



***Old North Bridge***

**Town of Concord, Massachusetts**

**Department of Planning and Land Management  
Request for Proposal**

**RFP #470 Comprehensive Town Wide Transportation and Mobility Study**

**Due at 2:00 PM on Thursday, April 27, 2023**

## **I. Background**

The Town of Concord acting through its Department of Planning and Land Management/Planning Division seeks an experienced, qualified professional planning and transportation firm with relevant expertise to perform services as requested and required in the development of a Comprehensive Transportation Study for Concord, Massachusetts.

The Town of Concord has long recognized the importance of transportation, most recently through the *Envision Concord: Bridge to 2030* Long Range Plan, the Sustainable Concord Action Plan, creation of the Transportation Advisory Committee, and creation of a full time Senior Planner position focused on transportation and mobility. In order to continue on this path and ensure that the Town is working towards goals in a holistic, rather than ad hoc manner, the Town is looking for a third-party consultant to assist with a comprehensive study of Concord's transportation and mobility network and creation of an action plan.

The Planning Division is seeking firms to develop a Comprehensive Transportation Study to be developed over an estimated 18-month period which will equip the Town with a general

overview of current conditions, a prioritized strategy and list of actions for continued development of Concord’s multi-modal transportation system and connections.

The Comprehensive Transportation Study has been identified as a step towards lowering Concord’s Green House Gas (GHG) Emissions and enhancing the safety and connectedness of Concord’s streets, sidewalks, shared paths, selected trails for multi-modal use, and limited bike lane and shared road network. The goal for the study is to develop a roadmap for investing in projects and implementing change towards a more complete and well connected transportation network. It is important for the Town to focus on improving the safety and the number of options for low carbon transportation methods to encourage use.

Concord expects that the Study will be developed with community awareness, education, and connectedness in mind. The Study will be informed by stakeholder experience and preferences, current best practices, transportation and mobility data, local and state regulations, documented transportation system problems, and analyses that identify and address infrastructure constraints and challenges. This Study will provide the Town with a consensus-based approach and best practice methodology for investments in Concord’s infrastructure and enhancing Concord’s transportation options and multi-modal opportunities to provide multiple environmental and societal benefits.

## **II. Scope of Services**

The following is a general overview of tasks that the Planning Division believes is necessary for the completion of the Comprehensive Transportation Study but is not intended to be a full list of the services that the consultant may deem necessary to complete the Study or Task. The consultant will bear the responsibility to review existing plans and documents, the scope of each Task, any other necessary and/or required information, and determine the complete scope of the services required for the successful completion of the Plan and Task.

- Complete a baseline inventory of current transportation options including but not limited to links to public transit, such as the MBTA Commuter Rail, as well as identifying bicycle and pedestrian facilities and routes. We expect to analyze all streets, sidewalks, bike lane and shared road network, shared use paths, and additional connection points such as suitable trails in the town to develop a comprehensive study of what we have and the needs. The Town has begun this work in the “Town Transportation Options List” below but would like it to be reviewed and added to as necessary.
- Complete an action plan which lays out opportunities for multi-modal growth with specific associated actions paying close attention to low- and no-cost opportunities.
- A robust community outreach and public engagement process including public forums, focus group events, and an online survey at minimum surveying current users and potential users of expanded transportation network with focus to special interest groups including senior, mobility and accessibility challenged, schools/school-aged children, and current users of multi-modal transportation.

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- Using this information as a guide, work with the Town to identify a priority list of transportation projects using the 2019 Complete Streets Priority List as a starting point.
- Creation of a best practices design manual or set of guidelines for creating Complete Streets in line with State specifications and design principles which take into consideration the historic and scenic character of the community. This should be practical to use as a guide when making design and planning decisions on a project-to-project basis. The manual should list specific design elements that are recommended and not recommended in Town.
- Determine the possible impacts on the town such as on trails, natural resources, scenic roadways, shared-path facilities, etc. and any mitigation efforts.
- Provide educational opportunities for public consumption, for example a presentation on what makes a street “complete”.
- Provide strategy recommendations to Town leadership and other parties interested in increasing multi-modal transportation options and creating connections between them.
- Identify opportunities for grant funding and project prioritization for grants. Provide planning level cost estimates and basic information necessary for applying for grants.

The final report of the firm should include the above-mentioned as well as a series of next steps and best practices for working towards transportation goals overall.

Existing plans and documents for consultant review include, but are not limited to:

- Envision Concord Comprehensive Long Range Plan:  
<https://www.concordma.gov/2281/Comprehensive-Long-Range-Plan>
- Concord Complete Streets Policy:  
<https://concordma.gov/DocumentCenter/View/20633/Complete-Streets-Policy->
- Complete Streets Draft Prioritization Plan:  
<https://concordma.gov/DocumentCenter/View/21206/Complete-Streets-Project-List-8-27-19>
- Zoning Bylaw:  
<https://concordma.gov/592/Zoning-Bylaws>
- Open Space and Recreation Plan:  
<https://concordma.gov/738/Open-Space-Recreation-Plan>
- MA Wetlands Protection Act and Regulations:  
<https://www.mass.gov/regulations/310-CMR-1000-wetlands-protection-act-regulations>
- Concord Wetlands Bylaw and Regulations:  
<https://concordma.gov/753/Wetland-Permitting>
- Sustainable Concord - Climate Action and Resilience Plan:  
<https://concordma.gov/DocumentCenter/View/25318/Sustainable-Concord-Climate-Action-and-Resilience-Plan-2020>
- Town trails and Shared Use Paths:  
<https://concordma.gov/734/Trail-Maps-Guides>
- Town Transportation Options List:

<https://concordma.gov/DocumentCenter/View/40928/DRAFT---Getting-Around-Concord>

- Roadmap to Transportation, Transportation Advisory Committee Goals:  
<https://concordma.gov/DocumentCenter/View/36824/-Roadmap-to-Transportation-and-Mobility---TAC-Goals-Presentation-to-Select-Board>
- ADA Transition Plan:  
<https://concordma.gov/1709/Concord-Public-Works-ADA-Transition-Plan>
- Cut-Through Traffic Study  
<https://concordma.gov/DocumentCenter/View/28002/Concord-Cut-Through-Traffic-Study-12419>
- Traffic Calming Policy:  
<https://concordma.gov/DocumentCenter/View/4559/Traffic-Calming-Policy?bidId=>
- 1994 Roads Policy:  
<https://concordma.gov/DocumentCenter/View/1305/1994-Roads-Policy-PDF?bidId=>
- Concord Crosswalk Policy:  
<https://www.concordma.gov/DocumentCenter/View/244/Crosswalk-Policy-PDF>

**Consultant services are anticipated to include but are not limited to:**

***Task 1 – Visioning***

The Comprehensive Transportation Study will be most effective if the Town spends time in the beginning of the process to create the framework for the Study through a visioning process with the Transportation Advisory Committee, Senior Planner, and Engineering staff.

Through this process, the Town will set goals and key objectives for the Study that encompass and integrate considerations for both infrastructure and transportation network connections as well as how to best use the Town’s long range planning, climate goals, and capital planning for its infrastructure. This visioning can help avoid ambiguity among participants, regulators, and stakeholders during the process itself, and make sure that the process remains specifically anchored to Concord’s needs and expectations, both short and long-term.

***Task 2 – Summary of Existing Conditions***

The consultant will understand and evaluate the existing status of Concord’s transportation resources to reliably meet safety needs and projected changes, regulatory requirements, public health and safety concerns, connectedness and multi-modal access. The consultant will work with the Senior Planner, Public Works Engineering staff, and the Transportation Advisory Committee members to survey the community and existing users of multi-modal transportation to learn local needs and any existing barriers. In addition, existing sidewalks, shared use paths, suitable trails and pathways, roadways, and public transit opportunities within Concord will be evaluated with the existing conditions of each and their accessibility.

***Task 3 – Summary of Existing Systems***

The consultant will understand and evaluate the Town’s existing infrastructure and public transit systems from a connectivity and multi modal lens. Through this task, the Consultant will work with the Town to assess its roadways, sidewalks, and transit infrastructure with regards to its ability to be used for pedestrian, bicycle, and other mobility options. In addition, the levels of service for existing services including who is able to take advantage of services such as the MBTA commuter rail, MBTA the Ride, The Concord Trolley pilot project, COA vans, and other existing infrastructure to link together to form a transportation network should be included. It’s also expected that the consultant will examine the role of the State’s existing corridors (Rt 2 and Rt 2A) including operations at interchanges as well as State-owned bridges on local roads that may present limitations on improving mobility.

***Task 4 – Stakeholder Involvement and Public Engagement***

The success of this project will be measured with respect to how effectively stakeholders build consensus during the formulation of the plan. The special interest stakeholder engagement and public engagement processes should be structured to take place throughout the project’s duration and will include in-person, digital, and print communications. A minimum of three public meetings and one survey should be included in public engagement to gather feedback from stakeholders. Groups such as the Commission on Disabilities, Council on Aging, Public Works Commission, and other special interest board and committees should be identified as important additional stakeholder meetings.

***Task 5 – Alternatives Assessment***

The consultant will provide the Town with the identification and prioritization of projects, suggested policies, and identify other needs to meet the identified Transportation Study goals. This will involve thinking holistically about not only how people move about but changing perceptions and educating both the public and the Town staff and board and committee volunteers.

***Task 6 – Implementation Planning and Performance Management***

The Comprehensive Transportation Study is meant to be a living document which will provide a roadmap for changes to be implemented over time and serve as a best practice guidebook. The consultant will provide the framework by which to first practicably and feasibly implement recommendations and then to evaluate the success and steps to be taken for short term “low hanging fruit” and actions necessary for longer term needs; this should include grant and funding opportunities. The consultant will be expected to provide cost estimates, best practices design manual, basic design work for projects identified, and added to the prioritized list.

***Task 7 – Plan Development and Project Management***

The consultant will facilitate regular project check-in meetings with the Town and work with the Town to develop a specific development timeline for project deliverables.

### **III. Modifying or Withdrawing a Proposal**

A proposer may correct, modify or withdraw a proposal by written notice received by the Town prior to the time and date set for the RFP opening. Proposal modification must be submitted in a sealed envelope clearly labeled “Modification Number X”. Each modification must be numbered in sequence and must reference the original RFP number.

After the RFP opening, a proposer may not change any provision of the proposal. Minor informalities may be waived.

### **IV. Minimum Criteria**

Proposer must demonstrate proven experience and ability developing and producing transportation planning studies, especially the community outreach and public engagement component that provides direction and guidance in preparing the plan and technical expertise.

1. Proposer must have designed and led at least five (5) community outreach sessions for a municipal or government client with a similar scope of work;
2. Proposer must have at least five years of experience working with municipal or government clients on transportation and/or mobility plans;
3. Proposer must have the ability to host virtual meetings during east coast business hours as well as potential evening meetings with no additional cost incurred by the Town;
4. The Town may make such investigations as the Town deems necessary and the proposer shall furnish to the Town all such information and data for this purpose as the Town may request;
5. Proposer must have completed Certificate of Non-collusion;
6. Proposer must have completed Statement of State Tax Compliance;
7. Proposer must have completed the Price Proposal Sheet;
8. Proposer must have completed the Addendum Acknowledgement Form;
9. Proposer must provide a list of references for all projects within the last five (5) years with required information as specified in Part III;
10. Proposer must provide evidence of financial stability. Documentation can include:
  - o Recently compiled, reviewed, or audited financial statements,
  - o Dun and Bradstreet credit report,
  - o Letter from Financial Institution, or
  - o Other financial or credit information.
11. Proposer must have followed, completed, and produced any of the required materials as required in this Request for Proposals;

### **V. Contents of Proposal and Submission Requirements**

The Town recognizes that successful completion of the RFP outlined above for each Task herein may require expertise from several fields. Therefore, more than one firm may collaborate in

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submitting a proposal. Joint proposals must clearly indicate which firm is to be the lead consultant. The lead consultant will be responsible for all work.

If a consultant intends to use sub-consultants to complete any of the work, the proposal must clearly outline the work expected to be completed by each sub-consultant and their qualifications and experience.

The proposal should include sections, labeled as follows, with appropriate information for consideration in the RFP. The proposal should also clearly indicate the capability to perform each item of work as outlined in the Scope of Services.

Project Timetable – The goal is to complete the Comprehensive Transportation Study within 18 months from contract award based on the following estimated timeline:

1. Contract award: Early May 2023
2. Begin Consultation work: May 2023
3. Community Conversation/Needs Assessment/Analysis and Studies: May 2023-May 2024
4. Draft Report: September 2024
5. Final Draft for Review by Town Manager: November 2024
6. Final report due: December 2024

General Info:

- A. Name and address of primary firm and all subconsultants.
- B. Name and telephone number and email address of contact person.
- C. Names and addresses of all partners, officers, and directors and any other person with a ownership interest greater than 5%.
- D. Names of any Town officials or employees who are related to any of the partners, officers, or directors of the firm or have any ownership interest in firm.
- E. Names and vitae of all professionals who will be assigned to work on the Task(s) including any registrations and numbers.
- F. Letter of Transmittal – Should be signed by the individual authorized to negotiate for and contractually bind the proposer. The letter must state that the offer is effective for at least sixty (60) days from the submission of proposal or until it is formally withdrawn, or a contract is executed, or this RFP is cancelled. The proposal should also disclose any potential conflict of interest.

Professional Background and Experience:

- A. A list of all similar projects including name, location, cost for services, date, name of owner, and name of owner's representative and phone number of owners representative. Identify projects as completed or underway and the status of plan implementation if available.
- B. A description of the general and specific skills which the firm has available and the resumes of individuals who will be working on each Task. Describe the consultant

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team and the roles and responsibilities of each team member identified. Provide resumes of the highlight staff members' who will be directly involved in the project. Include experience in preparing strategic plans.

- C. Qualifications – Describe the consultant(s) and the proposer's ability to successfully undertake the project technically, financially, and managerially. Include descriptions of similar work conducted elsewhere. If a team approach is proposed, indicate how the members have worked together on previous engagements.

**Work Plan:**

- A. Include a comprehensive narrative statement of the firm's approach to completing each Task. Statement should illustrate a full understanding of each Task's objectives and obstacles and set out the methods the consultant intends to employ to accomplish the work as required by this RFP.
- B. Include a narrative statement that sets out the management plan the consultant intends to follow and which illustrates how the plan will serve to accomplish the work and meet the Town's project schedule.
- C. The RFP shall include information stating how the proposer will accomplish the work, including the public outreach component, review of available data, initial and final evaluations and analyses, internal review and approval process of work products, reporting of progress, and all other items as outlined in the Scope of Services.
- D. A detailed schedule for completion of the work, broken down by task, and estimated including effort hours. The schedule must include types of staff who would be assigned to this project(i.e. Principal, Project Manager, Project Engineer, Engineer, Technician and Administrative Staff) for the primary firm as well as any proposed subcontractors. It is expected that the types of staff listed will remain on the project team and that if the firm's RFP is successful, the project will have a consistent team for the duration of the project.

**Supplemental Information:**

- A. Any other information the firm wishes to include documenting the firm's capabilities and qualifications for each Task.
- B. The enclosed Affidavits, Non-Collusive Bidding and Filing of State Tax Returns, signed and sealed.
- C. Deliverable – Deliver the draft Comprehensive Transportation Study at a point in the project to be determined (but no later than September 1st, 2024) and the Final Comprehensive Transportation Study at the completion of the contract (November 30, 2024). Consultant should also be available to meet with Town staff to review the draft as outlined in the scope of services.
- D. Additional Tasks – Identify any additional products, meetings, or recommendations that have not been specified in the Scope of Services but may be necessary to complete the project as defined.



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- E. **Budget** – The estimated overall project budget should not exceed one-hundred-thousand dollars (\$100,000). The Price Proposal Sheet should delineate the costs for each item listed.
- F. **References** – The municipality/firm name, contact person, address, telephone number, email, and work description of all the projects for which the proposer has performed services similar to those described in the scope of work in the last five years.
- G. **Submission Deadline** – Consultants must submit four (4) copies of the technical (non-price) proposal and one (1) copy of the price proposal by 2:00 PM EST on April 27, 2023, to the attention of Jonathan Harris, Budget & Purchasing Director, Town of Concord, 24 Court Lane, Concord, MA 01742. Proposals that are late will not be accepted.

The **main envelope** should be clearly marked PROPOSAL– RFP 470 Comprehensive Transportation Study with the CONSULTANT NAME.

Included in the main envelope should be a **sealed technical proposal envelope** containing four (4) copies of the technical (non-price) proposal, which is clearly marked TECHNICAL PROPOSAL– RFP 468 Comprehensive Transportation Study with CONSULTANT NAME on the cover. This envelope should include all the requested material (including the Certification of Non-collusion and the Certification of Tax Compliance) with the exception of the Price Proposal Sheet and any associated price proposal documents.

Also included in the main envelope should be a **sealed price proposal envelope** that is clearly marked: “PRICE PROPOSAL– RFP 470 Comprehensive Transportation Study with CONSULTANT NAME on the cover. This envelope should contain 1 copy of the price proposal sheet and any associated price proposal documents.

## **VII. Comparative Evaluation Criteria**

Proposals will be evaluated based on their responsiveness to the following weighted criteria:

1. Demonstrated technical expertise in transportation and mobility planning and current knowledge regarding community outreach and engagement methods (20%),
2. Experience in Community Outreach/Engagement and Comprehensive Transportation Study projects of similar size and scope (15%),
3. Professional qualifications of staff who will work on the project (15%),
4. Proposer must provide evidence of financial stability. Documentation can include:
  - a. Recently compiled, reviewed, or audited financial statements,
  - b. Dun and Bradstreet credit report,
  - c. Letter from Financial Institution, or
  - d. Other financial or credit information. (10%),
5. Experience working with municipal government (5%),
6. Quality of proposal (10%),

7. Quality of Reference Checks (10%)
8. Demonstrated Ability to Complete Project on Time (5%), and
9. Quality of Interview (if requested) (10%).

In general, firms must be responsive to the requested information set forth in the Request for Proposals. Firms submitting statements deemed to be non-responsive shall be given a ranking of “Unacceptable” and will not be given further consideration for this project. Only consultants who, by the evidence of their references and submittals, can successfully demonstrate the ability to perform the services on Tasks outlined within will have their proposals considered.

Consulting firms will be considered if their submittal demonstrates a full understanding of the tasks, experience working with Massachusetts public entities and have sufficient and successful transportation, mobility, engineering and project management experience engaged in transportation planning and they demonstrate the skills required to provide the services described in the Scope of Services. Firms who do not demonstrate these qualities through their submittal shall be deemed not qualified.

Evaluation of acceptable, responding firms will be based on the criteria below. It is anticipated that applicants will be screened based on their proposals and evaluation criteria 1 – 10 below to develop a short list. Firms that are selected for the short list may be requested to give a 30-minute presentation with an additional 15 minutes for the selection committee to ask any questions that they may have.

Each criterion shall be assigned one of four evaluation categories: Highly Advantageous, Advantageous, Not Advantageous, and Unacceptable.

- 1) Demonstrates technical expertise in transportation and mobility planning and current knowledge regarding community outreach and engagement methods (Weight: 20%).
  - a) Highly advantageous: Proposer clearly demonstrates expertise and knowledge regarding current and innovative community outreach and engagement methods that have successfully engaged a wide range of residents as described in the Consultant Qualifications.
  - b) Advantageous: Proposer demonstrates a strong understanding of successful community engagement methods that engage a wide range of residents as described in the Consultant Qualifications.
  - c) Not Advantageous: Proposer demonstrates some understanding of community outreach and engagement methods that engage residents as described in the Consultant Qualifications.
  - d) Unacceptable: Proposer demonstrates no understanding of community outreach and engagement methods to engage residents.
- 2) Recent experience in Comprehensive Transportation Study projects of similar size and scope. Information to be detailed includes, but is not limited to: the type of project; familiarity, initial schedule for accomplishing the respective phases of the project and the actual

schedule that was achieved; names and telephone numbers of persons representing the owner for similar projects accomplished in the past five years; individuals on the submitting firm's staff having responsibility for each project, regardless of whether the individual remains in the employment of the submitting firm (Weight: 15%).

- a) Highly Advantageous: Information provided is complete and shows directly related experience.
  - b) Advantageous: Information provided is mostly complete and shows directly related experience.
  - c) Not Advantageous: Information provided is somewhat complete and shows some related experience.
  - d) Unacceptable: Information provided is sporadic and shows little related experience.
- 3) Professional background and caliber of previous experience of key persons within the firm and of each of the firm's consultants and subconsultants to be assigned to each Task. Please include resumes of these key people and each person's precise role in accomplishing the work must be identified, and their availability for this project (Weight: 15%).
- a) Highly Advantageous: Clearly evident that most key people have significant professional experience relating to the content of this RFP.
  - b) Advantageous: Clearly evident that many key people have significant professional experience relating to the content of this RFP.
  - c) Not Advantageous: Clearly evident that some of the key people have significant professional experience relating to the content of this RFP.
  - d) Unacceptable: Experience is not significant or clearly evident.
- 4) Quality of evidence of financial stability (Weight: 10%).
- a) Highly Advantageous: The firm(s) provides excellent clear documentation of financial stability through requested formats.
  - b) Advantageous: The firm(s) provide a good documentation of financial stability through requested formats.
  - c) Not Advantageous: The firm(s) provide an average amount of documentation of financial stability through requested formats or only somewhat demonstrate their financial stability.
  - d) Unacceptable: The firm(s) provide a poor documentation of financial stability through requested formats.
- 5) Quality of past work for public entities. This category will be disregarded for firms without prior experience with public entities (Weight: 5%).
- a) Highly Advantageous: An excellent relationship with public entities based on past experience.
  - b) Advantageous: A good relationship with public entities based on past experience.
  - c) Not Advantageous: An average relationship with public entities based on past experience.

- d) Unacceptable: A poor relationship with public entities based on past experience.
- 6) Quality of the proposal (Weight: 10%).
- a) Highly Advantageous: Proposal provides a significant amount of detail in addition to the requirements of the RFP.
  - b) Advantageous: Proposal is complete and meets the requirements of the RFP
  - c) Not Advantageous: Proposal is mostly complete and meets the majority of the requirements in the RFP.
  - d) Unacceptable: The proposal is incomplete or does not meet most of the requirements of the RFP.
- 7) Quality of the reference checks. Please provide name, email, and phone numbers for all references of similar projects that the firm has undertaken in the last five years. (Weight: 10%).
- a) Highly Advantageous: References speak highly of the firm(s) to be involved in the Task(s) as well as confirm the ability of the firm to perform the responsibilities outlined in the RFP.
  - b) Advantageous: References recommend the firm(s) to be involved in the Task(s) as well as confirm the ability of the firm to perform the responsibilities outlined in the RFP.
  - c) Not Advantageous: References only confirm the ability of the firm to perform the responsibilities outlined in the RFP.
  - d) Unacceptable: References do not recommend the firm(s) to be involved in the Task(s) or do not confirm the ability of the firm to perform the responsibilities outlined in the RFP.
- 8) Demonstrated ability to complete a project on time (Weight: 5%).
- a) Highly advantageous: Proposer has clearly detailed and documented ability to complete comparable projects on time for municipalities in the Commonwealth of Massachusetts.
  - b) Advantageous: Proposer has documented ability to complete comparable projects and on time for municipalities in the Commonwealth of Massachusetts.
  - c) Not Advantageous: Proposer has documented some ability to complete comparable projects for municipalities in the Commonwealth of Massachusetts on time.
  - d) Unacceptable: Proposer has not documented ability to complete comparable projects for municipalities in the Commonwealth of Massachusetts on time.
- 9) Quality of the screening interview (If requested) (Weight: 10%).
- a) Highly Advantageous: The firm(s) provide an excellent presentation clearly demonstrating their ability to perform the responsibilities outlined in the RFP.
  - b) Advantageous: The firm(s) provide a good presentation demonstrating their ability to perform the responsibilities outlined in the RFP.

- c) Not Advantageous: The firm(s) provide an average presentation or only somewhat demonstrate their ability to perform the responsibilities outlined in the RFP.
- d) Unacceptable: The firm(s) provide a poor presentation or do not demonstrate their ability to perform the responsibilities outlined in the RFP.

## **VIII. Questions**

No oral interpretations will be made to any proposers as to the meaning of the specifications. Every request for such an interpretation shall be made in writing via email to Erin Stevens, Senior Planner, at [estevens@concordma.gov](mailto:estevens@concordma.gov).

Written responses and answers will be emailed via an addendum to all Proposers on record as having received these specifications. Every interpretation made to a Proposer will be sent as promptly as is practicable to all persons to whom the specifications have been issued.

All questions must be received no later than 11:00 AM EST on Wednesday, April 19, 2023.

## **IX. Postponed Opening Due to Uncontrolled Events**

If at the time of proposal deadline, the building is closed due to uncontrolled events such as fire, snow, ice, wind, or building evacuation, the proposal due date will be postponed until 2:00 PM on the next business day. Proposals will be accepted until that date and time.

## **X. Rule for Award**

The Town of Concord will determine the most advantageous proposal from a responsible and responsive proposer by taking into consideration price and all of the evaluation criteria set forth in this RFP.

The evaluation process will take place with two steps. First, those proposals meeting the minimum criteria will be ranked in terms of their responses to the evaluation criteria by committee appointed by the Town Manager. Then, the price proposal envelopes will be opened, and the proposal will be judged by taking into consideration price and response to the evaluation criteria.

In these matters, the Awarding Authority's decision will be binding, conclusive, and final. The Town reserves the right to interview perspective vendors prior to their decision and make inquiries of the proposal and services of the vendor.

Those who enter into contractual obligations with the Town of Concord must not discriminate against qualified, handicapped individuals in their employment decisions.

The Town reserves the right to make any inquiries about the vendor to facilitate this process. In these matters, the judgment of the Town will be binding, conclusive, and final.

Contract award will be made within sixty (60) calendar days after the date for receiving proposals. Proposals may not be withdrawn within that time except as provided by M.G.L. Ch. 30B.

## **XI. Town's Liability**

The Town's liability under this Contract shall be limited to the payments due thereunder. In no event shall the Town be liable for any additional amounts, including without limitation, any indirect, special or consequential damages.

Protection Against Liability: The Proposer acknowledges and agrees that he is responsible as an independent Consultant for all operations under this Contract and for all acts of employees and agents thereunder, and agrees that he will indemnify, exonerate and hold harmless the Town and its officers, boards, employees, agents and officials, from and against any and all loss, damage, cost, charge, expense and claim, which may be made against it or them or to which it or they may be subject by reason of any alleged act, action, neglect, omission or default on the part of the Consultant or any of their agents or employees and will pay promptly on demand all costs and expenses of the investigation and defense thereof, including attorneys' fees and expenses. If any such claim is made, the Town may retain out of any payments, then thereafter due to the Consultant, a sufficient amount to protect it completely against such claim, costs and expenses.

## **XII. Certificates of Insurance**

Certificates of Insurances shall be filed with the Town within 10 business days of the signing of a contract in the following categories and amounts:

- **General Liability** of at least \$1,000,000 Bodily Injury and Property Damage Liability, Combined Single Limit with a \$3,000,000 Annual Aggregate Limit. The Town should be named as an "Additional Insured".
- **Automobile Liability** (applicable for any contractor who has an automobile operating exposure) of at least \$1,000,000 Bodily Injury and Property Damage per accident. The Town should be named as an "Additional Insured".
- **Workers' Compensation Insurance** as required by law.
- **Professional Liability** of at least \$1,000,000/occurrence, \$3,000,000 aggregate. The Town should be named as an Additional Insured.
- **Umbrella Liability** of at least \$5,000,000 per occurrence, \$5,000,000 in aggregate. The Town should be named as an Additional Insured.

The Certificates of Insurance shall be from an insurance company that is an admitted carrier in Massachusetts and has an A.M. Best rating of “A” or better.

The Contractor and all Subcontractors waive subrogation rights against the Town for all losses.

The Contractor shall notify the Town within 10 days in the event that any or all of these Certificates of Insurance are cancelled.

**XIII. Contract Termination**

The Town may terminate this Contract at any time for cause. To terminate this Contract, the Town will write the Contractor a letter stating that it is doing so. All of the Contractor’s documents, finished or unfinished, pertaining to this project shall be returned to the Town within 14 days. The Town agrees to pay for all work performed to the date of termination.

**XIV. Town’s Right to Reject Proposals**

The Town reserves the right to reject any or all proposals if it is in the Town’s interest to do so.

The Town may consider informal any proposal not prepared and submitted in accordance with the provisions hereof and may waive any informality or reject any and all proposals, should the Town deem it to be in the Town’s interest.

The Town may also reject proposals which in its sole judgment are incomplete, conditional, obscure, or not responsive or which contain additions not called for, erasures not properly initialed, or alterations or similar irregularities, or the Town may waive such omissions, conditions or irregularities, if considered minor.

**PROPOSAL PRICE SHEET**

Consultant Name: \_\_\_\_\_

Consultant Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**Comprehensive Transportation Study**

- Price for the Biweekly Progress Reports (invoiced monthly): \$ \_\_\_\_\_
- Price for the Community Engagement Process and Plan: \$ \_\_\_\_\_
- Price for Evaluation of Infrastructure and Identifying Needs: \$ \_\_\_\_\_
- Price for Multi-Modal Action Plan: \$ \_\_\_\_\_
- Price for the Priority Transportation Project List: \$ \_\_\_\_\_
- Price for Creation of Best Practices Guide/Design Manual: \$ \_\_\_\_\_
- Price for Strategy Recommendations and Grant Package: \$ \_\_\_\_\_
- Price for Draft Study: \$ \_\_\_\_\_
- Price for the Final Approved Study: \$ \_\_\_\_\_

**Total Price for Comprehensive Transportation Study:** \$ \_\_\_\_\_

**Total Price for Comprehensive Transportation Study (in words):**  
\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed name of person signing proposal)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)



**CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

The undersigned, by submittal of this Proposal, agrees, should the undersigned become the successful proposer, to all of the terms of the RFP specifications and accepts these terms as incorporated in a contract with the Town.

\_\_\_\_\_  
Name of person signing proposal

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of business

Business Address: \_\_\_\_\_

City and State: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

**CERTIFICATION OF TAX COMPLIANCE**

I certify, under the penalties of perjury, that the below mentioned firm or person, to my best knowledge and belief, has complied with all the laws of the Commonwealth relating to taxes.

NAME/FIRM: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ DATE: \_\_\_\_\_

SIGNATURE OF AUTHORIZED OFFICIAL: \_\_\_\_\_

TITLE: \_\_\_\_\_

SOCIAL SECURITY or FEDERAL IDENTIFICATION #: \_\_\_\_\_

Approval of a contract, or other agreement, will not be granted unless the applicant signs this certification form.

Your Social Security number or Federal Identification number will be furnished to the Massachusetts Department of Revenue (DOR) to determine whether you have met tax filing or tax payment obligations. The Town is required to furnish a list to the DOR at the end of its fiscal year, showing the vendors to whom more than \$5,000 is paid during the 12 months, ending June 30. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed, or extended. This request is made under the authority of Massachusetts General Laws, Chapter 62C, Section 49a.

**ADDENDA ACKNOWLEDGEMENT FORM**

Vendor Name: \_\_\_\_\_

Vendor Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_

This proposal includes (list addendum numbers): \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)