OFFICE OF PROCUREMENT AND CONTRACTING

REQUEST FOR PROPOSALS  #16-01
“CONSULTANT FOR INSTITUTIONAL REALIGNMENT”

ISSUE DATE: Date: July 7, 2015

PRE-BID CONFERENCE: N/A

BID DUE DATE: DATE: July 28, 2015  TIME: 10:00 A.M.

PROCUREMENT / ISSUING OFFICE: Prince George’s Community College
Office of Procurement and Contracting
301 Largo Road
Kent Hall, Rm. 264
Largo, Maryland 20774

PROCUREMENT BUYER: Mrs. LaTonya Holland, hollanlt@pgcc.edu
Interim Procurement Director

DEADLINE TO SUBMIT BID QUESTIONS: July 14, 2015  TIME: 12:00 Noon

COLLEGE RESPONSE DATE TO BID QUESTIONS: July 21, 2015 - BY CLOSE OF BUSINESS

NOTE: ALL ADDENDA CAN BE ACCESSED AT:
http://www.pgcc.edu/businesses/Procurement/requestForBids.aspx and
https://emaryland.buyspeed.com/bs0/

For inquiries contact: hollanlt@pgcc.edu

*BIDS MUST BE MAILED OR HAND DELIVERED TO THE ADDRESS SHOWN ABOVE, NO LATER THAN THE ANNOUNCED DATE AND TIME OF CLOSING. BIDS SENT BY FACSIMILE WILL NOT BE ACCEPTED.*
PRINCE GEORGE’S COMMUNITY COLLEGE
REQUEST FOR PROPOSALS  #16-01

“CONSULTANT FOR INSTITUTIONAL REALIGNMENT”

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REQUEST FOR PROPOSALS

PRINCE GEORGE’S COMMUNITY COLLEGE, hereto known as “The College” requests technical proposals from consultant firms interested in the “CONSULTANT FOR INSTITUTIONAL REALIGNMENT” project. Sealed proposals will be received in the Office of Procurement and Contracting, Kent Hall, Room 264, Prince George’s Community College, Largo, Maryland, until 10:00 A.M., on July 28, 2015. Late proposals will not be accepted. If the college is closed on the due date, proposals will be due on the next day that the college is open for business.

Total Number of Technical Copies required:

An original, to be clearly identified, and four (4) copies of each Technical proposal must be submitted to the College in order to be considered for the “CONSULTANT FOR INSTITUTIONAL REALIGNMENT” project. Clearly mark on the coversheet and binder which is the original. Note, the “CONSULTANT FOR INSTITUTIONAL REALIGNMENT” project proposal fee MUST NOT be listed anywhere in the Technical proposal. The Technical Proposal should be absent of any specific project costs.

The College’s Technical Proposal Evaluation team will rate each proposal based on the Evaluation Criteria attached within this solicitation. Only those firms who score in the top quartile will be asked to submit a fee proposal. A contract will be awarded to the top quartile firm whose proposal is most advantageous to the college and conforms to the technical specifications with consideration given to:

i. The quantities involved;
ii. The time required for delivery;
iii. The purpose for which required;
iv. The competence and responsibility of the bidder;
v. The work experiences of the bidder that closely relate to the goals of the project; and
vi. The ability of the bidder to perform the contract satisfactorily.

OTHER REQUIREMENTS

A properly completed and executed technical proposal must accompany the proposal: Bid Proposal Affidavit, Performance Agreement, Bidder’s Proposal, Bid Sheet, Conflict Of Interest Affidavit and Disclosure, MBE Forms and Reference Sheet. Faxed and emailed proposals will not be accepted. All proposals must be received by either direct mail or hand-delivery by 10 am on July 28, 2015 to the following address:

Prince George's Community College
Attn: LaTonya Holland, Interim Procurement Director
Office of Procurement and Contracting
301 Largo Road, Kent Hall Room 264
Largo, MD 20774
If the College is closed for any reason on the day proposals are due, the proposal shall be submitted on the next business day the College is open, at the same stated submission time, unless other direction is provided.

**NON-DISCRIMINATION IN PROCUREMENT**

The Board of Trustees is committed to a policy of non-discrimination and equal opportunity in all procurement activities, to the end that college purchases and contracts shall be solicited and entered into without regard to race, color, religion, sex, marital status, age, handicap, national origin, or status as a Vietnam War veteran, qualified disabled veteran, or qualified individual with a disability, of any bidder, prospective bidder, vendor or contractor. The College has established a MBE goal for this project, with a mandatory 25% MBE participation. Minority Business Enterprises and local businesses are highly encouraged to participate.

MINORITY BUSINESS ENTERPRISES ARE ENCOURAGED TO PARTICIPATE IN THIS SOLICITATION.

MINORITY BUSINESS ENTERPRISE ________YES ________NO
CERTIFICATION #__________________________

PRINCE GEORGE’S COUNTY FIRM ________YES ________NO

SMALL BUSINESS ________YES ________NO

FED ID#_________________________________

It is the policy of Prince George’s Community College to encourage minority businesses and local businesses to provide goods and services for the performance of College functions. Minority businesses include non-profit entities organized to promote the interests of handicapped persons and firms that are 51% owned and controlled by a member(s) of socially or economically disadvantaged minority groups, which include: Blacks, Hispanics, American Indians, Alaska natives, Asians, Pacific Islanders, women, and the mentally or physically disabled.

The consulting firm is required to demonstrate that a mandatory minimum 25% of the work performed for this project will be completed by a minority firm(s), either by its own submission or through partnership with subcontractors and/or vendors anticipated to be retained by the firm.

**COOPERATIVE PURCHASE AGREEMENT:** WHERE THIS CONTRACT IS PREPARED ON BEHALF OF PRINCE GEORGE’S COMMUNITY COLLEGE, PRICING WILL BE EXTENDED FOR USE BY OTHER STATE OF MARYLAND COMMUNITY COLLEGES, OTHER STATE OF MARYLAND AND LOCAL GOVERNMENTAL AGENCIES, MARYLAND SCHOOL DISTRICTS, AND THE UNIVERSITY OF MARYLAND SYSTEM UNLESS THE CONTRACTOR SPECIFICALLY PROHIBITS OR LIMITS SUCH ARRANGEMENTS IN HIS/HER PROPOSAL. FUNDING FOR OTHER AGENCIES WILL BE THE SOLE RESPONSIBILITY OF THE RESPECTIVE AGENCY.
STATEMENT OF WORK

“Consultant for Institutional Realignment”

A. Overview

Prince George's Community College (PGCC) is an urban-suburban college located in Largo, Maryland, approximately 10 miles from the District of Columbia. PGCC offers more than 130 associate degrees and certificates and more than 200 programs leading to certifications, licensures, workforce skills, and life-long learning to the 44,000 students enrolled in credit, non-credit, and workforce development programs. The College serves a diverse population of students with respect to age, race, and gender and is designated as a predominantly black/minority serving institution.

In addition to the main campus, PGCC supports 5 degree and extension sites. Specifically, these are the University Town Center in Hyattsville; the Laurel College Center (in partnership with Howard Community College) in Laurel; the Westphalia Training Center in Upper Marlboro; the Skilled Trades Center in Camp Springs; and the John E. Howard Culinary Center in Capitol Heights. The College is a diverse group of highly skilled and talented professionals who continue to devote their time and expertise as administrators and faculty members, and a broad spectrum of dedicated employees who ensure the administrative and technical requirements of college operations run smoothly to support the college’s strategic initiatives.

The College’s leadership team is comprised of the president, five vice presidents and the chief of staff. The vice presidents oversee key areas: Academic Affairs, Administrative Services, Student Services, Technology Services, and Workforce Development and Continuing Education, and the chief of staff is responsible for Institutional Advancement, Government and Community Affairs, and Institutional Initiatives.

In FY14, PGCC’s workforce totaled 2785* employees. Collectively, full-time faculty, administrators and full-time staff comprised 29% of the total workforce. Over 1,500 adjunct faculty contribute to student success in the college’s credit and non-credit (Workforce Development and Continuing Education) areas. Below is a snapshot of the college’s workforce:

- Administrators: 61
- Full-time Faculty: 257
- Full-time Staff: 496
- Part-time Staff: 416
- Credit Adjunct Faculty: 724
- Non-credit Adjunct Faculty: 831

*FY14 PGCC Workforce Profile
B. **Background Information**

Like other colleges and universities, PGCC is facing changing federal and state requirements, student needs, and employee expectations, along with declining enrollments, a slower-than-expected recovery to the 2008 recession, and shrinking state and local financial support.

As a result, after 57 years of service, the College must review its organizational structure to ensure alignment between its vision, mission, and strategic plan (“Envision Success”) while accommodating the above-mentioned stressors. Some of the critical issues to balance are our commitment to college access, student success, and completion; lawmakers’ and funders’ attention to institutional performance and accountability; federal and state expectations regarding colleges’ roles in the national economy; and recommendations made to the College in this year’s decennial accreditation review.

C. **Scope**

The College seeks a consultant who can engage the College in an extended dialogue and produce recommendations for institutional realignment, as well as provide leadership development and succession planning for the institution.

The selected consultant will complete the following:

1. Review the current organizational structure and evaluate its ability to meet institutional goals and objectives;
2. Develop recommendations for institutional realignment; and
3. Review job titles (as recommended in the 2009 Compensation Study) and make recommendations for modifications.

Ultimately, the selected consultant will answer the following questions:

1. Is the College’s current structure appropriate for its vision, mission, and goals as articulated in the FY2014 – FY2017 strategic plan, “Envision Success?”
2. Are there other structures that might be more compatible with the College’s mission, vision, and goals?
3. What are possible returns on investment from organizational realignment for the College, its staff and students, and the surrounding community?
4. How can the College support leadership identification and development to ensure successful continuity?

The selected consultant will have access to key college documents:

1. FY214 – FY2017 Strategic Plan (“Envision Success”)
2. 2015 Middle States Commission on Higher Education Self-Study
3. Current Organizational Chart
4. Higher Education Survey of Employee Engagement and documents from follow-up meetings (constituency groups, Chat and Chews, etc…)
5. Other documents determined critical to the review.

In answering these questions, the consultant will solicit input and feedback from College staff and students (representing various constituencies, departments, divisions, and location). It will also investigate organizational structures of peer and aspirational peer institutions.

The consultant will communicate with senior administration and the College community, as requested, and provide the following information:

1. Reports of meetings with
   - senior administration
   - other College staff (by constituency, area, division, department, location, as determined)
   - students
2. Preliminary presentations to senior administration and Board of Trustees, as requested.
4. Report of findings, conclusions, and recommendations to senior administration by April 15, 2016.
5. Report of findings, conclusions, and recommendations to College Community to by April 30, 2016
6. Report to the Board of Trustees by June 1, 2016

D. Schedule

The College envisions engaging the selected consultant to initiate work no later than August 17, 2015 and conclude with the provision of a final report and key recommendations with timelines to proceed by April 30, 2016.

E. Questions

All questions pertaining to this solicitation must be submitted by email no later than by 12:00 pm on July 14, 2015 to Mrs. LaTonya Holland at hollanlt@pgcc.edu.

F. Deliverables

All interested consulting bidders must submit one (1) original and four (4) hard copy technical proposals directly to the college’s Office of Procurement and Contracting by 10 am on July 28, 2015. Bidders must have a minimum of five (5) years consulting experience relating to institutional realignment, leadership development, and succession planning. Additionally, consulting bidders must clearly illustrate within their proposal how they could best perform the duties described in Section C and illustrate how they meet the stated criterion below within their proposal. Only those firms who score in the top quartile will be asked to submit a fee proposal.
TECHNICAL PHASE RATING/SCORING FORM

The College’s Technical Proposal Evaluation team will rate and score the proposals based on the following:

<table>
<thead>
<tr>
<th>SECTION I: FIRM INFO</th>
<th>TOTAL MAX. POINTS</th>
<th>SCORE</th>
<th>COMMENTS</th>
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<td>. Was cover letter included?</td>
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<td>. Was staff org chart included?</td>
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<td>. Was information (roles on team, history of firm, other details about firm, etc.) included specifically about the firm?</td>
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<tr>
<th>SECTION II: TEAM EXPERIENCE</th>
<th>TOTAL MAX. POINTS</th>
<th>SCORE</th>
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<td></td>
<td>(30 PTS)</td>
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<tr>
<td>. Project Experience of individual Team members</td>
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<td>. Completeness of Resumes submitted for each team member</td>
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<td>. Depth and overall expertise of Team</td>
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<td>. Presentation of a complete project team</td>
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<td>. Team Organization &amp; Coordination of a Team</td>
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<tr>
<th>SECTION III: PROJECT EXPERIENCE &amp; INFORMATION</th>
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<td>. Evaluate the similar projects presented compared to the “CONSULTANT FOR INSTITUTIONAL REALIGNMENT” project.</td>
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<td>. Rate overall quality &amp; depth of previous consultant projects and the firm’s capacity to successfully complete projects of equal or greater complexity to the “CONSULTANT FOR INSTITUTIONAL REALIGNMENT” project</td>
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<td>. Did projects presented include all required items per the RFP?</td>
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<td>. Project Understanding and comprehension of scope of work</td>
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<td>. Proposed initial project ideas and overall potential of firm to propose ideals</td>
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<th>SECTION IV: REFERENCES AND ADDITIONAL INFORMATION</th>
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<tr>
<td>Quality of References and Letters of Recommendation</td>
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<td>. Did bidder submit at least 3 References?</td>
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<td>. Did bidder acknowledge all Addendums?</td>
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<td>. Did bidder submit the following documents?</td>
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<td>- Bid Proposal Affidavit</td>
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<td>- Performance Agreement</td>
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<td>- Conflict of Interest</td>
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<td>- All Completed MBE forms</td>
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<td>- And any other additional information required by the RFP</td>
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<th>SECTION V: MBE PARTICIPATION</th>
<th>TOTAL MAX. POINTS</th>
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<td>. Bidder demonstrated how he/she plans to meet the minimum MBE participation goal of 25%</td>
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BID/PROPOSAL AFFIDAVIT

A. Authority

I HEREBY AFFIRM THAT:

I (print name)__________________________________________________________ possess the legal authority to make this Affidavit.

B. CERTIFICATION REGARDING COMMERCIAL NONDISCRIMINATION

The undersigned bidder hereby certifies and agrees that the following information is correct: In preparing its bid on this project, the bidder has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in "discrimination" as defined in §19-103 of the State Finance and Procurement Article of the Annotated Code of Maryland. "Discrimination" means any disadvantage, difference, distinction, or preference in the solicitation, selection, hiring, or commercial treatment of a vendor, subcontractor, or commercial customer on the basis of race, color, religion, ancestry, or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or any otherwise unlawful use of characteristics regarding the vendor's, supplier's, or commercial customer's employees or owners. "Discrimination" also includes retaliating against any person or other entity for reporting any incident of "discrimination". Without limiting any other provision of the solicitation on this project, it is understood that, if the certification is false, such false certification constitutes grounds for the State to reject the bid submitted by the bidder on this project, and terminate any contract awarded based on the bid. As part of its bid or proposal, the bidder herewith submits a list of all instances within the past 4 years where there has been a final adjudicated determination in a legal or administrative proceeding in the State of Maryland that the bidder discriminated against subcontractors, vendors, suppliers, or commercial customers, and a description of the status or resolution of that determination, including any remedial action taken. Bidder agrees to comply in all respects with the State's Commercial Nondiscrimination Policy as described under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland.


The undersigned bidder hereby certifies and agrees that it has fully complied with the State Minority Business Enterprise Law, State Finance and Procurement Article, §14-308(a)(2), Annotated Code of Maryland, which provides that, except as otherwise provided by law, a contractor may not identify a certified minority business enterprise in a bid or proposal and:

(1) Fail to request, receive, or otherwise obtain authorization from the certified minority business enterprise to identify the certified minority proposal;

(2) Fail to notify the certified minority business enterprise before execution of the contract of its inclusion in the bid or proposal;

(3) Fail to use the certified minority business enterprise in the performance of the contract; or

(4) Pay the certified minority business enterprise solely for the use of its name in the bid or proposal.

Without limiting any other provision of the solicitation on this project, it is understood that if the certification is false, such false certification constitutes grounds for the State to reject the bid submitted by the bidder on this project, and terminate any contract awarded based on the bid.
B-2. Certification Regarding Veteran-Owned Small Business Enterprises. The undersigned bidder hereby certifies and agrees that it has fully complied with the State veteran-owned small business enterprise law, State Finance and Procurement Article, §14-605, Annotated Code of Maryland, which provides that a person may not:

(1) Knowingly and with intent to defraud, fraudulently obtain, attempt to obtain, or aid another person in fraudulently obtaining or attempting to obtain public money, procurement contracts, or funds expended under a procurement contract to which the person is not entitled under this title;

(2) Knowingly and with intent to defraud, fraudulently represent participation of a veteran–owned small business enterprise in order to obtain or retain a bid preference or a procurement contract;

(3) Willfully and knowingly make or subscribe to any statement, declaration, or other document that is fraudulent or false as to any material matter, whether or not that falsity or fraud is committed with the knowledge or consent of the person authorized or required to present the declaration, statement, or document;

(4) Willfully and knowingly aid, assist in, procure, counsel, or advise the preparation or presentation of a declaration, statement, or other document that is fraudulent or false as to any material matter, regardless of whether that falsity or fraud is committed with the knowledge or consent of the person authorized or required to present the declaration, statement, or document;

(5) Willfully and knowingly fail to file any declaration or notice with the unit that is required by COMAR 21.11.12; or

(6) Establish, knowingly aid in the establishment of, or exercise control over a business found to have violated a provision of §B-2(1)—(5) of this regulation.

C. AFFIRMATION REGARDING BRIBERY CONVICTIONS

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business (as is defined in Section 16-101(b) of the State Finance and Procurement Article of the Annotated Code of Maryland), or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business’s contracting activities including obtaining or performing contracts with public bodies has been convicted of, or has had probation before judgment imposed pursuant to Criminal Procedure Article, §6-220, Annotated Code of Maryland, or has pleaded nolo contendere to a charge of, bribery, attempted bribery, or conspiracy to bribe in violation of Maryland law, or of the law of any other state or federal law, except as follows (indicate the reasons why the affirmation cannot be given and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of person(s) involved, and their current positions and responsibilities with the business):


D. AFFIRMATION REGARDING OTHER CONVICTIONS

I FURTHER AFFIRM THAT:
Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities including obtaining or performing contracts with public bodies, has:

1. Been convicted under state or federal statute of:
   a. A criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; or
   b. Fraud, embezzlement, theft, forgery, falsification or destruction of records or receiving stolen property;

2. Been convicted of any criminal violation of a state or federal antitrust statute;

3. Been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organization Act, 18 U.S.C. §1961 et seq., or the Mail Fraud Act, 18 U.S.C. §1341 et seq., for acts in connection with the submission of bids or proposals for a public or private contract;

4. Been convicted of a violation of the State Minority Business Enterprise Law, §14-308 of the State Finance and Procurement Article of the Annotated Code of Maryland;

5. Been convicted of a violation of §11-205.1 of the State Finance and Procurement Article of the Annotated Code of Maryland;

6. Been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction or liability under any law or statute described in subsections (1)—(5) above;

7. Been found civilly liable under a state or federal antitrust statute for acts or omissions in connection with the submission of bids or proposals for a public or private contract;

8. Been found in a final adjudicated decision to have violated the Commercial Nondiscrimination Policy under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland with regard to a public or private contract; or

9. Admitted in writing or under oath, during the course of an official investigation or other proceedings, acts or omissions that would constitute grounds for conviction or liability under any law or statute described in §§B and C and subsections D(1)—(8) above, except as follows (indicate reasons why the affirmations cannot be given, and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of the person(s) involved and their current positions and responsibilities with the business, and the status of any debarment):

E. AFFIRMATION REGARDING DEBARMENT

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities, including obtaining or performing contracts with public bodies, has ever been suspended or debarred.
(including being issued a limited denial of participation) by any public entity, except as follows (list each debarment or suspension providing the dates of the suspension or debarment, the name of the public entity and the status of the proceedings, the name(s) of the person(s) involved and their current positions and responsibilities with the business, the grounds of the debarment or suspension, and the details of each person's involvement in any activity that formed the grounds of the debarment or suspension).

F. AFFIRMATION REGARDING DEBARMENT OF RELATED ENTITIES

I FURTHER AFFIRM THAT:

(1) The business was not established and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment pursuant to Sections 16-101, et seq., of the State Finance and Procurement Article of the Annotated Code of Maryland; and

(2) The business is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business, except as follows (you must indicate the reasons why the affirmations cannot be given without qualification):

G. SUB-CONTRACT AFFIRMATION

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, has knowingly entered into a contract with a public body under which a person debarred or suspended under Title 16 of the State Finance and Procurement Article of the Annotated Code of Maryland will provide, directly or indirectly, supplies, services, architectural services, construction related services, leases of real property, or construction.

H. AFFIRMATION REGARDING COLLUSION

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business has:

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

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

I. CERTIFICATION OF TAX PAYMENT

I FURTHER AFFIRM THAT:
Except as validly contested, the business has paid, or has arranged for payment of, all taxes due the State of Maryland and has filed all required returns and reports with the Comptroller of the Treasury, the State Department of Assessments and Taxation, and the Department of Labor, Licensing, and Regulation, as applicable, and will have paid all withholding taxes due the State of Maryland prior to final settlement.

J. CONTINGENT FEES

I FURTHER AFFIRM THAT:

The business has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial selling agency working for the business, to solicit or secure the Contract, and that the business has not paid or agreed to pay any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial selling agency, any fee or any other consideration contingent on the making of the Contract.

K. CERTIFICATION REGARDING INVESTMENTS IN IRAN

(1) The undersigned certifies that, in accordance with State Finance and Procurement Article, §17-705, Annotated Code of Maryland:

(a) It is not identified on the list created by the Board of Public Works as a person engaging in investment activities in Iran as described in State Finance and Procurement Article, §17-702, Annotated Code of Maryland; and

(b) It is not engaging in investment activities in Iran as described in State Finance and Procurement Article, §17-702, Annotated Code of Maryland.

2. The undersigned is unable to make the above certification regarding its investment activities in Iran due to the following activities: __________________________

L. CONFLICT MINERALS ORIGINATED IN THE DEMOCRATIC REPUBLIC OF CONGO (FOR SUPPLIES AND SERVICES CONTRACTS)

I FURTHER AFFIRM THAT:

The business has complied with the provisions of State Finance and Procurement Article, §14-413, Annotated Code of Maryland governing proper disclosure of certain information regarding conflict minerals originating in the Democratic Republic of Congo or its neighboring countries as required by federal law.

M. ACKNOWLEDGEMENT

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the Procurement Officer and may be distributed to units of: (1) the State of Maryland; (2) counties or other subdivisions of the State of Maryland; (3) other states; and (4) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the State of Maryland, both criminal and civil, and that nothing in this Affidavit or any contract resulting from the submission of this bid or proposal shall be construed to supersede, amend, modify or waive, on behalf of the State of Maryland, or any unit of the State of Maryland having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of Maryland with respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above business with respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.
I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Date: ____________________

By: ____________________________________________

(print name of Authorized Representative and Affiant)

______________________________________________

(signature of Authorized Representative and Affiant)
If the vendor fails to complete the contract by the time specified, or within the time to which completion may have been extended, the vendor shall pay to the college the sum of $50.00, as liquidated damages, for each calendar day of delay in delivery. Said liquidated damages shall be deducted from invoices rendered. If the vendor finds it impossible for reasons beyond his/her control to complete the requirements of the contract by the date specified, or as extended, in accordance with this provision, he/she may, at any time prior to the expiration of the contract time as extended, make a written request to the Procurement Officer for an extension of time setting forth therein the reasons which he believes will justify the granting of his request. The vendor’s plea that insufficient time as specified is not a valid reason for extension of time. If the Procurement Officer finds that the work was delayed because of conditions beyond the control and without the fault of the vendor, she may extend the time for completion in such amount as the conditions justify. The extended time for completion shall then be in full force and effect the same as though it were original time for completion.

PRINT NAME

_________________________________________

SIGNATURE

_________________________________________

TITLE

_________________________________________

FIRM

_________________________________________

PHONE NUMBER

_________________________________________

FAX NUMBER

_________________________________________

EMAIL
PRINCE GEORGE’S COMMUNITY COLLEGE

R. F. P. #16-01

BIDDER’S PROPOSAL

NAME OF BIDDER _________________________________________________

TO:  Board of Trustees of Prince George’s Community College

Ladies and Gentlemen:

The undersigned, having carefully examined the Request for Proposal, Scope of Work, Performance Agreement, Bidder’s Proposal, Bid Proposal Affidavit, and any addenda pertaining to R. F. P. #16-01 hereby offers to furnish and deliver the items called for in accordance with the said documents. The undersigned acknowledges receipt of any addenda.

Addendum # _____
Addendum # _____

____________________________________________________________________
PRINT NAME

____________________________________________________________________
SIGNATURE

____________________________________________________________________
TITLE

____________________________________________________________________
FIRM

____________________________________________________________________
PHONE NUMBER

____________________________________________________________________
FAX NUMBER

____________________________________________________________________
EMAIL
CONFLICT OF INTEREST

A. Definitions.

(1) In this regulation, the following terms have the meanings indicated.

(2) Terms Defined.
   (a) "Conflict of interest" means that, because of other activities or relationships with other persons:
      (i) A person is unable or potentially unable to render impartial assistance or advice to the State;
      (ii) The person's objectivity in performing the contract work is or might be otherwise impaired; or
      (iii) A person has an unfair competitive advantage.
   (b) Person.
      (i) "Person" has the meaning stated in COMAR 21.01.02.01B(64).
      (ii) "Person" includes a bidder, offeror, contractor, consultant, or subcontractor or subconsultant at any tier, and also includes an employee or agent or any of them if the employee or agent has or will have the authority to control or supervise all or a portion of the work for which a bid or offer is made.

B. A solicitation that will result in the selection of a contractor who will assist a unit in the formation, evaluation, selection, award, or execution of a State contract shall provide notice of the requirements of State Government Article, §15-508, Annotated Code of Maryland, and this regulation.

C. If the procurement officer makes a determination before award that facts or circumstances exist giving rise or which could in the future give rise to a conflict of interest, the procurement officer may reject a bid or offer under COMAR 21.06.02.03B.

D. Termination.

   (1) After award, the State may terminate the contract, in whole or in part, if it considers termination necessary to avoid an actual or potential conflict of interest.

   (2) If the contractor knew or reasonably could have been expected to know of an actual or potential conflict of interest before or after award and did not disclose it or misrepresented relevant information to the procurement officer, the State may terminate the contract for default, institute proceedings to debar the contractor from further State contracts, or pursue other remedies as may be permitted by law or the contract.

E. A conflict of interest may be waived if the procurement officer, with approval of the agency head, determines that waiver is in the best interest of the State. The determination shall state the reasons for the waiver and any controls that avoid, mitigate, or neutralize the conflict of interest.
F. A bidder or offeror responding to a solicitation that will result in the selection of a contractor who will assist a unit in the formation, evaluation, selection, award, or execution of another State contract shall provide the affidavit and disclosures set forth in §G of this regulation to the procurement officer with the bid or offer and at other times as may be required by the procurement officer.

G. The affidavits and disclosures required by §F of this regulation shall be in substantially the same form as follows:

CONFLICT OF INTEREST AFFIDAVIT AND DISCLOSURE

A. "Conflict of interest" means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the State, or the person’s objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.

B. "Person" has the meaning stated in COMAR 21.01.02.01B(64) and includes a bidder, offeror, contractor, consultant, or subcontractor or subconsultant at any tier, and also includes an employee or agent of any of them if the employee or agent has or will have the authority to control or supervise all or a portion of the work for which a bid or offer is made.

C. The bidder or offeror warrants that, except as disclosed in §D, below, there are no relevant facts or circumstances now giving rise or which could, in the future, give rise to a conflict of interest.

D. The following facts or circumstances give rise or could in the future give rise to a conflict of interest (explain detail—attach additional sheets if necessary):

E. The bidder or offeror agrees that if an actual or potential conflict of interest arises after the date of this affidavit, the bidder or offeror shall immediately make a full disclosure in writing to the procurement officer of all relevant facts and circumstances. This disclosure shall include a description of actions which the bidder or offeror has taken and proposes to take to avoid, mitigate, or neutralize the actual or potential conflict of interest. If the contract has been awarded and performance of the contract has begun, the contractor shall continue performance until notified by the procurement officer of any contrary action to be taken.

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

Date: ____________________________ By: ____________________________

(Authorized Representative and Affiant)
PRINCE GEORGE'S COMMUNITY COLLEGE

MINORITY BUSINESS ENTERPRISE PARTICIPATION PROVISIONS

MBE 1. **Introduction.** These provisions, and the accompanying MBE Utilization Affidavit, form a part of the Contract Documents. Award of the Contract shall be subject to the college concluding that the apparent successful bidder meets the requirements of these provisions. The definitions contained in COMAR 21.11.03.03 apply to these provisions.

MBE 2. **MBE Participation Goal.**

MBE 2.1 A certified Minority Business Enterprise (“MBE”) participation goal of not less than 25 percent of the dollar value of the Contract has been established by the college for this procurement. The Bidder agrees that not less than 25 percent of the total Contract amount will be performed by certified MBE’s.

MBE 2.2. An MBE prime contractor responding to the solicitation shall, if awarded the Contract accomplish an amount of work not less than 25 percent of the total Contract amount with its own work force, certified MBE subcontractors, or both in combination. The documentation requirements of MBE 4 are applicable only if MBE subcontractors are to be utilized in the performance of the Contract. The MBE prime contractor shall, however, be certified or submit an MBE affidavit and apply to be certified in accordance with MBE 4.4.

MBE 3. **MBE Utilization Affidavit.** Each bid submitted in response to this solicitation shall be accompanied by a completed MBE Utilization Affidavit in the form attached, in which the Bidder acknowledges the MBE Participation Goal and commits to make a good faith effort to achieve the goal.

MBE 4. **Documentation.** The following documentation shall be considered as part of the Contract, and shall be accompanied by a completed MBE Utilization Affidavit. If the Contract has been awarded and the following documentation is not furnished, the award shall be null and void.

MBE 4.1. A completed schedule of participation naming each MBE who will participate in the project that describes the:

   (a) Contract items to be performed or furnished by the MBE and the proposed timetable for performance, and;

   (b) Agreed prices to be paid to each MBE for the work or supply.

MBE 4.2. If the apparent successful bidder is unable to achieve the contract goal for MBE participation, the apparent successful bidder may submit instead of or in conjunction with the schedule of participation, a request in writing for a waiver as provided below.
MBE 4.3. An MBE subcontractor project participation statement signed by both the bidder and each MBE listed in the schedule of participation, which shall include:

(a) statement of intent to enter into a contract between the prime contractor and each subcontractor if a contract is executed between the college and the prime contractor or if the prime contract has been awarded, copies of the subcontract agreement or agreements; and

(b) The amount and type of bonds required of MBE subcontractors, if any.

MBE 4.4. A completed and signed MBE affidavit for any MBE prime contractor and for each MBE identified in the schedule for MBE participation provided that the bidder, offeror, or subcontractors are not already certified by the State Minority Business Certification Council or the Department of Transportation under COMAR 21.11.03.15 or 16.

MBE 4.5. An affidavit completed and signed by the prime contractor stating that, in the solicitation of subcontract quotations or offers, MBE subcontractors were provided not less than the same information and amount of time to respond as were non-MBE subcontractors, and that the solicitation process was conducted in such manner as to otherwise not place MBE subcontractors at a competitive disadvantage to non-MBE subcontractors.

MBE 4.6. Any other documentation considered appropriate by the college to ascertain bidder responsibility in connection with the contract MBE participation goal.

MBE 4.7. The Contractor, by submitting his bid or offer, consents to provide that documentation requested by the college and to provide right of entry at any reasonable time for purposes of the college’s representatives verifying compliance with the MBE subcontractor requirements.

MBE 5. Contracts Involving Subcontracts.

MBE 5.1. Award of a Contract involving subcontracts shall be subject to the college concluding that the apparent successful bidder or offeror meets the applicable certified MBE participation provisions contained in the solicitation.

MBE 5.2. The apparent successful bidder shall within 10 working days from the date of award of the contract or notification that it is the apparent successful bidder, whichever is earlier, submits the documentation required.

MBE 5.3. Nothing in these provisions is intended to preclude the award of a contract conditionally upon receipt of the document specified in MBE 5.2.

MBE 5.4. Whenever an uncertified minority business is identified for contract award, or in the schedule for subcontract participation, the college shall forward the affidavit of the minority business to the appropriate certification entity for certification consistent with COMAR
21.11.03.15 and 16. A contract may be awarded notwithstanding the pendency of certification. In the event of an unfavorable disposition, the college may not, in the future, treat that business entity as an MBE until it is so certified.

MBE 6. **Noncompliance.** If the college determines that the apparent successful bidder has not complied with the certified MBE subcontract participation contract goal, and has not obtained a waiver in accordance with MBE 7, or if the bidder fails to submit the documentation required by the solicitation, the Contract Officer, upon review by the college Attorney and approval of the President or the President’s designee, may reject the bid or offer or cancel the award of the contract. The reasons for this action shall be specified in writing and mailed or delivered to the bidder.

MBE 7. **Waiver.**

MBE 7.1. If, for any reason, the apparent successful bidder is unable to achieve the contract goal for certified MBE participation, the bidder may request, in writing, an exception to the goal with justification to include the following:

(a) A detailed statement of the efforts made to select portions of the work proposed to be performed by certified MBEs in order to increase the likelihood of achieving the stated goal;

(b) A detailed statement of the efforts made to contact and negotiate with certified MBEs, including:

   (1) The names, addresses, dates and telephone numbers of certified MBEs contacted, and;

   (2) A description of the information provided to certified MBEs regarding the plans, specifications, and anticipated time schedule for portions of the work to be performed;

(c) As to each certified MBE that had placed a subcontract quotation or offer which the apparent successful bidder considers not to be acceptable, a detailed statement of the reasons for this conclusion; and

(d) A list of minority subcontractors found to be unavailable. This list should be accompanied by an MBE unavailability certification signed by the minority business enterprise, or a statement from the apparent successful bidder that the minority business refused to give the written certification.

MBE 7.2. A waiver of a certified MBE contract goal may be granted only upon a reasonable demonstration by the bidder that certified MBE participation was unable to be obtained or was unable to be obtained at a reasonable price and if the President or the President’s designee determines that the public interest is served by a waiver. In making a determination under this section, the President or President’s designee may consider engineering estimates, catalogue prices, general market availability, and availability of certified MBEs in the area work is to be performed.
other bids or offers and subcontract bids or offers substantiating significant variances

between certified MBE and non-MBE cost of participation, and their impact on the overall cost of
the contract to the college and any other relevant factor.

MBE 7.3. The President or the President’s designee may waive any of these provisions for a sole
source, expedited or emergency procurement in which the public interest cannot reasonably
accommodate use of these procedures.

MBE 8. Amendment for Unforeseen Circumstances. If at any time before execution of a contract,
the apparent successful bidder determines that a certified MBE listed on the schedule for
participation has become or will become unavailable, then the apparent successful bidder shall
immediately notify the Contract Officer. Any desired change in the schedule for participation shall
be approved in advance by the Contract Officer and shall indicate the Contractor’s efforts to
substitute another certified MBE subcontractor to perform the work. Desired changes occurring
after the date of Contract execution may occur only
upon written approval by the President or the President’s designee and subsequently by Contract
amendment.


MBE 9.1. To assure compliance with certified MBE subcontract requirements, the college may
require the Contractor to furnish:

(a) Copies of purchase orders, subcontracts, cancelled checks, and other records that
may indicate the number, names, dollar value of certified MBE subcontracts, dates,
and schedule time for performance of work by an MBE subcontractor; and

(b) Entry for an on-site verification inspection.

MBE 9.2. Upon determining the Contractor’s non-compliance, the college shall notify the
Contractor in writing of its findings and shall specify what corrective actions are required. The
Contractor shall be required to initiate the corrective actions within 10 days and complete them
within the time specified by the college.

MBE 9.3. If the college determines that substantial non-compliance with MBE subcontract
provisions exists and that the Contractor refuses or fails to take the corrective action required by
the college, then the following sanctions may be invoked:

(a) Termination of the Contract in whole or in part for cause;

(b) Referral to the college Attorney for appropriate action;

(c) Initiation of any other specific remedy identified by Contract; or

(d) The college may use any other compliance mechanism authorized
   by Contract or by law.

    MBE 4
BOARD OF TRUSTEES OF PRINCE GEORGE’S COMMUNITY COLLEGE

MINORITY BUSINESS ENTERPRISE UTILIZATION AFFIDAVIT

I hereby declare and affirm that I am the _______________________________________
 manslaughter of ____________________________________________________________
(Title)

and the duly authorized representative of ________________________________________

_______________________________________________________________

(Name of Bidder)

I further declare and affirm that the Bidder acknowledges the Minority Business Enterprise
participation goal of not less than 25 percent of the total contract amount, and commits to make
a good faith effort to achieve the goal.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY
THAT THE CONTENTS OF THE FOREGOING DOCUMENT ARE TRUE AND CORRECT
TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND THAT I AM
AUTHORIZED, ON BEHALF OF THE ABOVE BIDDER, TO MAKE THIS AFFIDAVIT.

_______________________
(Date)

_________________________________
(Affiant’s Signature)

_________________________________
Print or type name
Prince George's Community College  
MBE Participation Schedule  

<table>
<thead>
<tr>
<th>Prime Contractor (Firm Name, Address, Phone)</th>
<th>Project Description</th>
</tr>
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<tbody>
<tr>
<td>Project Number</td>
<td>Total Contract Amount $</td>
</tr>
</tbody>
</table>

***List Information For Each Certified MBE Subcontractor On This Project***

<table>
<thead>
<tr>
<th>A. Minority Firm Name, Address, Phone</th>
<th>MBE Classification: __________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>MBE Certification Number: ____________</td>
<td></td>
</tr>
<tr>
<td>Work To Be Performed</td>
<td>MBE Federal ID Number: _______________________</td>
</tr>
<tr>
<td>Project Commitment Date</td>
<td>Project Completion Date</td>
</tr>
<tr>
<td>Agreed Dollar Amount</td>
<td>Percentage Of Total Contract</td>
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</tbody>
</table>

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<tr>
<th>B. Minority Firm Name, Address, Phone</th>
<th>MBE Classification: __________________________</th>
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<td>Percentage Of Total Contract</td>
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<th>C. Minority Firm Name, Address, Phone</th>
<th>MBE Classification: __________________________</th>
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<td>Project Completion Date</td>
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<tr>
<td>Agreed Dollar Amount</td>
<td>Percentage Of Total Contract</td>
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</table>

THIS FORM PREPARED BY: (Contractor signature is required)  
Date: ____________________________

(PGCC OFFICIAL USE ONLY)  
APPROVED: YES NO  
DATE ____________ SIGNATURE - OFFICE OF PROCUREMENT & CONTRACTING

USE CONTINUATION PAGE AS NEEDED

SUMMARY

TOTAL MBE PARTICIPATION: _______% $__________
TOTAL AFRICAN-AMERICAN MBE PARTICIPATION: _______% $__________
TOTAL WOMAN-OWNED MBE PARTICIPATION: _______% $__________

MBE Classification: Hispanics, Asian, American Indians, Women, etc.
REFERENCE SHEET

Each bidder must list below three (3) recent customers of similar requirements. Failure to submit references will deem bid nonresponsive.

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>1.</td>
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<tr>
<td></td>
<td>Contact Person:</td>
<td></td>
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<td></td>
<td>Phone Number:</td>
<td></td>
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<td></td>
<td>Email Address:</td>
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<td>Contact Person:</td>
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