

REQUEST FOR PROPOSALS

Canal Place Preservation and Development Authority
Management Plan Update and Boundary Expansion
for
“The Passages of the Western Potomac Heritage Area”

Canal Place Preservation and Development Authority
Western Maryland Railway Station
13 Canal Street, Suite 301
Cumberland, Maryland 21502
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WARNING: A prospective offeror who has received this document from a source other than the Issuing Office should immediately contact the Issuing Office and provide that office with the prospective offeror’s name and mailing address so that amendments to this Request for Proposals or other communications can be sent to the prospective offeror. Failure to contact the Issuing Office may result in non-receipt of important information.

ISSUED DATE: _____

TO: _____ Prospective Offeror

Request For Proposals (RFP)

A. Project Overview.

The Canal Place Preservation and Development Authority (the “CPPDA”) invites proposals from a qualified consultant to develop a comprehensive update to the Management Plan (the “Plan”) for newly re-branded Passages of the Western Potomac Heritage Area (the “PWPHA”) (formerly, the Canal Place Heritage Area). The Plan will include projects designed with the objective of recommending additional land areas located in Allegany County, Maryland for potential inclusion within the PWPHA, including the Cities of Cumberland and Frostburg, the Allegany County Scenic Byways, public lands, and additional incorporated and unincorporated areas within the County. The Plan will identify specific goals and objectives for the preservation, development, and management of the PWPHA, including for the proposed areas of expansion. This will include the preparation of cultural/heritage and natural resource surveys for identified areas, but not a detailed Phase II archeological investigation. *This project should result in a thorough analysis of heritage area needs, and the recommendation of additional significant historic/cultural/natural resources to be included within the boundaries of the PWPHA.*

Section I: General Description

The CPPDA, in collaboration with the City of Cumberland, Allegany County Tourism, and with other local stakeholders, seeks to identify a Consulting Team (the “Consultant”) to prepare an update of the Management Plan for the Passages of the Western Potomac Heritage Area, in order to provide the CPPDA with a long-term planning document to guide further development of the PWPHA. This project will include exploration of possible areas for expansion of the existing certified heritage area of the PWPHA within the boundaries of Allegany County, Maryland. These areas may include: the Cities of Cumberland and Frostburg, the C&O National Historic Park, public lands, waterways, scenic byways, and additional incorporated and unincorporated areas within the County. The Plan will identify specific goals and objectives for the preservation, development, and management of the PWPHA and will recommend/identify areas for inclusion that have concentrations of significant cultural, heritage, and natural resources; once identified, resource surveys will be conducted for each area (the surveys **will not** include Phase II archeological investigations). The project result will be a thorough analysis of heritage area needs and include recommendations of additional significant historic, archeological, and cultural resources that represent an inclusive evaluation of underrepresented communities in the project area through the preparation of a resources survey. The update will include a review of the Draft 2014 Canal Place Management Plan (the “2014 Draft Plan”), which was drafted but never formally approved, and create a 5-year action plan that is developed from the Plan update. The statutes governing Maryland’s system of heritage areas are at Title 13, Subtitle 11, Financial Institutions Article, Code of Maryland, and the heritage areas regulations, as promulgated by the

Maryland Heritage Areas Authority (the “MHAA”) are at Title 14, Subtitle 29, Code of Maryland Regulations (“COMAR”).

B. Issuing Office.

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13 Canal Street, Suite 301
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Office: (301) 724-3655
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Email: Deidra.ritchie@maryland.gov
Attention: Deidra Ritchie, Executive Director CPPDA

C. Pre-proposal Questions.

For additional information, prospective offerors may contact Deidra Ritchie, Executive Director CPPDA, Western Maryland Railway Station, 13 Canal Street, Suite 301, Cumberland, Maryland 21502, Office: (301) 724-3655, Fax: (301) 724-3659, Email: deidra.ritchie@maryland.gov

D. Addendum and Amendment to RFP.

If it becomes necessary to revise or amend any part of this RFP, the CPPDA Executive Director will provide a notice of revision to all prospective offerors who are registered with the CPPDA as having received this RFP. Those prospective offerors who have not received this RFP directly from the CPPDA should register as a recipient by contacting Deidra Ritchie, Executive Director, as listed above. RECEIPT OF AMENDMENTS MUST BE ACKNOWLEDGED IN WRITING BY PROSPECTIVE OFFERORS.

E. Closing Date.

An offeror’s proposal must be received by the CPPDA Executive Director at the Issuing Office no later than 12:00 p.m., NOON, local time, on **May 11, 2022** (the “closing date”). The proposal shall be submitted by electronic mail in PDF format to deidra.ritchie@maryland.gov. Proposals, modifications to proposals, or withdrawals of proposals arriving after the closing date will not be considered.

F. Duration of Proposal.

Following the closing date, an offeror may not revoke or modify the offeror’s proposal or price quote for a period of ninety (90) days thereafter, unless as may be mutually agreed to by the offeror and CPPDA during discussions on the proposal.

G. Incurred Expenses.

The CPPDA is not responsible for, and will not pay for, any expenses incurred by an offeror in preparing or submitting a proposal in response to this RFP.

H. Discussions and Oral Presentation.

The CPPDA and a committee of stakeholders (the “Stakeholder Committee”) anticipates that, following the closing date, it will engage in discussions with offerors who submit a proposal that the CPPDA determines is reasonably susceptible of being selected (a “qualified offeror”). As part of these discussions, a qualified offeror may be required to make oral presentations to or be interviewed by the CPPDA to further discuss or clarify the offeror’s proposal. Following discussions, the CPPDA may require qualified offeror to submit one or more series of best and final offers to remain in consideration for selection.

I. Negotiations.

The CPPDA may, at its sole and absolute discretion, negotiate directly with any one or more qualified offeror. That the CPPDA may enter into direct negotiations with a qualified offeror does not entitle any other qualified offeror to a right to engage in similar negotiations.

J. Rejection of Proposals.

The CPPDA may, at its sole and absolute discretion, reject any proposal that the CPPDA determines deviates from the requirements of this RFP. An offeror whose proposals is rejected will be notified in writing.

K. Cancellation of the RFP.

This RFP may be cancelled by the CPPDA for any reason either before or after the closing date, regardless of whether the CPPDA has engaged in any discussions or negotiations with one or more qualified offerors. Issuance of this RFP does not guarantee that an offeror will be selected or that a contract will be awarded.

L. Public Information Act Notice.

An offeror should identify in writing for the CPPDA those portions of the offeror’s proposals that the offeror deems to be confidential, proprietary information, or trade secrets, and to include justification for why such portions of the proposal should not be disclosed, upon request, by CPPDA under the Public Information Act, Title 4, General Provisions Article of the Annotated Code of Maryland.

M. Conflicts of Interest.

An offeror shall consider and resolve any potential conflicts of interest which presently exists or which may arise if the offeror were to be awarded the contract for this procurement.

N. Arrearages.

By submitting a response to this solicitation, an offeror shall be deemed to represent that it is not in arrears in the payment of any obligation due and owing the State of Maryland, 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.

SECTION II. SCOPE OF WORK FOR THE PASSAGES OF THE WESTERN POTOMAC HERITAGE AREA MANAGEMENT PLAN UPDATE AND PROPOSED BOUNDARY EXPANSION

Scope of Work

Task 1: Project Planning, Research and Data Collection: The Consultant will work with CPPDA staff and an advisory/steering committee to oversee the development of the project consistent with MHAA requirements for certified heritage areas as specified in Title 14, Subtitle 29, Chapter 2 of COMAR. This will include:

- (1) A review of the proposed heritage area boundaries included in the 2014 Draft Plan (see Appendix A) and the existing boundaries of the certified heritage area (see Appendix B), and identification of additional land areas within Allegany County that have historical, cultural, or natural resource of significance not previously identified in the 2014 Draft Plan (i.e., public lands, areas around and including Allegany College, trails, etc.).
- (2) Recommendations for:
 - A. Expanding the boundaries of the certified heritage area utilizing predetermined focus areas provided to the Consultant;
 - B. Land uses to be incorporated into the local plans of the jurisdictions located within the existing and proposed expanded certified heritage area boundaries;
 - C. Areas within the existing and proposed expanded certified heritage area for types and intensity of land uses, including zoning designations for areas most appropriately devoted to private uses, public uses, and development by the State or local jurisdictions; and
 - D. Areas of heritage area expansion that will produce the most immediate visible preservation and economic development impacts that enhance the quality of the heritage area and visitor experience;
- (3) An inventory and evaluation of properties located within the proposed areas of expansion that are: (i) designated either locally or on the National Register as historic property; (ii) eligible for designation as historic property; or (iii) not eligible for designation but may qualify as “certified historic structure” under the Heritage Structure Rehabilitation Tax Credit Program because the property contributes to the significance of the heritage area (see COMAR 34.04.07.02B.(5)(iv))¹;

¹ The inventory and evaluation conducted pursuant to this task shall:

- (4) An architectural resource inventory within the proposed areas of expansion that contains narratives as to the overall significance of the sites, structures, districts, etc. inventoried, how each resource may or may not link with the themes of the heritage area, approximate date of construction of each resource, potential impacts to cultural resources, and mitigations to resolve those impacts;
- (5) Establishing five-year goals and objectives for the Plan utilizing the MHAA Format (see Appendix G);
- (6) Identifying the types of public and private uses to be encouraged within the existing and proposed expanded certified heritage area, consistent with currently established zoning regulations;
- (7) Identifying properties, if any, to be acquired, in whole or in part, for the benefit of the certified heritage area, by the CPPDA, local jurisdictions, or other entities authorized by the local jurisdictions;
- (8) A description of potential educational, interpretive, and recreational programs and projects to be undertaken within the certified heritage area, including the proposed expanded boundaries;
- (9) Developing a plan of action to further redevelopment efforts of the certified heritage area, both existing and proposed, which should: (a) include an analysis of how to overcome existing obstacles to further growth and fulfill the area's vision for the heritage area; (b) identify specific niche businesses/industries for the heritage area's commercial districts; and (c) identify potential funding sources and/or revenue sources to implement the plan of action;

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- for all structures identified for which a Maryland Inventory of Historic Places (MIHP) form is not available or complete, indicate whether the structure is contributing and non-contributing to an historic district;
 - include a survey map with definitive boundaries identifying all contributing and non-contributing structures, with the survey area including the existing heritage area boundaries plus all areas within the proposed expanded boundaries.
 - identify other non-historic, non-contributing structures that may contribute to the significance of the heritage area that exist within the study area, particularly those that are located within areas that could play important roles in the implementation of the Plan goals, and include a narrative description of the physical aspects and contextual history of the area;
 - be completed in consultation with the City of Cumberland's Historic Planner/Preservation Coordinator and Maryland Historical Trust staff in order to verify data and gain awareness of existing documentation that might be relevant to the research; and
 - be performed by, or under the supervision of, a qualified architectural historian in accordance with the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, the Standards and Guidelines for Architectural and Historical Investigations in Maryland, National Register Bulletin 16A, and the Maryland Supplement to Bulletin 16A (copies of which can be made available, if requested).

- (10) Recommendations for encouraging and accommodating visitation to, and compatible economic development of, the certified heritage area, both as existing and as proposed;
- (11) An economic assessment of the long-term and short-term costs and benefits related to the implementation of the Plan, including an identification of expected sources of funding (for reference, consider the existing economic impact study conducted by Parker Phillips for the PWPFA and all thirteen of Maryland certified heritage areas (Appendix H).
- (12) An evaluation of the benefits that flow from the preservation and protection of the natural and cultural resources located within the certified heritage area, including:
 - A. identifying existing or proposed local legislation for the designation and protection of historic properties or natural areas to assure that future local actions and development will be consistent with the goals and objectives for the certified heritage area; and
 - B. if the Plan proposes the enactment of one or more ordinances to provide for one or more new historic preservation commissions for specific sites, structures, or districts within the certified heritage area, drafts of ordinance provisions that: (i) are consistent with Title 8, Land Use Article, Code of Maryland; (ii) provide for membership on the historic preservation commission in accordance with the minimum professional requirements of the United States Department of the Interior for certifying local governments under 36 CFR 61; and (iii) provide that the historic preservation commission must review and approve the design of all projects that the local jurisdiction conducts, assists, licenses, or permits that affect properties within the proposed certified heritage area designated as historic by the local jurisdiction;
- (13) Specific baseline performance data for the certified heritage area, based upon guidance outlined in the performance metrics created by Parker Phillips (See Appendix I);
- (14) Incorporation of the following heritage area projects within the Plan:
 - A. The River Park at Canal Place (see Appendix J);
 - B. Re-Watering of the C&O Canal within Cumberland (see Appendix K);
 - C. Appalachian Forest National Heritage Area (see Appendix L); and
 - D. Finalizing the original Canal Place masterplan (with parking acquisition) (see Appendix M); and

- (15) Recommendations for any changes to the existing local heritage area authority and/or staffing structure that may be warranted as a result of the proposed revisions to the heritage area boundaries.

Task 2: Project Meetings: The Stakeholder Committee, led by the CPPDA, will work with the Consultant throughout the project period. The Consultant should plan to meet with the Committee no less than once per month throughout the term of the contract, including a kick-off meeting. These meetings may be held virtually.

Task 3: Draft Plan: By not later than six (6) months after the Notice to Proceed is issued, submit in digital format to the CPPDA a Draft Plan.

Task 4: Public Input: By no later than one (1) month following submission of the Draft Plan, the Consultant will prepare for and conduct a workshop/presentation to receive public comment and input on the Draft Plan. The workshop should include poster size graphics and power point presentations and be conducted in conjunction with the MHAA at a date to be determined by the CPPDA, MHAA, and the Consultant. Prior to the workshop, inform the CPPDA for its approval any costs the Consultant will incur to provide for the public at the workshop paper copies of the Draft Report.

Task 5: Final Plan: By no later than one (1) month following the completion of Task 4, incorporate as may be necessary and appropriate into the Draft Plan any public comment and input and any input received from the CPPDA on the Draft Plan, and submit to the CPPDA in electronic format a Final Plan for its consideration.

SECTION III. CONTRACT INFORMATION AND CONTRACT TERMS

A. Parties to the Contract. Any contract entered into as a result of this RFP will be by and between the successful offeror as contractor and the CPPDA.

B. Scope of Work and Contract Terms. It is anticipated that work to be performed and the services to be provided by the successful offeror will include the tasks and requirements described in Part II of this RFP. In addition to other terms as may be required by the CPPDA and agreed to by the selected offeror, the contract will include the following provisions:

1. **Incorporation of RFP/Proposal.** This RFP and the successful offeror's proposal, as either may be revised by agreement between the CPPDA and the successful offeror, will be attached to, incorporated into, and substantively a part of the contract.
2. **Fixed Contract Price.** The contract will include a fixed price for completion by the successful offeror of all contract requirements, which will be negotiated by and between the CPPDA and the successful offeror prior to finalization of the contract. The contract will provide for installment payments to be computed on

the basis of the amount of work completed as established by the project reports, work products, and documentation submitted by the successful offeror.

3. Project Commencement; Deadlines; Project Completion. The contract will include a commencement date, project deadlines, and a project completion date, each of which will be negotiated by and between the CPPDA and the successful offeror prior to finalization of the contract. Time will be of the essence in the commencement, execution, and completion of the contract.
4. General Contract Provisions. The CPPDA's "General Contract Provisions," dated June 2015, attached hereto at Appendix C, will be incorporated by reference and binding upon the contract. If any other provision of the contract conflicts with any provision of the General Contract Provisions, the provision of the contract will control.
5. Assignment. The successful offeror will be prohibited from assigning, transferring, conveying, subletting or otherwise disposing of the contract or any rights created thereunder to any person, company or corporation without the prior written consent of CPPDA which may be withheld at CPPDA's sole discretion.
6. Indemnification. The successful offeror will agree to indemnify and hold harmless the CPPDA and the State of Maryland from all liability which may hereafter be incurred by reason of dissemination, publication, distribution, or circulation in any manner whatsoever of any information, data or records pertaining in any way to the contract by the successful offeror and its employees.
7. Accounting Records. The successful offeror will be required to maintain its books, records and other evidence pertaining to expenditures incurred, pursuant to the contract, in accordance with generally accepted accounting principles. These records shall be available to the CPPDA and any authorized representatives acting on behalf of the CPPDA and the State at all reasonable times during the contract period and for three (3) years thereafter.
8. Non-discrimination. The offeror agrees to comply with all Federal and State laws, and rules and regulations involving non-discrimination on the basis of race, color, creed, national origin, religious or political affiliation or opinion, marital status, age, sex, or physical or mental handicap.
9. Governing Law. The contract will be governed by the laws of the State of Maryland.
10. Work Products. All work products prepared under the terms of the contract will be the property of the CPPDA, and shall be delivered to the CPPDA at the end of the contract in a useable form.

C. Acceptance of Terms and Conditions. By submitting a proposal in response to this RFP, the offeror thereby accepts the terms and conditions set forth herein.

SECTION IV. SUBMISSION REQUIREMENTS; EVALUATION AND SELECTION CRITERIA

A. Proposal Submission Requirements. An offeror's proposal must include, at a minimum, the following:

1. Price Proposal. The offeror's fixed contract price for completion of the project, broken down by the tasks identified in the scope of work. The price should be recorded on the Price Proposal, Appendix D.
2. Key Personnel. A list of the principal staff members, consultants, or subcontractors that the offer will assign to or employ for the project. For each person or entity identified, the offeror should include a description of the individual's or entity's role in the project, an estimate of the time the individual or entity will allocate to the project, and a copy of the individual's or entity's professional resume, curriculum vitae, or equivalent.
3. Project Manager. Identification of the offeror's project manager, who must be made available to the CPPDA for interview prior to selection.
4. Timeline. A timeline for the completion of the project by task.
5. Experience. A detailed description of the offeror's experience working on similar projects, to include descriptions of each staff member's experience on such projects or similar projects.
6. Methodology and Approach. A description of the offeror's methodology and proposed approach to the project, which shall include, at a minimum, a proposed work plan, budget, and time frame for completion. This should be developed with specific references to the tasks identified in Section II, Scope of Work.
7. Workload. An explanation as to the offeror's ability to integrate this project into the offeror's other workload requirements.
8. References. A list of references for similar projects, with name and contact information.
9. Additional Requirements:
 - a. Verification of any required professional licenses and registrations.
 - b. Bid/Proposal Affidavit, Appendix E.

c. Contract Affidavit, Appendix F.

B. Evaluation and Selection. In its evaluation and selection, the CPPDA will use procedures for competitive sealed proposals established in COMAR 14.28.08.08. All proposals received by the closing date will be reviewed and evaluated by the CPPDA. Prior to selection, the CPPDA may enter into discussions with and conduct interviews of offerors.

An award of a contract by the CPPDA resulting from this RFP, if any, will be made to the responsible and qualified offeror whose proposal is most advantageous to the CPPDA, as determined by the CPPDA. Evaluation factors will include, in order of significance, the offeror's: (1) demonstrated qualification, experience, and success with similar projects; (2) completeness of the proposal and the extent to which it sufficiently addresses all tasks set forth in this RFP; (3) price quote; (4) demonstrated ability of the offeror's personnel; and (5) demonstrated ability to complete the project under the timeline set forth in this RFP.

SECTION V. APPENDIX

Appendix A – 2014 Heritage Area Proposed Management Plan Update

Appendix B – Existing Boundary Maps for Heritage Area

Appendix C – CPPDA General Contract Provisions, June 2015

Appendix D – Price Proposal

Appendix E – Bid/Proposal Affidavit

Appendix F – Contract Affidavit

Appendix G – Five-year Plan Template

Appendix H – Parker Phillips Economic Impact Study

Appendix I – Parker Phillips Performance Matrix

Appendix J – The River Park at Canal Place

Appendix K – Re-Watering of the C&O Canal within Cumberland

Appendix L – Appalachian Forest National Heritage Area (AFNHA)

Appendix M – Original Canal Place Masterplan