C. 1101-1104. The Contract resulting from this solicitation shall be structured as project-specific and payment methods shall include cost plus fixed fee and unit cost rates. Additional information regarding payment methods will be provided to the selected firm in the Request for Price Proposal. To standardize the method of proposal submission, and to facilitate distribution of proposal materials, it shall be necessary that all firms observe the following procedures.

All Technical Proposals shall be submitted through eMaryland Marketplace Advantage (eMMA) online at https://emma.maryland.gov. The submittal will consist of the complete Technical Proposal. The limit to the size of each individual file that is uploaded to eMMA is 300 MB. There is no limit to the number of files that can be uploaded in a single solicitation and no total limit to the size of all files uploaded in a single solicitation. eMMA accepts zipped files, but each zipped file is limited in size to 300 MB. The following information must be typed in the Response Information box. In the "Project Description," type

"[LPA Project Number and Contract Title]," Technical Proposal Due Date and Time, Firm Name, Firm Address and Contact Person for this Submission.

Proposals must be submitted electronically. Proposals will not be opened publicly.

If a Joint Venture (JV) responds to this RFP, PROJECT SPONSOR will not accept separate Proposals from the JV constituents. A firm will not be permitted to submit on more than one (1) JV for this RFP. Also, a firm that responds to this RFP as a prime or a prime JV constituent may not be included as a designated subcontractor to another firm that responds as a prime to this RFP. Multiple responses under any of the foregoing situations may cause the rejection of all responses of the firms involved. The above does not preclude a firm that has not submitted as a prime from being set forth as a designated subcontractor to more than one (1) prime responding to this RFP.

All proposals received for this contract will be reviewed on a competitive basis. The Firm that submits the highest rated Technical Proposal will be requested to submit a Price Proposal. Salary, Payroll Burden, and Overhead limitations have been eliminated. Salaries shall be actual per-hour salary rates as supported by Certified Payroll Rosters while Prime and Subconsultants' Payroll Burden and Overhead rates shall be supported by either a Maryland Department of Transportation Modes approval letter or by an annual overhead audit performed by an independent Certified Public Accountant in accordance with Federal Acquisition Regulations 48 Code of Federal Regulation 1, Part 31 and applicable MDOT guidelines. The annual overhead audit shall identify separate rates for both home office overhead and field overhead. If negotiations with the Firm is timely and successful, a contract may be awarded to the Firm.

PROJECT SPONSOR shall comply with procurement requirements established in State and local laws, regulations, policies and procedures that are not addressed by or are not in conflict with applicable Federal regulations, as specified in 2CFR Part 1201. When state and local procurement laws, regulations, policies, or procedures are in conflict with applicable Federal laws and regulations, a contracting agency shall comply with Federal requirements to be eligible for Federal-Aid reimbursement, as specified in 2CFR200.102.

A Pre-Proposal meeting will be held on [XXX]. It will be held [virtually/in person].

Written questions from prospective Offerors will be accepted by the **PROJECT SPONSOR** Procurement Officer through [XXX]. **All questions concerning submissions and procedures must be submitted via [XXX] no later than [XXX].**

All addenda to this solicitation will be posted on eMaryland Marketplace Advantage (eMMA) and [XXX]

eMMA is an electronic commerce system administered by the Maryland Department of General Services. The solicitation, Offeror questions and the Procurement Officer's responses, addenda, and other solicitation-related information will be provided via eMMA. To receive a contract award, a firm must be registered on eMMA. Registration is free. Go to https://emma.maryland.gov, click on "New Vendor? Register Now" to begin the process, and then follow the prompts.

Each Offeror is requested to indicate its eMMA vendor number in the Transmittal Letter (cover letter) submitted at the time of its Proposal submission to this RFP.

Before a business entity can do business in the State of Maryland, it must be registered with the State Department of Assessments and Taxation (SDAT). SDAT is located at State Office Building, Room 803, 301 West Preston Street, Baltimore, Maryland 21201. The SDAT website is

https://dat.maryland.gov/businesses/Pages/default.aspx, It is strongly recommended that any potential Offeror complete registration prior to the due date for receipt of Proposals. An Offeror's failure to complete registration with SDAT may disqualify an otherwise successful Offeror from final consideration and recommendation for contract award.

The SHA, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this RFP, Disadvantaged Business Enterprises (DBE) will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin, in consideration for an award.

Consultants interested in submitting a Technical Proposal must comply with the SPECIAL PROVISIONS, AFFIRMATIVE ACTION REQUIREMENTS, UTILIZATION OF DISADVANTAGED BUSINESSES, THE SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1987, ISTEA OF 1991, MAP 21 OF 2012, FAST ACT 2015, AND INFRASTRUCTURE INVESTMENT AND JOBS ACT OF 2021 located at https://roads.maryland.gov and selecting *Standard Request for Proposals* link).

PROJECT SPONSOR hereby notifies all bidders/offerors that regarding any contract entered into pursuant to this RFP, the contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

(1) Withholding monthly progress payments;
(2) Assessing sanctions;
(3) Liquidated damages; and/or
(4) Disqualifying the contractor from future bidding as non-responsible.

Technical Proposals received after the deadline will not be accepted, no matter how transmitted, and will be returned unopened to the Consultant.

PROJECT SPONSOR reserves the right to reject any and all Proposals received in response to this request and is not liable for any cost incurred by any Firm in connection with the preparation and presentation of Proposals.

1. Project Description

PROJECT SPONSOR is seeking consultant assistance to perform [insert the same description provided on Page 1 of the RFP] The project's scope of work includes [Insert as appropriate Planning/Preliminary Design/ Final Design/Construction Inspection and Management] services.. PROJECT SPONSOR may award one project-specific contract for these services. The duration of the contract will not exceed [days/months/years]. The total funding authority for this contract shall not exceed [$XXX]. No minimum amount of work or funds is guaranteed under this contract. All work performed under this contract must be for services as outlined in the contract scope of work and in conformance with all contract terms and conditions and payment provisions.

2. Consultant Services Required

The services to be performed under this contract will provide [XXX]. The firm may be authorized to subcontract for specialty services with prior approval of PROJECT SPONSOR. The firm shall be proficient in the services and shall bring an experienced and expert staff to the project.

Listed below is the Scope of Services and Examples of Work, Certifications and Engineering Standards and Guidelines.

Scope of Services and Examples of Work:

Services to be provided will include:

[Enter work details]

Expected Deliverables

[Enter all deliverables];

Anticipated Schedule

[details of the expected timeline]

The Consultants shall, at their own cost, provide industry-standard software applications and platforms to perform all services required in this RFP. These applications and platforms may need to be compatible with PROJECT SPONSOR systems and may include, but are not limited to, the following functions:

[Enter Computer/Hardware required];

Periodically, new guidelines, processes, laws, and mandates may require additional activities not clearly cited in the RFP. All activities required to deliver a project or program, whether new or existing, unless otherwise controlled by regulation or statute, will be completed under this contract. If special skills or services are identified that are beyond the expertise of the consultant, then new subconsultants may be required to be added to the contract to support project delivery.

This is not an all-inclusive list as this contract may include other professional services related to the scope outlined above.

3. Certifications

Individuals supplied by the Consultants shall have the following Certifications [XXX]:
The cost to achieve the various certifications, including course costs, time and mileage to attend the training/testing, shall be paid for by the Consultant Firms or the individual Consultants, not PROJECT SPONSOR. Consultants are expected to make reasonable accommodations for their staff to attend training.

4. Safety Items

The Consultants shall supply all required personal protective equipment and safety items including, but not limited to: [XXX]

5. Equipment

The consultant shall supply all tools and equipment to perform the scope of work referenced in the solicitation including, but not limited to: [XXX]

6. Engineering Standards and Guidelines

The Consultants shall perform all contract engineering services in accordance with good industry practice, all applicable laws and regulations, and the current editions of the following references, their interim specifications, their successor replacement references, and all other pertinent guidelines and memoranda as released by FHWA, AASHTO, and SHA including, but not limited to the following publications:

a. MDOT "General Conditions for Consulting Services" dated January 1989;
b. SHA "Specifications for Consulting Engineers' Services" dated April 1986;
c. SHA Transportation Alternatives Program Manual
d. SHA Development Guide for Local Public Agencies and Other Sub-Recipients of Federal Funds
e. [Enter guideline, specification, manual, etc.];

7. General Requirements

[Add all general and special requirements here]

8. Evaluation Criteria

[See guidance for sample criteria]

9. Technical Proposal Required Information

PROJECT SPONSOR must be notified in writing, by email to [Insert LPA Sponsor Contact Information]**, of any deletions, additions, and/or substitutions of proposed Subconsultants after Technical Proposals have been submitted.**

A. Cover Letter

Cover Letter on the Firm's/JV's letterhead – limited to [number (#)] pages, which must contain:

B. Scope

The Consultant must submit a maximum of [number (#)] page document certifying the contract's Scope can be performed in its entirety through its own forces and those of its subconsultants. This section of the proposal should provide information to confirm the Offeror has a reasonable probability of success in meeting the project's quantity, quality and schedule requirements.

C. Work Plan

The Consultant must submit a maximum of [number (#)] page work plan detailing their ability to perform the consultant services required, scope of work, etc. to make up their Work Plan submission. Work Plan shall include, at a minimum, the following information:

i. Has read and fully understands the requirements set forth to be provided for this contract;
ii. The Consultant team possess the experience, resources, knowledge and technical ability to perform and deliver all the requirements set forth in this contract;
iii. Acknowledges this is a project-specific contract and understands the requirements for schedules and/or deadlines to provide deliverables, services, etc.;
iv. Has a detailed work plan in place to ensure schedules and/or deadlines will be met;
v. The work plan includes comprehensive quality assurance and quality control program; and
vi. Other statements are at the discretion of the Consultant as this is not an all-inclusive list.

D. Standard Form 330 Parts I and Parts II

Completed US Government Standard Forms (SF) 330 Parts I and Parts II for the Prime and for each proposed subcontractor. The SF 330 forms must be completed entirely, paying special attention to the following:

i. Outside Key Consultants (Sub-Consultants) should be documented in Part I, Section C of the SF 330.

ii. The Organizational Chart required for Part I, Section D of SF 330 shall be placed within the *Standard Form 330 Parts I and Parts II* of the Technical Proposal and must contain, at a minimum, the Key Personnel and defining team organization with supplemental support personnel. In addition, for every individual proposed for this contract and shown on the organization chart, the chart shall clearly show their company affiliation and their permanent office location. The Organization Chart shall be limited to an 11 x 17-inch page with Times New Roman Font size 10-point or larger.

In addition, a [number (#)] page matrix style of support personnel shall be included in the *Standard Form 330 Parts I and Parts II* of the Technical Proposal. Matrix style is defined as names listed on the vertical axis and Relative Experience identified on the horizontal axis. The support personnel descriptions are limited to [number (#)] lines per individual. The support personnel Matrix shall be limited to an 11 x 17-inch page with no smaller than 10-point Times New Roman Font size and one-inch margins.

iii. Part I, Section E of the SF 330, Key Staff. A separate Section E form should be completed for each Key Staff individual proposed. Provide a resume for each of the Key Staff individuals outlined below, limited to one (1) Key Staff per page, not to exceed [number (#)] pages total. **The experience for each individual Key Staff as described below shall be recent experience performed within the last [number (#)] years.** Years of experience and applicable licenses and certifications, such as a [Enter example criteria – i.e. professional Engineer license or Designated Design-Build Professional (DBIA) certification], shall be clearly documented on each resume.

The Consultant must document in writing in the SF 330 Section E that the Key Staff individuals meet the following requirements:

1. **Key Staff 1**: [Enter Key Staff Qualifications/Profession] with a minimum of [Enter years of experience] performing [qualifications/profession] employed by the Prime/JV or any of the Subconsultants, who will serve as the Project Manager and the Primary Liaison. All FAHP Grant funded projects must include a Maryland Registered Professional Engineer as Project Manager.
2. **Key Staff 2**: [Enter Key Staff Qualifications/Profession] with a minimum of [Enter years of experience]; expertise in [Enter disciplines/SME], employed by the Prime/JV OR employed by the Prime/JV or any of the Subconsultants.
3. **Key Staff 3**: [Enter Key Staff Qualifications/Profession] with a minimum of [Enter years of experience]; expertise in [Enter disciplines/SME], employed by the Prime/JV OR employed by the Prime/JV or any of the Subconsultants.
4. **Key Staff 4: [**Enter Key Staff Qualifications/Profession] with a minimum of [Enter years of experience]; expertise in [Enter disciplines/SME], employed by the Prime/JV OR employed by the Prime/JV or any of the Subconsultants.
5. **Key Staff 5: [**Enter Key Staff Qualifications/Profession] with a minimum of [Enter years of experience]; expertise in [Enter disciplines/SME], employed by the Prime/JV OR employed by the Prime/JV or any of the Subconsultants.

Where Maryland Registrations are required for the professional Key Staff, the Consultant shall include in Part I Section E 17 of the SF 330 the words "Maryland Registered" and the Maryland License Registration Certificate Number for the individual. Where a Firm proposes an out of state professional engineer or architect, the Firm shall include in Part I Section E 17 of the SF330 the words "Maryland Registration Pending" along with the license registration number, discipline, and the US State where the individual is currently registered. Pending status must be resolved at the time of contract Notice to Proceed. Failure of the Firm to properly document Key Personnel requirements in writing will result in the firm being precluded from further consideration for the contract.

iv. SF 330 Section F – Example Projects Which Best Illustrate Proposed Team's Qualifications: Limited to [number (#)] example projects [number (#)]example project per page for a total not to exceed [number (#)] pages. Photos are acceptable; however, all photos count in the overall space limitations for the page and are considered illustrations and are not rated. The Example Projects set forth shall be recent relevant experience performed within the past [number (#)] years. (Information provided in this section shall become part of the rating/evaluation criteria for this project).

v. SF 330 Section H – This section shall be limited to [number (#)] page and must certify that the Key Staff individuals meet the education, experience, registration/licensure, expertise, and all other professional qualifications specified in this advertisement. Please exclude any confidential personal information.

Additional Information regarding Key Staff replacements after Final Selection:

Key Staff changes may only be requested after final selection if the Key Staff is no longer available to perform on the contract or at the request/agreement of PROJECT SPONSOR. A letter outlining the reason for the change and the names of the Key Staff involved in the replacement request must be in writing on the firm's/JV's letterhead along with a one (1) page resume per the requirements outlined in this RFP.

Substitutions will be evaluated using the same qualifications-based technical rating criteria and the Key Staff replacement's score must be equal or higher than the original Key Staff's score to be accepted/approved by SHA. All scores will remain confidential by SHA. Instructions for completing a resume are included in Section 9 D – *Standard Forms Part I and II* of this RFP.

E. Technical Questions:

Technical question responses shall not exceed a total of [Enter number of pages (XX)] pages, limited to [Enter number of pages per question] page per question.

Reference the question number at the top of each page and use the remainder of the page for the response to the question (for example, "Question #1:"):

Q1. [Enter Project Resume Questions];

Q2. [Enter Project Resume Questions];

F. Subcontractors Commitment – *no page limits as this section may vary:*

The Technical Proposals are to be explicit with respect to the work to be performed by all subcontractors proposed. A Letter of Commitment is required for each proposed Sub-Consultant. While the format and overall content is at the firm's discretion, a Letter of Commitment must be at a minimum:

- Be on the Sub-Consultant's letterhead;
- List the services proposed to be provided;
- Certify the firm can provide the required resources, services, etc.;
- List the applicable NAICS Codes for the services/work to be performed in support of the contract, and overall percentage of work to be performed for the contract;
- NAICS Codes must be the same as those listed in Section C 11 of the SF 330 for each subconsultant;
- Be signed and dated by the Principal/President of the firm; and

G. Time Distribution – *not to exceed [number (#)] pages consisting of the following*:

The Consultant shall include a [number (#)] page listing of those classifications proposed for services and the percentages of time estimated for each classification. Percentages shall total one hundred percent (100%). The Consultant *shall not* include man-hour estimates in the Technical Proposal. A column of percentages of time estimated for each classification are to be shown for the Prime Consultant, for each subcontractor proposed, and one (1) column showing totals which add up to 100%. When multiple firms are used, the total for each firm must add up to something less than 100%. These percentages are applicable to the total dollar amount of the Price Proposal to be developed separately by the selected firm(s). The percentages are not applicable to time estimates. The Consultant shall indicate the number of simultaneous project assignments the Consultant and each Subconsultant could handle individually.

The following classifications and estimated percentages of time to be used for the contract assignments are:

Classification	*Office*	*Field*	*Total*
[Classification]	*[Enter %]*	*[Enter %]*	*[Enter %]*
[Classification]	*[Enter %]*	*[Enter %]*	*[Enter %]*
Total	*[Enter %]*	*[Enter %]*	*[Enter %]*

H. Financial Responsibility and Insurance Requirements:

1. The consultant shall include a letter addressed to PROJECT SPONSOR setting forth evidence that the consultant has the financial capacity to provide the services and has measures of protection for the State against errors and omissions.

2. The Consultant shall include a copy of the firm's current certification(s) of insurance, which should contain, at minimum, the following:

- Carrier (name and address)
- Type of insurance
- Amount of coverage, which must include at a minimum of [$x,xxx,xxx] per occurrence of Professional Liability
- Period covered by insurance; and
- Any exclusions

Insurance coverage will be one (1) of the areas evaluated when Technical Proposals are reviewed. Failure of the Consultant to submit satisfactorily to these requirements may result in SHA rejecting the proposal(s).

PROJECT SPONSOR requires the following minimum levels of insurance coverage for this contract: [include detailed requirements]

I. Proposal Affidavits:

As per State Finance and Procurement Article 17-701 – 17-707 of the Annotated Code of Maryland, a firm engaging in investment activities with companies appearing on the Investment Activities in Iran list is ineligible for bid/proposal/award. The Investment Activities list is located at www.bpw.state.md.us of the Maryland Board of Public Works (BPW) website. As per the BPW Advisory No.: 2013-1, Date Issued January 1, 2013, an officer of the Firm shall provide a signed original certification as per language stated on the BPW Advisory page. If the Firm is a JV, officers from all companies forming the JV shall provide a signed original certification. NOTE – the Investment Activities in Iran certification is included in the bid/proposal affidavit.

In preparing its proposal on this contract, the Offeror has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not, in the solicitation, selection, or commercial treatment of any subcontractor, vendor, or supplier, refused to transact or terminated business activities, or taken other actions intended to limit commercial relations, with a person or entity on the basis of Israeli national origin, or residence or incorporation in Israel and its territories. The Offeror also has not retaliated against any person or other entity for reporting such refusal, termination, or commercially limiting actions. Without limiting any other provision of the solicitation for proposals for this contract, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the State to reject the proposal submitted by the Offeror on this contract, and terminate any contract awarded based on the bid/proposal.

All offerors are required to submit the following completed affidavits with their technical proposal within the *Proposal Affidavits* section. Both documents are available online at SHA OPCM website

- Bid / Proposal Affidavit
  - Form is located under "Affidavits" section of the website
- Certification Regarding Discriminatory Boycotts of Israel
  - Form is located under the "Certification Regarding Discriminatory Boycotts of Israel" section of the website

10. Services/Materials to be provided by PROJECT SPONSOR:
[enter any details]

11. Progress Reports:

The Consultant must submit [daily/weekly/monthly/annual] progress reports including a detailed account of work performed that is being billed, outstanding issues, summary of additional work requests, percent completed, any anticipated delays, etc. This report must be submitted with the [daily/weekly/monthly/annual] invoice.

12. Records, Tasks and Notice to Proceed:

The Consultant shall keep accurate records documenting the time, material, and transportation utilized, etc. Contract payment(s) to the Consultant for work completed will be made on this basis only.

The Consultant must be able to provide prompt consultant services within [#] working days of the contract's Notice to Proceed.

No work shall be performed on contract by the Consultant until a written Notice to Proceed (NTP) is received by the Consultant from PROJECT SPONSOR.

The Consultant must provide the required services within five (5) working days of an NTP for an approved assignment.

13. Completion Date:

The contract will terminate on the expiration date.

14. Prompt Payment

Pursuant to 49 CFR §26.29, MDOT requires prime contractors to pay subcontractors, at any tier, for satisfactory performance of their contracts no later than 30 days from receipt of each payment that PROJECT SPONSOR makes to the prime contractor. When PROJECT SPONSOR has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed. To the extent that it is not inconsistent with federal law, all prime contractors shall also comply with all Maryland laws and regulations regarding the prompt payment to subcontractors.

15. Due Date Deadline for Submissions

RESPOND BY [MONTH DAY, YEAR] as described above.

The Procurement Officer and sole point of contact for this solicitation, unless directed otherwise within this solicitation or by SHA, is:

[Contact Name]
[Contact Address]