

Manual of Program Requirements

MHT Capital Grants, MHT Capital Loans, & AAHPP Grants

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MHT Capital Grants, MHT Capital Loans, & AAHPP Grants Resource Sheet

As the recipient of project funding through the MHT Capital Grant, MHT Capital Loan, or African American Heritage Preservation Grant programs, you and your organization have important responsibilities to fulfill. This list is a resource that you should refer to continually to help you understand and carry out those responsibilities. If you have any questions or require additional information, do not hesitate to contact your project monitor:

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<i>I need to know about...</i>	<i>... where do I find this information?</i>
Historic Preservation	
General preservation principles; how MHT evaluates changes to historic properties	The Secretary of the Interior's Standards http://mht.maryland.gov/standards.html
Specifics of preservation "best practice", for example, guidance on how to repoint masonry or restore plaster, or how to adapt for accessibility, among other subjects	National Park Service Preservation Briefs http://www.nps.gov/hps/tps/briefs/presbhom.htm
I need technical preservation advice above and beyond the written materials referenced above. Can MHT help?	Yes, MHT offers technical preservation assistance through the Office of Preservation Services. Contact Anne Raines (contact info above) for more information.
Easements	http://mht.maryland.gov/easement.html
What is a perpetual preservation easement? Do you have a sample easement?	MHT Easement Conveyance Packet http://mht.maryland.gov/documents/PDF/easement/easement_procedures_conveyance_grants.pdf
What documents do I need to provide to MHT so MHT can create an easement on my property?	MHT Easement Conveyance Packet http://mht.maryland.gov/documents/PDF/easement/easement_procedures_conveyance_grants.pdf
How do I get MHT's approval for changes to an easement property?	MHT Application for Change/Alteration to Easement Property http://mht.maryland.gov/easement_existing.shtml

When will MHT's Easement Committee meet to review my application? When are applications due?	Easement committee meets approximately every three weeks. The dates are posted annually with a link on this page: http://mht.maryland.gov/easement_existing.shtml
Approval of grant- or loan-funded work	
How do I get MHT's approval for work:	
➤ For an easement-protected property or a property that <i>will have</i> an easement	See above under "Easements"
➤ For a property that <i>does not and will not</i> have an easement	Contact Anne Raines (above) about submission requirements
Hiring an architect, engineer, contractor, or consultant	Any work to be paid with MHT funds MUST be selected through competitive bidding and MAY NOT be sole-sourced. Your bidding / procurement process MUST conform to MHT's requirements (below).
➤ For an architect, engineer, or other consultant	See "Manual of Program Requirements" link in left-hand sidebar on this page: http://mht.maryland.gov/grants_africanamerican.shtml
➤ For a contractor, builder, or craftsman	See "Manual of Program Requirements" link in left-hand sidebar on this page: http://mht.maryland.gov/grants_africanamerican.shtml
Is there a list of preservation consultants and contractors?	The Maryland Association of Historic District Commissions (MAHDC) maintains a directory online: http://mahdc.org/consultant-directory/
Disbursement of MHT funds	See "Manual of Program Requirements" link in left-hand sidebar on this page: http://mht.maryland.gov/grants_africanamerican.shtml
Recordkeeping Requirements & Financial Responsibilities	http://mht.maryland.gov/documents/PDF/grants/Grants_Admin_FinancialResp.pdf
Project Completion	See "Manual of Program Requirements" link in left-hand sidebar on this page: http://mht.maryland.gov/grants_africanamerican.shtml
Other Funding Sources for Preservation Projects	http://mht.maryland.gov/documents/PDF/Grants_Funding_Sources.pdf
Lead Paint	http://www.epa.gov/lead/ http://mde.maryland.gov/programs/Land/LeadPoisoningPrevention/Pages/index.aspx

MHT Capital Grants, MHT Capital Loans, & AAHPP Grants

Insurance Requirements

The terms of the grant agreement or loan commitment letter require the grantee / property owner to insure the property and to include the Maryland Historical Trust on the insurance policies.

How much insurance, and what types, do I need to carry?

- Property / hazard insurance is required in an amount not less than the amount of the grant plus the outstanding principal balance(s) of any mortgage(s) secured by the property.
- Comprehensive general liability insurance is required.
- If the property is located within a 100-year flood plain, flood insurance is also required. If the property is not located in a 100-year flood plain, documentation of this must be provided (i.e. a letter from your insurance agent or carrier).
- For the entire grant period, each insurance policy must be endorsed to name MHT as additional insured. On the endorsement, MHT should be described as “The Maryland Historical Trust (“MHT”), an instrumentality of the State of Maryland in the Maryland Department of Planning, its successors and assigns as their interests may appear”. For property / hazard and flood insurance, MHT’s position is described as the “Mortgagee and Loss Payee”. For liability insurance, MHT’s position is described as the “Loss Payee and Additional Insured”.
- Please note that prior to the start of construction, your contractor must also provide proof of insurance for comprehensive public liability, property damage liability / builder’s risk, and workers’ compensation.
- The insurance needs to be kept in place, including the endorsement for MHT, for the duration of the grant or loan.

How do I fulfill this requirement?

- You will need to contact your insurance company (or companies) or insurance agent to request this change to your policies. You may want to provide them with the appropriate section from your grant agreement or loan commitment letter.
- You, your insurance company, or your insurance agent will need to provide a copy of the evidence of coverage to your MHT grant/loan monitor.
- If the grantee / borrower is a government entity, evidence of self-insurance may be provided. Your contractors still need to provide proof of insurance.

Architect / Engineer / Consultant Procurement Guidelines

These procurement procedures are applicable only if the Grantee or Borrower intends to use an MHT Capital Grant, MHT Capital Loan, or African American Heritage Preservation Grant to pay some or all of the architectural, engineering or consulting fees associated with this project.

Architects and/or engineers who are to be paid, in whole or in part, with these funds MUST be selected on the basis of competitive proposals unless otherwise determined by MHT. The following guidelines are intended to assist project managers with the procurement process for securing architectural and engineering services to carry out the planning phase(s) of your capital project.

- **Procurement requirements vary depending on the anticipated cost of the services.**

For projects in which the cost of architectural, engineering or other consulting services will exceed \$25,000, proposals should be solicited through public advertising. Proposals may also be solicited directly from specific consultants, however, public notice ensures that the largest possible number of contractors are allowed to respond.

For projects in which the cost of architectural, engineering, or other consulting services will be less than \$25,000 you may solicit proposals through invitation only. A minimum of six proposals should be solicited through direct solicitation and/or public notice.

- **This document details the required steps for procuring services for your project and provides sample procurement documents.**

➤ PROCUREMENT PROCEDURE

- 1. Understand the scope of required services.** You may require the services of only one professional, or you may have a complex project that requires the services of an architect, preservation consultant, and various engineers. Consult with your MHT project monitor for guidance if you are unsure. You will need to provide a general description of the types of services anticipated.
- 2. Determine whether you will publicly advertise the project or whether you will just directly solicit proposals from individual firms** (see Page 1 of this document).
- 3. Determine whether you will hold a pre-proposal inspection** (see description below). Coordinate the date for this inspection with your MHT project monitor, who may wish to attend. Ensure 15 days between issue date and pre-proposal inspection.
- 4. Determine by what date and time, and in what form, proposals must be submitted.** Ensure 15 days between pre-proposal meeting date and due date for proposals.
- 5. Develop the “Request for Proposals” (RFP) and proposal package** based on the guidance and sample provided below. **Submit this to your MHT project monitor for review before distributing it.** Mail the “Request for Proposals” directly to consultants.
- 6. Develop an “Advertisement for Proposals”, if required,** based on the guidance and sample provided on the following pages. **Submit this to your MHT project monitor for review before sending it to the newspaper.**
- 7. Distribute the proposal packages (see description below).** If you are distributing the RFP directly to a number of firms, you should keep a record of that activity. If you are advertising the RFP, each consultant who is interested in making a proposal will need to contact you and obtain the complete proposal package directly from you. You should keep a record of your distribution of the RFP documents as well as any additional inquiries from interested firms (who, what, when) and your response. You should use the attached “Bid/RFP Solicitation Form” to record your activity. If interested firms contact you with questions about the RFP, you may need to issue an Addendum to clarify the RFP requirements or project requirements (see #9 below).
- 8. Hold the pre-proposal conference.** It is usually a good idea to provide a set time at which firms may inspect the project site. Contact your MHT project monitor to find out if they wish to attend. Determine whether to make it mandatory for interested firms to attend the pre-proposal conference. Keep a sign-in sheet showing who attended, and keep a written record of all issues that were discussed; share both documents with your MHT project monitor. If it is mandatory for firms to attend the pre-proposal conference, any firm not attending the conference may NOT submit a proposal.
- 9. Issue any addenda.** Addenda are revisions to the initial RFP package, which may be needed to correct errors or to address substantive questions from potential contractors. Addenda may arise from individual inquiries or from questions or discussion at the pre-proposal conference.
- 10. Receive the proposals.** See additional guidance below.
- 11. Evaluate the proposals and determine which respondent provided the “lowest qualified proposal”.** See additional guidance below.

12. **Request approval of successful proposal from MHT.** See below for a description of materials to submit to your MHT project monitor.
13. **AFTER you have MHT approval, enter into a contract with the successful firm.** MHT typically does not review the contract itself, since it is between you and your contractor. However, you should send your MHT project monitor a copy of the contract once it is signed by both parties.

REQUEST FOR PROPOSALS (RFP)

The first step in procuring an architect or an engineer is advertising or distributing a Request for Proposals (RFP). See following pages for sample RFP and advertisement. The RFP should contain the following information:

- (1) The name of the grant/loan recipient.
- (2) The name and address of the project property.
- (3) Date the RFP is being issued.
- (4) The name, telephone number, and e-mail address of a contact person associated with the project.
- (5) The nature of the project (e.g. architectural services for restoration of outbuildings, stabilization of exterior walls, interior rehabilitation, etc.); the proposed project schedule or project deadlines; a statement that the project is being assisted by a grant / loan from the Maryland Historical Trust; and a statement that all work must comply with the Secretary of the Interior's *Standards for Rehabilitation* [if applicable].
- (6) A description of the services that you anticipate will be required, which may include the following:
 - Preparation of preliminary construction documents
 - Preparation of final construction documents
 - Supervision of public solicitation of contractor's bids and selection of contractor(s)
 - Construction supervision
- (7) A specific time and date at which all those wishing to make a proposal for Architectural/Engineering services can inspect the project property. The RFP closing date must not be less than thirty (30) days after the date you first solicit proposals, and not less than fifteen (15) days after the site inspection. It is also possible for interested firms to contact you directly to make an appointment for a site inspection.
- (8) A statement that the contract will be awarded to the lowest qualified proposal (i.e. based on cost and qualifications). The statement should include all evaluation factors, such as:

- completeness
- responsiveness to the program
- project related qualifications
- previous relevant (i.e. historic preservation or specialty services) experience
- ability to meet project schedule
- cost

The RFP should reflect the weighting of the criteria, i.e. state that the evaluation criteria are listed in descending order of importance. **You cannot evaluate the proposal on any criteria that are not included in the RFP.**

- (9) A statement that the contract will be a lump sum, fixed price contract.
- (10) A statement that Minority Business Enterprises are encouraged to respond. You are encouraged to identify and directly solicit proposals from MBE firms. A current directory of certified MBEs is available through the Maryland State Department of Transportation (MDOT)'s website at <http://mbe.mdot.state.md.us/directory/>
- (11) A statement that the successful firm must be an Equal Opportunity Employer.
- (12) If necessary, instructions to firms explaining where RFP packages may be obtained (either by calling or e-mailing a project contact, or perhaps by downloading them from your organization's website)
- (13) RFP submission requirements (what forms are required, how many copies, etc), the deadline for submission of proposals, and the location to which proposals are to be delivered. Require firms to submit the names and locations of comparable projects that they have successfully completed, as well as references for those projects, so that you can evaluate each firm's qualifications.
- (14) A requirement that all amendments, addenda, and changes, and the receipt thereof, be acknowledged in writing.

RFP PACKAGES: RFP packages include the RFP itself as well as other documents or drawings that describe the project and forms that the responding firm needs to fill out and submit to you. ALL RFP packages must include:

- Financial Proposal Form
- Qualifications Form
- "No Reply" form (so that the firm can notify you if not submitting a proposal)
- Conflict of Interest Affidavit Form

Samples of all of these forms are included in this manual; you should adapt and customize them for your RFP. Your MHT project monitor can provide these forms electronically in an editable format.

RECEIPT, OPENING, AND RECORDING OF PROPOSALS:

When a proposal is received, it should be stored in a secure place until opening. When opened, the name of each respondent, the price, and such other information as is deemed appropriate should be recorded as part of the official project record. You should use the Bid/Proposal Tabulation Form provided in this manual.

CONTRACT AWARD:

The contract is to be awarded to the responsible and responsive firm whose proposal meets the requirements and evaluation criteria set forth in the RFP, and offers the lowest qualified price. A PROPOSAL MAY NOT BE EVALUATED FOR ANY REQUIREMENT OR CRITERION THAT WAS NOT DISCLOSED IN THE RFP. You and your organization should evaluate the proposals and keep a written record. It is recommended that you use a written evaluation form such as the example RFP Evaluation Form included in this manual.

Before you notify firms of the outcome of the procurement, the following must be forwarded to your MHT project monitor, who will review and comment:

- A cover letter describing how the RFP process was carried out and indicating which firm you would like to select as the lowest qualified proposal.
- The final RFP and all attachments, blank forms, drawings, etc.
- Completed Bid/Proposal Solicitation Form (showing all firms who received the RFP)
- Completed Bid/Proposal Tabulation Form (showing all firms who provided proposals)
- Copies of all proposals received, including qualification forms, no reply forms, and other required forms
- A copy of the newspaper ad(s) and invoice(s) showing publication dates (if applicable)

If, after reviewing the proposals, your MHT project monitor concurs with your selection, you will be notified. At this point you may enter into a contract with the successful firm. It is recommended that the contract be drawn up on a standard AIA Document which provides protection for both the Owner/Grantee and the Consultant in the event of a dispute. Provide your MHT project monitor with a copy of the signed contract and proof of insurance.

Unsuccessful respondents should also receive written notification from the Grantee.

Architect / Engineer / Consultant

Sample Request for Proposals

REQUEST FOR PROPOSALS

[BRIEF DESCRIPTION OF NATURE OF WORK, SUCH AS “DESIGN SERVICES”, “CONSULTING SERVICES”]

NAME AND ADDRESS OF PROPERTY

ISSUE DATE: [INSERT ISSUE DATE]

DUE DATE AND TIME: [INSERT DUE DATE AND TIME]

The (Name of Grantee/Borrower) invites interested and qualified firms to submit a proposal for professional services to be rendered toward the (rehabilitation, stabilization, etc.) of the (Name of Property, location of Property).

Proposals should be received in hard copy at [place] {or via e-mail to: etc.} no later than [time] on [date].

INTRODUCTION/ BACKGROUND

Give a brief background about the property or project, including date of construction and significant alterations, history, ownership, current use, proposed use, National Register listing or local listing or landmarking.

Sample text: Originally constructed in 1838 as the John Wesley Methodist Episcopal Church, the structure that now houses the Chipman Center is the oldest standing African American house of worship in Delmarva. Since 1994 the building has served as a museum and cultural center under the ownership of the nonprofit Chipman Foundation, Inc. The project will be executed with the involvement and oversight of the State Historic Preservation Office (the Maryland Historical Trust, “MHT”).

[Include if applicable:] The Maryland Historical Trust holds a perpetual preservation easement on the property, which restricts alterations to [note the area, structures, etc covered by the easement].

SCOPE OF SERVICES

Detail the services you anticipate will be required of the consultant or consultant team:

Sample text:

The successful offeror will provide assessment, design / specification, and construction phase services for various repairs to the [PROPERTY]. Specific areas of concern which are anticipated to be addressed with current funding include roof drainage, site drainage, brick foundation (removal of parging & repointing), exterior doors, windows, and installation of sprinkler system. Tasks will include:

- *Investigation, analysis, and documentation of existing conditions; recommendations for repairs.*
- *Development of written scope of work, specifications, drawings, etc as needed to fully describe work for MHT approval and for all other required approvals and permits. Assist owner with submission to MHT for approval. Assist owner / contractor to obtain all other required approvals and permits.*
- *Assist owner with creation of RFP(s) for construction services, in coordination with MHT and complying with MHT procurement requirements. Assist owner with selection of contractor(s).*
- *Construction administration services, including coordination of sprinkler system installation with historic preservation and code requirements. Provide full oversight and coordination with contractor as representative of owner during construction. Review and certify contractor's requests for payments.*

-OR-

The consultant will provide comprehensive architectural / engineering services for repairs and improvements to the [PROPERTY].

The A/E services as well as the [construction, repairs, rehabilitation – insert as appropriate] will be funded through an African American Heritage Preservation Program grant [or Capital Grant, or Capital Loan] from the Maryland Historical Trust (MHT) and all work must meet the Secretary of the Interior's Standards for Rehabilitation.

Please provide cost proposal using the attached form and breakdown.

The contract that results from this RFP will be a fixed-price contract.

The contracted firm will be compensated upon submission and approval by MHT / Maryland Department of Planning of detailed invoices outlining deliverables and work steps completed and reflecting prices as submitted with the financial proposal. Payment may be expected within 30 days of presentation of a satisfactory invoice and any supporting documentation to MHT.

PRE-PROPOSAL CONFERENCE / SITE VISIT

Include the details of the Pre-proposal Conference, if one is being held.

Sample text: A [choose: mandatory / optional] pre-proposal conference and site visit will be held at [time] on [date] at [location]. [Insert if applicable: Attendance at the

site visit is mandatory for firms wishing to submit a proposal. Proposals from firms not attending the pre-proposal conference will be rejected.]

TIMETABLE

Indicate any required project start dates, completion dates, or timing considerations.

Sample text: The architect should expect to begin the project immediately upon notification of contract award (anticipated no later than first week of April 2015). It is anticipated that work should be substantially complete by August 1, 2015.

QUALIFICATIONS

List any requirements that apply to the firms making proposals.

Sample text:

- *The Architect must be licensed by the State of Maryland at the time of execution of this document.*
- *The Architect must demonstrate experience in working with historic buildings. Please use the attached qualification form.*
- *The Architect must demonstrate Architect's Professional Liability Insurance providing coverage in a principal amount of no less than \$1,000,000 for any willful or negligent act or omission by the Architect arising out of the performance of this Agreement. The Architect will provide the owner with a certificate indicating that such insurance is in effect. Such insurance will add the **[insert name of organization]** as additional insureds.*
- *The project will be partially funded through a [grant/loan] from the Maryland Historical Trust (MHT), and the [Architect / Engineer / Consultant] will be required to carefully document and submit project expenses with each request for payment. It may take thirty days or more to process requests for payment in order to allow for review and processing by MHT.*
- *[Include if applicable] The Property is protected by a preservation easement that restricts alterations to [note the area, structures, etc covered by the easement]. The project will be executed with the involvement and oversight of the State Historic Preservation Office (the Maryland Historical Trust, "MHT"). All work must be designed and executed in accordance with the Secretary of the Interior's Standards for Rehabilitation.*

SELECTION CRITERIA

Define how the winning firm will be selected.

Sample text: The selection of the [architect, engineer, consultant] will be based on the following factors, in order of descending importance:

1. *Professional qualifications and experience.*
2. *Ability to complete the project within the time allotted.*
3. *Cost.*

Professional qualifications, experience, and ability to complete the project within the time allotted (technical merit) will have greater weight than cost (financial merit). The contract will be awarded to the firm whose proposal is determined to be the most advantageous to [insert grantee name].

RFP PACKAGE

List all items that the firm should receive from you as part of the RFP package.

Sample text: The RFP package consists of:

- *This “Request for Proposals” document*
- *“Consultant / Subconsultant Qualifications Statement” blank form*
- *“No Reply” blank form*
- *“Financial Proposal” blank form*
- *“Conflict of Interest Affidavit and Disclosure” blank form*

PROPOSAL SUBMISSION

List all items that must be included with the submission and define how you want them to be submitted.

Sample text:

Proposals must be received in [hard copy or e-mail] at [address or e-mail address] no later than [time] on [date].

OR

Proposals must be postmarked or sent by a traceable delivery method no later than [date].

Late submissions will not be considered.

A complete proposal submission consists of the following:

- 1. A completed and signed “Financial Proposal” form [insert if required: please provide three copies of this form, in a separate sealed envelope from the other proposal documents] ([insert desired number] copies).*
- 2. A completed “Consultant / Subconsultant Qualifications Statement” with no more than [ten] pages of project-related supporting materials attached ([insert desired number] copies).*
- 3. Resumes of up to three key project personnel; no more than [twelve] pages total for all resumes together ([insert desired number] copies).*
- 4. Completed “Bid / Proposal Affidavit”*
- 5. Completed “Conflict of Interest Affidavit and Disclosure”*
- 6. Copy of professional liability insurance certificate [if required]*
- 7. Copy of professional license or certification [if required]*
- 8. Consultant’s estimate of start date and time frame for project (may be included in cover letter).*

Submit all proposal materials to: [contact person and address or e-mail address]

Please return a "No Reply" form to [contact person] at the [address or e-mail address] above if you are unable to provide a proposal.

FAILURE TO INCLUDE ALL REQUIRED INFORMATION WILL RENDER THE PROPOSAL NON-RESPONSIVE.

NOTICES

Insert the following language.

Offerors should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification why such materials, upon request, should not be disclosed by the State under the Access to Public Records Act, State Government Article, Title 10, Subtitle 6, Annotated Code of Maryland.

MBE / WBE firms are encouraged to respond to this solicitation.

The Consultant and any Subconsultants must be Equal Opportunity Employers.

By submitting a response to this solicitation, a vendor shall be deemed to represent that it is not in arrears in the payment of any obligation due and owing the State of Maryland, including the payment of taxes and employee benefits, and that it shall not become so in arrears during the term of the contract if selected for contract award.

Architect / Engineer / Consultant

Sample Newspaper Ad – Request for Proposals

For projects where the cost of architectural, engineering or other consulting services will exceed \$25,000, proposals should be solicited through public advertising. Proposals may also be solicited directly from specific consultants, however, public notice ensures that the largest possible number of consultants are allowed to respond.

As a general guideline, the RFP should be published in at least one newspaper of general circulation, or in construction or trade journals. Examples of acceptable regional newspapers include the Baltimore Sun, Wilmington (Delaware) Journal, or the Star Democrat of Easton; the Washington Post; the Afro-American; the Daily Record; construction journals include the Dodge Report or the Blue Report. The ad should run three times in one paper or one time in three different papers. Be sure to get a copy of the printed ad and an invoice stating the dates the ad was printed for your records.

Keep the newspaper ad text as brief as possible – newspapers charge by the line!

Proposals are requested for _____ [Architectural, Engineering, Consulting, etc.] services for the restoration of the [property name, address, city, state]. Work includes [insert brief description of work].

Project is partly funded by the MD Historical Trust. All work must comply with Secretary's Standards and all State regs. incl. EEO.

Proposals must be rec'd before [date, time] at [address, city, state, zip]. Call [tel. no.] for RPF Documents.

Contact awarded to lowest qualified proposal.

[Mandatory] Pre-proposal site inspection [date, time].

Architect / Engineer / Consultant

Sample Financial Proposal Form

REQUEST FOR PROPOSALS: **[INSERT PROJECT NAME]**

FIRM / TEAM NAME:		
Description	Cost	
[If you desire the proposal to be broken down into individual line items, you should list and describe those line items here. Otherwise, ask for a lump sum proposal.]		
[Line Item Description]		
[Line Item Description]		
TOTAL		

ADDENDA: Please fill in and initial to acknowledge receipt of RFP Addenda, if applicable.

Addendum Number and Date	Initials

HOURLY / UNIT COSTS: Please provide hourly rates for design team members.

Name / Title / Role	Hourly Rate

Proposal submitted by representative hereby designated as project contact:

NAME:	
TITLE & FIRM NAME:	
ADDRESS:	
PHONE:	
E-MAIL:	
FEDERAL EIN #	
DATE:	
SIGNATURE:	

Architect / Engineer / Consultant Sample Qualification Form

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter.

Project Identification: [The John Doe House Restoration and Rehabilitation]

Company Name	
Contact Name	
Contact Title	
Address, City, State, ZIP	
Phone / Fax	
Email	
Website	

1.	How many years has your organization been in business?	
2.	How many years under your present name?	
3.	What time periods under a previous business name? (List below)	
	Company Name	Dates
	Company Name	Dates
	Company Name	Dates
	Company Name	Dates
4.	Is your organization licensed to do business in the State of Maryland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.	Do you have a professional license in the State of Maryland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Type of license	License Number
	Expiration date	
5.	Is your firm certified MBE in the State of Maryland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6.	Have you in the previous five years, been denied a contract award on which you submitted the low bid/proposal in competitive bidding, or been refused pre-qualification?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	If yes, please explain:	
7.	List four or more projects executed by your firm within the past three years that were similar in nature and scope to this project, and were in compliance with the Secretary of the	

	<u>Interior's Standards</u> (if applicable). Attach photographic documentation of these projects, or refer us to your website. We may contact your references.	
a.	Project Name	
	Project Address	
	When did you work on this project?	
	Client / Reference Name	
	Client / Reference Phone or Email	
	Web link if available	
b.	Project Name	
	Project Address	
	When did you work on this project?	
	Client / Reference Name	
	Client / Reference Phone or Email	
	Web link if available	
c.	Project Name	
	Project Address	
	When did you work on this project?	
	Client / Reference Name	
	Client / Reference Phone or Email	
	Web link if available	
d.	Project Name	
	Project Address	
	When did you work on this project?	
	Client / Reference Name	
	Client / Reference Phone or Email	
	Web link if available	
e.	Project Name	
	Project Address	
	When did you work on this project?	
	Client / Reference Name	
	Client / Reference Phone or Email	
	Web link if available	
8.	Provide names of key personnel to be involved in this project. Indicate the projects listed above with which they were involved. On attached sheets, give brief resumes of each person, describing specific experience and qualification that will indicate ability to perform	

	<i>work required on this project.</i>	
a.	Name	
	Specialty / Trade	
	Project Role	
	Years of experience	
	Years with this firm	
	Involved in projects listed above?	
b.	Name	
	Specialty / Trade	
	Project Role	
	Years of experience	
	Years with this firm	
	Involved in projects listed above?	
c.	Name	
	Specialty / Trade	
	Project Role	
	Years of experience	
	Years with this firm	
	Involved in projects listed above?	
d.	Name	
	Specialty / Trade	
	Project Role	
	Years of experience	
	Years with this firm	
	Involved in projects listed above?	
9.	Please indicate which portions of the work you will subcontract and the names of the subcontractors. <i>Please attach brief resumes of each subcontractor firm, describing specific experience and qualification that will indicate ability to perform work required on this project.</i>	
a.	Firm Name	
	Specialty / Trade	
	Address, City, State, Zip	
	Phone	
	Email	
	Website	

		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	b.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	
		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	c.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	
		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	d.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	
		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Architect / Engineer / Consultant
Conflict of Interest Affidavit and Disclosure Form

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)

Architect / Engineer / Consultant
Sample No Reply Form

FIRM NAME: _____

It is important that the _____ [organization issuing RFP] receive a reply from all invited respondents. There is no obligation to submit a quotation or proposal; however, should you choose not to respond, completion of this form will assist us in the future.

If for any reason, you are not submitting a proposal on this Request, we ask that you check one or more reasons below, or explain briefly in the space provided at the bottom of the page.

Please return the completed form by fax to _____ [fax number] or by mail to:
_____ [organization requesting bids]
_____ [street address]
_____ [city, state, zip]

We hereby submit a "No Reply" because:

- 1. We are not interested in being selected through a competitive procurement process.
- 2. We have insufficient time to respond.
- 3. Our schedule will not permit us to perform.
- 4. We do not feel we can be competitive.
- 5. Scope of work is too large or too small. [Please circle one.]
- 6. We do not wish to respond under the terms and conditions of the RFP.

Reasons: _____
_____.

- 7. We are unable to meet the requirements because: _____
_____.

- 8. Other: _____
_____.

COMPANY NAME

SIGNED

DATE

PRINTED NAME

Contractor / Builder Procurement Guidelines

These procurement procedures are applicable only to components of the project for which the Grantee or Borrower intends to use an MHT Capital Grant, MHT Capital Loan, or African American Heritage Preservation Grant to pay the contracting fees associated with that component of the project.

Contractors or builders who are to be paid, in whole or in part, with these funds MUST be selected on the basis of competitive proposals unless otherwise determined by MHT. The following guidelines are intended to assist project managers with the procurement process for securing contracting services to carry out the construction phase(s) of your capital project.

➤ **Procurement requirements vary depending on the anticipated cost of the project or component.**

For projects where the contracting costs are expected to exceed \$40,000, proposals should be solicited through public advertising. Proposals may also be solicited directly from specific contractors; however, public notice is advised to ensure that the largest possible number of contractors is allowed to submit proposals on the project.

For projects where the contracting costs will not exceed \$40,000 you may solicit proposals through invitation only. A minimum of six proposals should be solicited through direct solicitation and/or public notice.

➤ **This document details the required steps for procuring services for your project and provides sample procurement documents.**

➤ **PROCUREMENT PROCEDURE**

1. **Develop the scope of work for your project.** For a complex project, this may be in the form of architectural and engineering drawings and specifications. For a less complex project, this may be in the form of a written description of work that you create on your own or in consultation with a professional. Consult with your MHT project monitor for guidance if you are unsure.
2. **Submit the scope of work to MHT for approval.** If you have had drawings and specifications prepared by an architect and / or engineer, submit those. If you only have a written description of the work, submit that. In either case, submit photographs of the existing conditions at the property. The proposed work will be reviewed in one of two ways:
 - If the property is under easement, the proposed work will be reviewed by MHT's in-house Easement Committee, which meets every three weeks, and will be approved in a letter from MHT's Director. For full instructions and submission deadlines: http://mht.maryland.gov/easement_existing.shtml
 - If the property is NOT under easement, the proposed work will be reviewed through MHT's Project Review and Compliance section, which will take approximately 30 days from application. For full instructions: http://mht.maryland.gov/projectreview_howtosubmit.shtml
3. **After you have MHT's approval for the work, you can start the procurement process for a contractor or builder.**
4. **Determine whether you should publicly advertise the project or whether you will only directly solicit proposals from individual firms** (see Page 1 of this document).
5. **Determine whether you will hold a pre-proposal inspection.** This is an opportunity for interested firms to see the property, working conditions, and surroundings and to ask questions. Coordinate the date for this inspection with your MHT project monitor, who may wish to attend. Ensure 15 days between issue date and pre-
6. **Determine by what date and time, and in what form, proposals must be submitted.** Ensure 15 days between pre-proposal meeting date and due date for proposals.
7. **Develop the "Request for Proposals" and proposal package** based on the guidance and sample provided below. **Submit this to your MHT project monitor for review before distributing it.** Mail the "Request for Proposals" directly to contractors.
8. **Develop an "Advertisement for Proposals", if needed,** based on the guidance and sample provided below. **Submit this to your MHT project monitor for review before sending it to the newspaper.**
9. **Distribute the proposal packages (see description below).** If you are distributing the RFP directly to a number of firms, you should keep a record of that activity. If you are advertising the RFP, each firm that is interested in making a proposal will need to contact you and obtain the complete proposal package directly from you. You should keep a record of your distribution of the RFP documents as well as any additional inquiries from interested firms (who, what, when) and your response.

You should use the attached “Bid/RFP Solicitation Form” to record your activity. If interested firms contact you with questions about the RFP, you may need to issue an Addendum to clarify the RFP requirements or project requirements (see #9 below under “Request for Proposals”).

- 10. Hold the pre-proposal conference.** It is usually a good idea to provide a set time at which firms may inspect the project site. Contact your MHT project monitor to find out if they wish to attend. Determine whether to make it mandatory for interested firms to attend the pre-proposal conference. Keep a sign-in sheet showing who attended, and keep a written record of all issues that were discussed; share both documents with your MHT project monitor. If it is mandatory for firms to attend the pre-proposal conference, any firm not attending the conference may NOT submit a proposal.
- 11. Issue any addenda.** Addenda are revisions to the initial RFP package, which may be needed to correct errors or to address substantive questions from potential contractors. Addenda may arise from individual inquiries or from questions or discussion at the pre-proposal conference.
- 12. Receive the proposals.** See additional guidance below.
- 13. Evaluate the proposals and determine which respondent provided the “lowest qualified proposal”.** See additional guidance below.
- 14. Request approval of successful firm from MHT.** See below for a description of materials to submit to your MHT project monitor.
- 15. AFTER you have MHT approval, enter into a contract with the successful firm.** MHT typically does not review the contract itself, since it is between you and your contractor. However, you should send your MHT project monitor a copy of the contract once it is signed by both parties.

REQUEST FOR PROPOSALS (RFP)

The first step in procuring an architect or an engineer is advertising or distributing a Request for Proposals (RFP). See following pages for sample RFP and advertisement. The RFP should contain the following information:

- (1) The name of the grant/loan recipient.
- (2) The name and address of the project property.
- (3) Date the RFP is being issued.
- (4) The name, telephone number, and e-mail address of a contact person associated with the project.
- (5) The nature of the project (e.g. architectural services for restoration of outbuildings, stabilization of exterior walls, interior rehabilitation, etc.); the proposed project schedule or project deadlines; a statement that the project is being assisted by a grant / loan from the Maryland Historical Trust; and a statement that all work must comply with the Secretary of the Interior's *Standards for Rehabilitation* [if applicable].
- (6) A description of the services that you anticipate will be required, which may include the following:
 - Preparation of preliminary construction documents
 - Preparation of final construction documents
 - Supervision of public solicitation of contractor's bids and selection of contractor(s)
 - Construction supervision
- (7) A specific time and date at which all those wishing to make a proposal for Architectural/Engineering services can inspect the project property. The RFP closing date must not be less than thirty (30) days after the date you first solicit proposals, and not less than fifteen (15) days after the site inspection. It is also possible for interested firms to contact you directly to make an appointment for a site inspection.
- (8) A statement that the contract will be awarded to the lowest qualified proposal (i.e. based on cost and qualifications). The statement should include all evaluation factors, such as:
 - completeness
 - responsiveness to the program
 - project related qualifications
 - previous relevant (i.e. historic preservation or specialty services) experience
 - ability to meet project schedule

- cost

The RFP should reflect the weighting of the criteria, i.e. state that the evaluation criteria are listed in descending order of importance. **You cannot evaluate the proposal on any criteria that are not included in the RFP.**

(9) If desired, a statement that a bid guarantee, a performance bond, and a payment bond are required as follows (typically for major rehabilitation projects):

- A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.
- A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor’s obligations under such contract.
- A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

(10) A statement that the contract will be a lump sum, fixed price contract.

(11) A statement that Minority Business Enterprises are encouraged to respond. You are also encouraged to identify and directly solicit proposals from MBE firms. A current directory of certified MBEs is available through the Maryland State Department of Transportation (MDOT)’s website at <http://mbe.mdot.state.md.us/directory/>

(12) A statement that the contractor and any subcontractors must be Equal Opportunity Employers.

(13) Instructions to firms explaining where RFP packages may be obtained (either by calling or e-mailing a project contact, or perhaps by downloading them from your organization’s website).

(14) RFP submission requirements (what forms are required, how many copies, etc), the deadline for submission of proposals, and the location to which proposals are to be delivered. Require firms to submit the names and locations of comparable projects that they have successfully completed, as well as references for those projects, so that you can evaluate each firm’s qualifications.

- (15) A requirement that all amendments, addenda, and changes, and the receipt thereof, be acknowledged in writing.

RFP PACKAGES: RFP packages include the RFP itself as well as other documents or drawings that describe the project and forms that the responding firm needs to fill out and submit to you. ALL RFP packages must include:

- Financial Proposal Form
- Qualifications Form
- “No Reply” form (so that the firm can notify you if not submitting a proposal)
- “Conflict of Interest Affidavit and Disclosure” blank form

Samples of all of these forms are included in this manual; you should adapt and customize them for your RFP. Your MHT project monitor can provide these forms electronically in an editable format.

RECEIPT, OPENING, AND RECORDING OF PROPOSALS:

When a proposal is received, it should be stored in a secure place until opening. When opened, the name of each respondent, the price, and such other information as is deemed appropriate should be recorded as part of the official project record. You should use the Bid/Proposal Tabulation Form provided in this manual.

CONTRACT AWARD:

The contract is to be awarded to the responsible and responsive firm whose proposal meets the requirements and evaluation criteria set forth in the RFP, and offers the lowest qualified price. A PROPOSAL MAY NOT BE EVALUATED FOR ANY REQUIREMENT OR CRITERION THAT WAS NOT DISCLOSED IN THE RFP. You and your organization should evaluate the proposals and keep a written record. It is recommended that you use a written evaluation form such as the example RFP Evaluation Form included in this manual.

Before you notify firms of the outcome of the procurement, the following must be forwarded to your MHT project monitor, who will review and comment:

- A cover letter describing how the RFP process was carried out and indicating which firm you would like to select as the lowest qualified proposal.
- The final RFP and all attachments, blank forms, drawings, etc.
- Completed Bid/Proposal Solicitation Form (showing all firms who received the RFP)
- Completed Bid/Proposal Tabulation Form (showing all firms who provided proposals)
- Copies of all proposals received, including qualification forms, no reply forms, and other required forms
- A copy of the newspaper ad(s) and invoice(s) showing publication dates (if applicable)

If, after reviewing the proposals, your MHT project monitor concurs with your selection, you will be notified. At this point you may enter into a contract with the successful firm. It is generally recommended that the contract be drawn up on a standard AIA Document which provides protection for both the Owner/Grantee and the Consultant in the event of a dispute. Provide your MHT project monitor with a copy of the signed contract and contractor's proof of insurance.

Unsuccessful respondents should also receive written notification from the Grantee.

PRE-CONSTRUCTION MEETING: A pre-construction meeting (where the contractor presents a project "Draw Schedule" or schedule of payments) typically needs to occur at the beginning of a project. Similarly, progress meetings should occur regularly throughout the course of construction. Attendees for these site meetings typically include the owner/grantee, architect, general contractor, MHT project monitor, related contractors, and other interested parties.

Contractor / Builder

Sample Request for Proposals

REQUEST FOR PROPOSALS

[BRIEF DESCRIPTION OF NATURE OF WORK, SUCH AS “INTERIOR AND EXTERIOR REHABILITATION”, “ROOF REPLACEMENT”, OR “ASBESTOS REMEDIATION”]

NAME AND ADDRESS OF PROPERTY

ISSUE DATE: [INSERT ISSUE DATE]

DUE DATE AND TIME: [INSERT DUE DATE AND TIME]

[Insert name of property owner or grantee, as appropriate] invites interested and qualified firms to submit proposals for contracting services associated with the [brief description of work] at the [name and address of property].

Proposals must be received in hard copy no later than [time] on [date].

OR

Proposals must be postmarked or sent by a traceable delivery method no later than [date].

INTRODUCTION/ BACKGROUND

Give a brief background about the property or project, including date of construction and significant alterations, history, ownership, current use, proposed use, National Register listing or local listing or landmarking.

Sample text: Originally constructed in 1838 as the John Wesley Methodist Episcopal Church, the structure that now houses the Chipman Center is the oldest standing African American house of worship in Delmarva. Since 1994 the building has served as a museum and cultural center under the ownership of the nonprofit Chipman Foundation, Inc. The project will be executed with the involvement and oversight of the State Historic Preservation Office (the Maryland Historical Trust, “MHT”).

[Include if applicable:] The Maryland Historical Trust holds a perpetual preservation easement on the property, which restricts alterations to [note the area, structures, etc covered by the easement].

SCOPE OF SERVICES

Detail the services you anticipate will be required of the contractor.

Sample text:

Project work includes:

[Preferably, provide a numbered list of work items.]

The contractor [is/is not] responsible for obtaining any permits required for the work.

All work must be executed in accordance with the Secretary of the Interior's Standards for Rehabilitation. The contractor must be familiar with these Standards, and must be willing to work with the Architect and MHT to resolve all unanticipated conditions.

Please provide cost proposal using the attached financial proposal form and breakdown. Provide unit prices for additional work using the attached form. The Contractor may submit their standard quote sheet but must ALSO submit the filled out and signed cost proposal and unit prices forms.

The contract that results from this RFP will be a fixed-price contract. [Discuss with your project monitor if you feel another contract type may be more appropriate.]

[Insert if applicable – discuss with your project monitor. Only for contracts over \$100,000. See definitions at <http://www.attny.com/gci32djd.html>] Bid, performance and payment bonds will be required.

The project will be partially funded through a [grant/loan] from MHT, and the Contractor will be required to carefully document and submit project expenses with each request for payment. It may take thirty days or more to process requests for payment in order to allow for review and processing by MHT.

PRE-PROPOSAL CONFERENCE / SITE VISIT

Include the details of the Pre-proposal Conference, if one is being held.

Sample text: A [choose: mandatory / optional] pre-proposal conference and site visit will be held at [time] on [date] at [location]. [Insert if applicable: Attendance at the site visit is mandatory for firms wishing to submit a proposal. Proposals from firms not attending the pre-proposal conference will be rejected.]

TIMETABLE

Indicate any required project start dates, completion dates, or timing considerations.

Sample text: The architect should expect to begin the project immediately upon notification of contract award (anticipated no later than first week of April 2015). It is anticipated that work should be substantially complete by August 1, 2015.

QUALIFICATIONS

List any requirements that apply to the firms making proposals.

Sample text:

- *The contractor and any subcontractors must demonstrate relevant experience with similar projects. [For historic properties, change to: The contractor and any relevant subcontractors must demonstrate experience working with existing buildings, particularly historic buildings.]*
- *The contractor and any subcontractors must hold a current license, as applicable to the nature of the work.*
- *Please provide qualifications and references for contractor and any subcontractors on the attached form.*
- *The contractor and any subcontractors must be Equal Opportunity Employers.*
- *Contractors and any subcontractors will be required to be insured.*
- *The project will be partially funded through a [grant/loan] from the Maryland Historical Trust (MHT), and the [Architect / Engineer / Consultant] will be required to carefully document and submit project expenses with each request for payment. It may take thirty days or more to process requests for payment in order to allow for review and processing by MHT.*
- *[Include if applicable] The Property is protected by a preservation easement that restricts alterations to [note the area, structures, etc covered by the easement]. The project will be executed with the involvement and oversight of the State Historic Preservation Office (the Maryland Historical Trust, "MHT"). All work must be designed and executed in accordance with the Secretary of the Interior's Standards for Rehabilitation.*

SELECTION CRITERIA

Define how the winning firm will be selected.

Sample text: The selection of the contractor will be based on the following factors, in order of descending importance:

1. *Qualifications and references.*
2. *Ability to complete the project within the time allotted.*
3. *Cost.*

The contract will be awarded to the lowest proposal from a qualified firm which can complete the project within the time allotted. The Owners reserve the right to waive irregularities and to reject proposals.

RFP PACKAGE

List all items that the firm should receive from you as part of the RFP package.

Sample text: The RFP package consists of:

1. *This "Request for Proposals" document*
2. *"Consultant / Subconsultant Qualifications Statement" blank form*
3. *"No Reply" blank form*
4. *"Financial Proposal" blank form*
5. *"Conflict of Interest Affidavit and Disclosure" blank form*
6. *[Describe any plans, specifications, reports that are being provided to the bidders. Include the name of the preparer, date, page numbers as appropriate.]*

[Sometimes you may have large format drawings or thick specifications documents that you are unable to provide to all bidders in hard copy. In such cases you may make these available for the contractors to review; you would insert the following language: Proposal Documents may be examined at the [Architect's, Owner's, etc.] office by appointment. Please contact [name, contact information]. Alternatively, you or your architect could e-mail the documents to an interested contractor or make them available through your website or through a file-sharing site. In this case, you would insert the following language: Documents may be obtained electronically from the [Architect, Owner, etc.]. Please contact [name, contact information].

PROPOSAL SUBMISSION

List all items that must be included with the submission and define how you want them to be submitted.

Sample text:

Proposals must be received in hard copy no later than [time] on [date].

OR

Proposals must be postmarked or sent by a traceable delivery method no later than [date].

Late submissions will not be considered.

A complete proposal submission consists of the following:

1. *A completed and signed "Financial Proposal" form [insert if required: please provide three copies of this form, in a separate sealed envelope from the other proposal documents] ([insert desired number] copies).*
2. *A completed "Consultant / Subconsultant Qualifications Statement" with no more than [ten] pages of project-related supporting materials attached ([insert desired number] copies).*
3. *Completed "Bid / Proposal Affidavit"*
4. *Completed "Conflict of Interest Affidavit and Disclosure"*
5. *Consultant's estimate of start date and time frame for project (may be included in cover letter).*
6. *Copy of current license for contractor and any relevant subcontractors ([insert number] copies).*

7. *Copy of current insurance certificate for contractor and any relevant subcontractors ([insert number] copies).*
8. *[INSERT ANY OTHER REQUIRED DOCUMENTS AND INDICATE NUMBER OF COPIES]*

Submit all proposal materials to: [contact person and address or e-mail address]

Please return a "No Reply" form to [contact person] at the [address or e-mail address] above if you are unable to provide a proposal.

FAILURE TO INCLUDE ALL REQUIRED INFORMATION WILL RENDER THE PROPOSAL NON-RESPONSIVE.

NOTICES

Insert the following language.

Offerors should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification why such materials, upon request, should not be disclosed by the State under the Access to Public Records Act, State Government Article, Title 10, Subtitle 6, Annotated Code of Maryland.

MBE / WBE firms are encouraged to respond to this solicitation.

The Consultant and any Subconsultants must be Equal Opportunity Employers.

By submitting a response to this solicitation, a vendor shall be deemed to represent that it is not in arrears in the payment of any obligation due and owing the State of Maryland, including the payment of taxes and employee benefits, and that it shall not become so in arrears during the term of the contract if selected for contract award.

Contractor / Builder

Sample Newspaper Ad – Request for Proposals

For projects where the cost of construction services will exceed \$40,000, proposals should be solicited through public advertising. Proposals may also be solicited directly from specific contractors, however, public notice ensures that the largest possible number of contractors are allowed to respond.

As a general guideline, the RFP should be published in at least one newspaper of general circulation, or in construction or trade journals. Examples of acceptable regional newspapers include the Baltimore Sun, Wilmington (Delaware) Journal, or the Star Democrat of Easton; the Washington Post; the Afro-American; the Daily Record; construction journals include the Dodge Report or the Blue Report. The ad should run three times in one paper or one time in three different papers. Be sure to get a copy of the printed ad and an invoice stating the dates the ad was printed for your records.

Keep the newspaper ad text as brief as possible – newspapers charge by the line!

Proposals are requested for the [restoration, rehabilitation, construction, etc. as applicable] of the [property name, address, city, state]. Work includes [insert brief description of work].

Project is partly funded by the MD Historical Trust. All work must comply with [insert if applicable: Secretary's Standards and] all State regs., incl. EEO. [Insert if applicable: 5% Bid Bond & 100% Performance & Payment Bonds required.]

Proposals must be rec'd before [date, time] at [address, city, state, zip]. Contact [name, e-mail address, telephone number].

Contact awarded to lowest proposal from a qualified firm conforming to project schedule.

[Insert if applicable: Mandatory] Pre-proposal site inspection [date, time].

Contractor / Builder

Sample Financial Proposal Form

REQUEST FOR PROPOSALS: **[INSERT PROJECT NAME]**

FIRM / TEAM NAME:		
Description	Cost	
[If you desire the proposal to be broken down into individual line items, you should list and describe those line items here. Otherwise, ask for a lump sum proposal.]		
[Line Item Description]		
[Line Item Description]		
TOTAL		

ADDENDA: Please fill in and initial to acknowledge receipt of RFP Addenda, if applicable.

Addendum Number and Date	Initials

HOURLY / UNIT COSTS: Please provide hourly rates for design team members.

Name / Title / Role	Hourly Rate

We hereby submit our proposal to the **[Organization Name]** for the **"[PROJECT NAME]"**.

1. I/We have received, read, and fully understand the drawings /specifications for the project, the Request for Proposals, and the Addenda.
2. I/We have examined the site, existing structures, access roads, existing utilities, and all existing conditions which affect the construction proposal.
3. I/We are able to provide all the materials, products, labor, equipment, supervision, managerial and professional services necessary for the project, and are able to construct the project as intended by the above mentioned specifications.
4. I/We are able to complete this project within the stipulated calendar days and/or critical completion dates specified by the Owner.
5. I/We clearly understand that this Construction Proposal Form must be completed and submitted in its entirety to be considered a responsive proposal. Failure to completely fill in all blanks may be cause for rejection of this proposal.
6. I/We clearly understand that the proposal price will be firm for a time period of [insert # days] calendar days from the proposal opening date.

7. The firm represents, and it is a condition precedent to acceptance of this proposal, that the firm has not been a party to any agreement to propose a fixed or uniform price.

Proposal submitted by representative hereby designated as project contact:

NAME:	
TITLE & FIRM NAME:	
ADDRESS:	
PHONE:	
E-MAIL:	
FEDERAL EIN #	
DATE:	
SIGNATURE:	

Contractor / Builder Sample Qualification Form

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter.

Project Identification: [The John Doe House Restoration and Rehabilitation]

Company Name	
Contact Name	
Contact Title	
Address, City, State, ZIP	
Phone / Fax	
Email	
Website	

1.	How many years has your organization been in business?	
2.	How many years under your present name?	
3.	What time periods under a previous business name? (List below)	
	Company Name	Dates
	Company Name	Dates
	Company Name	Dates
	Company Name	Dates
4.	Is your organization licensed to do business in the State of Maryland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.	Do you have a professional license in the State of Maryland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Type of license	License Number
	Expiration date	
8.	Is your firm certified MBE in the State of Maryland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.	Have you in the previous five years, been denied a contract award on which you submitted the low bid/proposal in competitive bidding, or been refused pre-qualification?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	If yes, please explain:	
10.	List four or more projects executed by your firm within the past three years that were similar in nature and scope to this project, and were in compliance with the Secretary of the	

	<u>Interior's Standards</u> (if applicable). Attach photographic documentation of these projects, or refer us to your website. We may contact your references.	
	a.	Project Name
		Project Address
		Years of Construction
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
	b.	Project Name
		Project Address
		Years of Construction
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
	c.	Project Name
		Project Address
		Years of Construction
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
	d.	Project Name
		Project Address
		Years of Construction
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
	e.	Project Name
		Project Address
		Years of Construction
		Client / Reference Name
		Client / Reference Phone or Email
		Web link if available
11.	Provide names of key personnel to be involved in this project. Indicate the projects listed above with which they were involved. On attached sheets, give brief resumes of each person, describing specific experience and qualification that will indicate ability to perform	

	<i>work required on this project.</i>	
a.	Name	
	Specialty / Trade	
	Project Role	
	Years of experience	
	Years with this firm	
	Involved in projects listed above?	
b.	Name	
	Specialty / Trade	
	Project Role	
	Years of experience	
	Years with this firm	
	Involved in projects listed above?	
c.	Name	
	Specialty / Trade	
	Project Role	
	Years of experience	
	Years with this firm	
	Involved in projects listed above?	
d.	Name	
	Specialty / Trade	
	Project Role	
	Years of experience	
	Years with this firm	
	Involved in projects listed above?	
12.	Please indicate which portions of the work you will subcontract and the names of the subcontractors. <i>Please attach brief resumes of each subcontractor firm, describing specific experience and qualification that will indicate ability to perform work required on this project.</i>	
a.	Firm Name	
	Specialty / Trade	
	Address, City, State, Zip	
	Phone	
	Email	
	Website	

		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	b.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	
		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	c.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	
		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	d.	Firm Name	
		Specialty / Trade	
		Address, City, State, Zip	
		Phone	
		Email	
		Website	
		Years in business	
		Involved in projects listed above?	
		MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
The undersigned certifies the truth and correctness of all statements.			
		Prepared by:	
		Title:	
		Signature:	

Contractor / Builder
Conflict of Interest Affidavit and Disclosure Form

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)

Contractor / Builder No Reply Form

FIRM NAME:	
PROJECT:	The John Doe House Restoration and Rehabilitation

It is important that the [organization requesting proposals] receive a reply from all invited firms. There is no obligation to submit a quotation or proposal; however, should you choose not to make a proposal, completion of this form will assist us in the future. If, for any reason, you are not submitting a proposal on this Request, we ask that you check one or more reasons below, or explain briefly in the space provided.

Please return the completed form to:

Name
Address
Address
Fax #
E-mail address

We hereby submit a "No Reply" because (check any that apply):

1.	We are not interested in being selected through an RFP process.	<input type="checkbox"/>
2.	We have insufficient time to respond.	<input type="checkbox"/>
3.	Our schedule will not permit us to perform.	<input type="checkbox"/>
4.	We do not feel we can be competitive.	<input type="checkbox"/>
5.	Scope of work is too large.	<input type="checkbox"/>
6.	Scope of work is too small.	<input type="checkbox"/>
7.	We do not wish to respond under the terms and conditions of the RFP. Please elaborate:	<input type="checkbox"/>
8.	We are unable to meet the requirements because:	<input type="checkbox"/>
9.	Other; please explain:	<input type="checkbox"/>

Name:
Title:
Date:
Signature:

BID/PROPOSAL SOLICITATION FORM

PROJECT NAME:

Use this form to keep track of firms or vendors to whom you have sent your Request for Proposals. Unless you are also advertising your RFP in a newspaper, you must attempt to solicit proposals from at least six vendors. If you are unable to identify six vendors, contact your Project Monitor at MHT. When you have concluded the RFP process, send this form to your Project Monitor at MHT.

NAME OF PERSON COMPLETING THIS FORM:		DATE:	
---------------------------------------------	--	--------------	--

VENDOR NAME	Contact Person with Vendor	Vendor Address	Vendor Phone	Vendor E-mail	Vendor Fax #	Date on which you sent the vendor the RFP	Method by which the vendor received the RFP (fax, e-mail, mail?)	Did the vendor confirm receipt of the RFP?	Notes on any contact you have had with the vendor about this RFP (date, person you spoke with, vendor's questions, your response)*

*If vendors contact you with substantive questions, inform your Project Monitor at MHT. It may be necessary to issue an RFP Addendum to all firms who were invited to submit a proposal.

MHT Capital Grants, MHT Capital Loans, & AAHPP Grants Fund Disbursement Policies & Procedures

The Maryland Historical Trust has an obligation to monitor projects in order to insure that the goods and services acquired with State funds are verified and approved, and, in the case of the project involving a historic property, that the work meets the Secretary of the Interior's Standards for Rehabilitation.

Your MHT Project Monitor will make periodic site inspections. An effort will be made to visit the site each time a payment request is submitted so that progress on the project, and compliance with the Grant Agreement, can be verified.

Before any grant or loan funds can be disbursed, certain conditions must be met.

- The grant agreement must be fully executed (signed by both parties) – or – in the case of a loan, settlement must have occurred and all required settlement documents returned to MHT
- If required, the perpetual preservation easement must be fully executed, it must be recorded in the Land Records of the County in which the property is located, and the original easement must be returned to MHT
- If an easement is required, the grantee / borrower must provide MHT with a Bring-to-Date on the Certificate of Title
- MHT must approve the scope of work
- MHT must approve the selection of the consultant (architect, engineer, etc) or contractor and ensure the procurement process was appropriately followed
- MHT and the grantee / borrower must verify that the work that is being paid for has been satisfactorily completed

Please note that MHT grant funds are not disbursed *up-front* but are disbursed based on invoices for *completed* work (except in the case of loans for acquisition, in which case payment is made at settlement).

How do I make a request for payment?

- When a contractor or consultant submits a bill to you for payment, your project architect (if you have one), your MHT Project Monitor, and you will inspect the work for which payment is being requested. You will need to contact your MHT Project Monitor to schedule a site inspection.
- Both you and the project architect or engineer (if you have one) must certify, in writing, that the application for payment is appropriate and that the work has been completed to your satisfaction. This certification is usually in the form of a cover letter attached to a copy of the contractor's or consultant's invoice. The cover letter must be signed by

- one of the authorized officers of the grantee organization as shown in the Corporate Resolution you submitted to MHT when you signed your grant agreement.
- You must submit to MHT a copy of the invoice(s) for the completed work. In the case of a contractor's invoice, we recommend that if at all possible, submissions should be made on AIA Document G 702 "Application and Certificate for Payment".
 - Upon receipt of your certification / cover letter and application for payment, MHT will send a written request to the Office of the Comptroller of the State of Maryland to prepare a check payable to the Grantee in a pro-rated amount of the requested payment (see "Will my invoice be paid in full?" below).
 - Payments are only made to the grantee or borrower, NOT to a contractor or consultant. This may delay your payment to your contractor or consultant beyond the customary 30 days. Please be sure your contractor or consultant is aware of this and make any necessary arrangements.
 - We expect that checks will be sent from the Office of the Comptroller of the State of Maryland approximately 21 to 30 calendar days after your application for payment is received at MHT.
 - Upon receipt of the disbursement, you must deposit and maintain the funds in a non-interest bearing account that is separate from your other accounts (i.e. an auditable escrow account), or establish separate ledger accounts for the funds. You may then pay the contractor or consultant from that account. (See also separate document "Grantee Responsibilities for Financial Reporting".)
 - In a documented case of extreme hardship, MHT will work with you to try to find a means of streamlining the payment process as much as possible.

Will my invoice be paid in full?

- At least 10% of the value of the work performed by the contractor or consultant at the time of each request will be withheld until all the work to be carried out *under that particular contract* has been completed and approved by your MHT Project Monitor.
- **In all cases, the final 10% of the grant or loan will not be disbursed until requirements for completion are satisfied.** (See below.)
- For each **grant** payment request MHT will disburse funds in the same proportion as our contribution to the overall project as defined in the Grant Agreement.

Scenario #1: *If you receive an invoice from your contractor for \$10,000, and you have committed to a dollar-for-dollar **cash** match, the Trust may pay 50% of the invoice (minus the 10% retainage as applicable). You will combine the MHT disbursement with your matching funds and present the contractor with full payment.*

Scenario #2: *If you receive an invoice from your contractor for \$10,000, and you have committed to a dollar-for-dollar **cash** match, the Trust may pay the entire invoice (minus the 10% retainage as applicable) once you provide substantiation of other **cash** expenditures **on the defined project** totaling \$10,000.*

Scenario #3: If your match is **in-kind**, you will have to substantiate the value of the donated materials or services at the time you submit the request for payment. For example, if you receive an invoice from your contractor for \$5,000, and you have committed to a dollar-for-dollar **in-kind** match, the Trust may pay the entire invoice (minus the 10% retainage as applicable) once you provide substantiation of in-kind materials or services totaling \$5,000.

How do I show that I have spent my match? ~grants only~

- If you have committed a **cash** match: You will need to provide copies of invoices and cancelled checks to substantiate the cash spent **on the defined project**.
- If you have committed an **in-kind** match: You will need to substantiate the materials or services donated **for the defined project**. For *donated materials*, an invoice for materials or a signed statement from the donor would be required. For *donated professional services*, a signed statement from the donor, including the donor's customary hourly rate and number of hours donated, would be required. For *volunteer services*, a timesheet signed by the donor, including the donor's and grantee's signature, would be required.
 - The hourly rate for volunteer time is valued based on the rate for Maryland noted on the Independent Sector website (http://www.independentsector.org/volunteer_time).
 - Please note that any member of your organization's Board of Directors (or similar) can ONLY donate time at the volunteer rate, NOT at their customary hourly rate for professional services.
- **Because this is a matching grant, it is necessary for all matching funds provided by the grantee to be in place and accessible when the project begins. MHT uses partial and pro-rated disbursements as a means to ensure accountability for those goods and services acquired with State funds. Also, a cash match helps ensure adequate cash flow for the duration of the project.**

How do I claim my final payment, including the retainage?

- Authorization for the FINAL disbursement of the grant funds will be withheld by the MHT Project Monitor until a project completion report has been submitted with all required attachments. (See also separate document "Completion Requirements".)

Who do I call with questions?

Anne Raines, Capital Grants & Loans Administrator
Maryland Historical Trust
100 Community Place
Crownsville MD 21032

410.697.9584
anne.raines@maryland.gov

MHT Capital Grants, MHT Capital Loans, & AAHPP Grants

Completion Requirements

The Completion Report is intended to provide a photographic record and capsule summary of the grant or loan project. Both a Completion Report acceptable to the Maryland Historical Trust and a bring-to-date on the certificate of title must be submitted prior to the release of the final disbursement of grant or loan funds. Incomplete reports may be returned, and funds withheld, until all requested corrections are made.

The Completion Report should use the attached form as a cover page. This form needs to be submitted with the following:

- **PHOTO DOCUMENTATION (if required- ask your MHT project monitor)**
 - Please provide good quality digital images on a CD-rom or DVD. Images should include at least one overall photograph of each side of the building; representative interior photos; and several photos highlighting specific details or areas of interest, especially of elements for which MHT grant funds were used.
 - All images must be taken AFTER completion of the work.
 - The images must be clearly identified on the disk, and corresponding descriptions must be provided in hard copy. The descriptions of the photos must include the following information:
 - File name [i.e. Stone House 1.jpg (must correspond to the name of the file on the disk)]
 - Photographer
 - Date
 - Description of subject of photograph [i.e. "Rear of property after reconstruction of porch."
- **NARRATIVE**
 - Provide a brief narrative report and evaluation of the project including:
 - a discussion of the project as a whole
 - successes and/or problems encountered
 - a statement of the property's intended future use
 - best practices employed and lessons learned
 - additional work remaining to be done
- **PROOF OF PAYMENT**
 - Submit cancelled checks showing that all grant funds were expended on services as invoiced. You do not need to re-submit any documentation already provided, if you have been providing this documentation as the project progressed. You may need to submit the final cancelled check after receipt of your final payment from MHT.
- **BRING-TO-DATE ON CERTIFICATE OF TITLE (if required – ask your MHT project monitor)**
 - This document demonstrates to MHT that the easement has been recorded and that all other interests have been subordinated to the easement.
- **REPORTS**
 - A copy of all test results and consultants' reports and final drawings associated with the project, as applicable. These may be provided on a CD-rom or DVD.

MHT Capital Grants, MHT Capital Loans, & AAHPG Grants Project Completion Report*

1. Property Data

Property Name	
Property Address	
City, State, ZIP	
County	

2. Type of Funding

(check one)	African American Heritage Preservation Grant <input type="checkbox"/>	MHT Capital Grant <input type="checkbox"/>	MHT Capital Loan <input type="checkbox"/>
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3. Project Summary (approximately 60 words)

	Grant Funds Received	\$
	Actual Cash Match	+\$
	Actual In-Kind Match	+\$
	Other Project Costs	+\$
	Total Project Costs	=\$

4. Grant Applicant Data

Organization			
Type (check one)	Nonprofit <input type="checkbox"/>	Local government <input type="checkbox"/>	Business entity <input type="checkbox"/> Individual <input type="checkbox"/>
Federal Identification Number			
Contact Name			
Address			
City, State, ZIP			
Phone		Fax	
E-mail		Website	

5. Property Owner Data

Organization			
Contact Name			
Address			
City, State, ZIP			
Phone		Fax	
E-mail		Website	

*This form can be provided to you as a Word document or fill-in form – please contact your Project Monitor.