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## **Safe Streets and Roads for All: Berkshire County Comprehensive Safety Action Plan**

### **Request for Proposals RFP# 733.00.SS4A**

#### **1. Introduction and Background**

##### [Purpose and Request for Proposals](#)

The Berkshire Regional Planning Commission (BRPC) is issuing this Request for Proposals (RFP) to invite qualified contractors to provide professional consultation services. The successful Consultant will assist in the preparation of a Comprehensive Safety Action Plan funded by a Safe Streets and Roads for All (SS4A) grant awarded to BRPC by the Federal Highway Administration (FHWA).

##### [About BRPC](#)

The Berkshire Regional Planning Commission (BRPC) serves the 32 municipalities of Berkshire County for a variety of planning and administrative services, including community planning, public health planning and nursing, environmental planning, transportation planning, group purchasing, and GIS data and services. Berkshire County is the westernmost community in Massachusetts, with Vermont bordering to the north, New York bordering to the west, and Connecticut bordering to the south. It is a predominantly rural community of 129,000 people, with two principal cities: Pittsfield (pop. 43,000) and North Adams (pop. 12,000). Transportation Planning Program staff serve as the Regional Planning Agency (RPA) for the Berkshire Metropolitan Planning Organization (MPO). The professional staff of BRPC serve the MPO to foster continuous, comprehensive, and cooperative (3C) transportation planning and investments in the region.

##### [Safe Streets and Roads for All Grant Funding](#)

Pursuant to the 3C goals, BRPC has applied for and been awarded a Safe Streets and Roads for All (SS4A) Action Plan grant of \$198,593 from the Federal Highway Administration (FHWA). The SS4A program is funded under the Infrastructure Investment and Jobs Act (IIJA), otherwise known as the Bipartisan Infrastructure Law (BIL). This grant is an 80/20 split, with 80% of the financing provided by the FHWA, with 20% contributed via local match. The Massachusetts Department of Transportation (MassDOT) has agreed to provide the 20% matching financing of \$49,648. The total grant award is therefore \$248,241.

##### [Goals of the Comprehensive Safety Action Plan](#)

The first phase of the SS4A program is The Comprehensive Safety Action Plan ("Action Plan"). BRPC will be developing the Action Plan to later pursue the second phase of SS4A, which is project implementation. In order to receive SS4A funding for an Implementation project, an approved Action Plan must be developed. The goals of the SS4A program reflect the [National Roadway Safety Strategy](#) (NRSS), first published by the United States Department of Transportation (USDOT) in January 2022. With the ultimate goal of

**reducing fatalities and serious injuries on roadways down to zero**, the NRSS, and therefore the Action Plan, are pursuing the following programs:

- Safer People
- Safer Roadways
- Safer Speeds
- Safer Vehicles
- Post-crash Care

The Action Plan will use **utilize crash data, network screening, qualitative and quantitative feedback, and research of best practices and innovations** to recommend safety countermeasures on Berkshire County roads that conform to one or more of the above-listed programs. Projects will also pursue the "**Big E's**" of **transportation planning**: Engineering, Education, Enforcement and Equity. Finally, the Action Plan will provide opportunities for public engagement and input, especially for communities which have been historically disadvantaged and are pursuing Environmental Justice.

#### Professional Services Funding Available

BRPC will retain a primary Consultant to assist in the development of the Action Plan. Tasks pursuant to the final work products will either be primarily led by BRPC or the successful Consultant as described in **Section 3**, Scope of Services. Many tasks will be shared between the two parties as described. Of the total grant award of \$248,241, up to \$166,500 will be apportioned for professional services and direct expenses. Before contracts are awarded, the successful Consultant will enter into contract negotiations with BRPC for an award, Scope of Services, and agreement that is reasonable for all parties, conforms with 2 CFR 200 and M.G.L. Chapter 30B, and **Section 5** of this RFP, Additional Contract Terms and Conditions.

We invite qualified Consultants to submit proposals that align with the below tasks, responsibilities, and deliverables in **Section 3**, Scope of Services, and conforms with **Section 2**, RFP Instructions. Identify Subconsultants, if any, that will assist the primary Consultant in completing the contract deliverables will be identified in the Scope of Services and budgeted into the Consultant's Fee Proposal.

## **2. RFP Instructions**

#### Obtaining a Copy of the RFP

Copies of this RFP are available upon request from Administrative Assistant Kate Hill Tapia ([info@berkshireplanning.org](mailto:info@berkshireplanning.org)). The RFP is also available on the BRPC website <https://berkshireplanning.org/initiatives/ss4a/> and COMMBUYS.

#### RFP Updates, Questions and Answers

Questions and clarifications that arise during the submission period for this RFP will be addressed both directly to the inquirer and publicly on the BRPC project website <https://berkshireplanning.org/initiatives/ss4a/>. Any important updates and Amendments to this RFP will also be disseminated via the project website and directly to any parties who had contacted BRPC via email with questions prior to the release of the Amendment in question. It is the responsibility of every potential respondent to this RFP to check the BRPC project website for any updates, Amendments or responses to questions.

#### Communications regarding the RFP

All questions or requests for clarification concerning the RFP shall be submitted in writing via email to [info@berkshireplanning.org](mailto:info@berkshireplanning.org) by **5:00 pm EST on October 20, 2023**, and must

identify "SS4A RFP Question" in the subject line. No questions or requests for clarification will be accepted by telephone. Questions and BRPC responses will be distributed to all prospective respondents and available on the BRPC website by **October 27, 2023**.

All questions about this RFP shall be directed only to Kate Hill Tapia ([info@berkshireplanning.org](mailto:info@berkshireplanning.org)) as BRPC's authorized point of contact. No other person has the authority to respond to questions about this RFP. Communication about the RFP with any person other than the authorized BRPC contact is prohibited, except for technical difficulties encountered during proposal submission as described in **Section 2**. Failure to adhere to this requirement will result in rejection of the proposal.

#### Errors, Omissions, and Corrections

Respondents shall promptly notify BRPC in writing of any ambiguity, inconsistency, or error which they may discover upon examination of this RFP.

Respondents requiring clarification or interpretation of the RFP documents shall make a request via email to BRPC's authorized point of contact which shall reach BRPC no later than ten (10) days prior to the date for receipt of proposals.

Any interpretation, correction, or change of the RFP documents will be made by written amendment by BRPC. Interpretations, corrections, or changes of the solicitation documents made in any other manner will not be binding and Respondent shall not rely upon such interpretations, corrections, or changes.

Protests based upon any omissions or errors or on the content of the solicitation will be disallowed if not made known to BRPC in writing or via email less than ten (10) days prior to the proposal due date.

#### Cost of Proposals

There shall be no obligation for BRPC to compensate Consultants or Subconsultants for any costs associated with responding to this RFP or with any other process related to this RFP. All costs associated with a Consultant or Subconsultant response to this RFP shall be borne by the Consultant or Subconsultant.

#### Proposal Content and Format

Proposals should provide a straightforward, complete, and concise description of the Consultant and Subconsultant capabilities to satisfy the requirements of the RFP. Proposals must state the assumptions underlying a proposed approach or cost. BRPC expects that all items or services required to complete the project will be included in the proposal or specifically noted as additional if they are not. The proposal may identify additional optional items or tasks and their cost that are relevant to the project but are outside of the project Scope of Services. These options may be exercised at BRPC's discretion. It is the Consultant and Subconsultant responsibility to ensure that the proposal includes all design processes, requirements, and deliverables necessary to perform the project Scope of Services.

Proposals must include but need not be limited to:

#### Title Page and Table of Contents (1 page each)

A title page that identifies the RFP for which the proposal is being submitted, states the Consultant's name, and identifies the name, title/authority, address, telephone and fax numbers and email address of one contact person for the proposal and for any clarification communications or negotiations.

A table of contents that identifies each numbered section of the proposal according to the proposal format set forth herein.

Transmittal Letter (up to 2 pages)

A transmittal letter, which shall be considered an integral part of the proposal, shall be signed by the individual or individuals authorized to bind the Consultant's firm contractually. An unsigned proposal may be rejected. The letter shall include the following:

- Transmittal letter must indicate the signer is so authorized to sign the proposal and any subsequently awarded contract and must include the title or position the signer holds in the Consultant's firm.
- If the signer is not the contact person identified on the title page, also include the address and telephone number of the authorized signatory.
- A statement confirming that Consultant, and any Subconsultant firms, have no interest which would conflict with its performance of services as described in this RFP and Respondent represents, to the best of its knowledge, that no employee or officer affiliated with BRPC has a financial interest in the Consultant or any Subconsultant.
- A statement confirming that the Consultant, and any Subconsultant firms, (i) has not been convicted of a criminal offense; (ii) it is not currently listed by a federal agency as debarred or otherwise ineligible for participation in federally funded programs; and (iii) it is not currently listed by the Commonwealth of Massachusetts, any political subdivision of Commonwealth of Massachusetts or any public benefit corporation or public authority as debarred, excluded or otherwise ineligible to contract with such public entity.
- A statement confirming that the Consultant, and any Subconsultant firms have not divulged to, discussed, or compared its response with other contractors and has not colluded with any other respondent, with the exception of qualified Subconsultant firms, or parties to the response.

Background and Experience (up to 5 pages)

- Background of Consultant and any Subconsultant
- Experience providing transportation planning services
- Representative Projects – List a minimum of three (3) projects completed by your firm that best represents a similar scope, budget, program, and level of complexity. For each project, please include:
  - Project name, location, and client name
  - Client's total initial budget and final total project cost
  - Total number and cost of change orders
  - Scheduled project completion date and final completion date
  - Budget & Change Order Percentage
- Statement regarding what sets the Consultant and any Subconsultant apart from others?

Staffing Proposal (up to 3 pages)

A staffing proposal that includes a list of staff who will participate in the project, showing the role of each and their level of effort and qualifications. Identify the addresses/locations from which this project will be managed. Provide information on your current workload and how you would accommodate this project. Please indicate if Consultant or any Subconsultants, are certified, or are in the process of becoming certified, through the Massachusetts Supplier Diversity Office as diverse businesses and/or federally certified as women-owned or minority-owned business.

Statement of Approach (up to 5 pages)

- A written description of the Consultant's understanding of, and methodology or approach to, the **Scope of Services** described in **Section 3** of this RFP. Elaborate, as appropriate, on these tasks.
- A proposed schedule for completing the Scope of Services that is itemized by task and includes a timeline of significant milestones. The schedule should outline the sequencing, overlapping, and interdependence of the individual tasks. The schedule should reflect the period of performance stated in **Section 3** of this RFR and should include the methods you would use to maintain this schedule.
- Identify any significant issues, hardships or challenges related to this project you anticipate based on your experience with similar projects.
- Describe your approach to client relationships and communication.

Fee Proposal (up to 4 pages)

The fee proposal must include, in as much detail as possible, the components of compensation of allowable and allocable costs in connection with provision of services under this RFP with subtotals by task and phase of work:

- Estimated number of hours for each member of the Consultant's team and each Subconsultant, if any, by task, phase, and hourly rate.
- A list of anticipated potential contingencies and reimbursable expenses, subtotaled for each phase of the project.
- Description of any optional tasks or items not included in the Fee Proposal that are additional costs that may be exercised at BRPC's discretion.

**Please note: The package may not exceed 26 total pages (excluding attachments)**

Proposal Submission

Proposals must be mailed and submitted to:

Berkshire Regional Planning Commission  
1 Fenn Street Suite 201  
Pittsfield, MA 01201

and are due by **Monday, November 13th at 5:00 PM.** Proposals will then be opened and scored. Proposals submitted must be *sealed* and *clearly marked* 'BRPC SS4A'. Late submissions will not be accepted.

One (1) hard copy file and one (1) digital copy in read-only PDF format on CD or flash drive shall be included in the submission package.

Proposals received after 5:00 PM on November 13 will be rejected.

Reservation of Rights

BRPC reserves the right to take any, some, or all of the following actions, at BRPC's sole discretion:

- Conduct interviews and/or to request that Respondents make presentations
- Contact Respondent-provided references and additional references as necessary
- Seek clarifications and revisions of proposals

- Reject any and all proposals determined to be nonresponsive, incomplete, or containing non-allowable costs
- Reject any and all proposals where the quality of the services, supplies, materials, equipment, or labor offered does not conform to RFP requirements or if the public interest would be served by such a rejection
- Reject any and all proposals that include parties debarred, suspended, or otherwise excluded from procurement
- Prior to the opening of proposals, amend the RFP specifications to correct errors or oversights, or to supply additional information about the services sought as such information becomes available
- Withdraw the RFP at any time, at BRPC's discretion
- Make an award under the RFP in whole or in part

### 3. Scope of Services

#### [Overall Scope of Services](#)

The contract period of performance is estimated to begin **December 1, 2023**, and terminate **November 31, 2024**. Planned completion date for the Draft Comprehensive Safety Action Plan is August 1, 2024, and for the Final Action Plan is September 30, 2024.

The final work product will be a **Berkshire County Comprehensive Safety Action Plan**. This plan will encompass both a physical document and a digital resource that provides the locations of recommended **Implementation projects** along with their intended program(s) to pursue (i.e. Safer People, Safer Speeds, etc.), which transportation planning approach(es) they will utilize (i.e. Engineering, Education, Enforcement, Equity), planning-level budgets and timelines, and types of work to be performed (i.e. highway, bicycle-pedestrian, transit, etc.). Along with capital infrastructure recommendations, the Action Plan will also make recommendations for **Policy and Process changes** that will reduce fatalities and serious injuries. These could include, but are not limited to, enforcement practices and resources, data collection tools and procedures, first responder procedures, EMS treatment practices, and crash scene protection and clearance, and potential *budgeting strategies to support these initiatives*. The Action Plan will also document the Plan's development background and context, including all data collected, methods of analysis, public participation, and equity considerations.

The Consultant will be expected to perform work in-person, hybrid, and remotely based on the needs of BRPC and local stakeholders for specific tasks.

#### [Task 1: Leadership Commitment and Goal Setting \(BRPC lead\)](#)

The development of the Action Plan will involve an ongoing dialogue between BRPC and its partners, and the stakeholders and constituencies of Berkshire County. This will be accomplished, in part, by an **Action Plan Advisory Committee (APAC)**. The APAC consists of stakeholders from the Berkshire MPO, MassDOT, FHWA, and regional Fire and Rescue services. The APAC will convene first to draft and commit to a statement of the goal of zero fatalities and serious injuries on Berkshire County Roads in an achievable timeframe. The APAC will then meet monthly for check-ins, guidance, advice and consent, and offering local perspectives on the other work tasks. The APAC will help ensure progress,

transparency, accountability, and equity during the Action Plan development.

**BRPC Role:**

BRPC staff will primarily lead engagement and outreach with the community. Engagement will take the following forms:

- Development of graphic materials such as flyers, logos, online posts, and mailers
- Convening of APAC membership and participation in meetings
- Host monthly progress meetings with Consultant
- Administrative costs of outreach, translation and interpretation, as needed

**Consultant Role:**

The Consultant will be expected to attend monthly check-in meetings with BRPC staff, three (3) in-person APAC meetings and no fewer than six (6) virtual APAC meetings. The Consultant will prepare any relevant presentation or distribution materials related to the agenda of the meeting, as needed, following reasonable advance notice, as well as assist in facilitation when necessary.

[Task 2: RFP Administration and Plan Initiation \(BRPC lead\)](#)

BRPC is preparing the overall structure of the Action Plan development process, including preparation of Requests for Proposals, researching of data and automation tools, invitation and outreach to potential APAC membership, a project and milestone timeline, and branding and identity material. Completing these milestones in a pre-planning phase will foster more successful and productive relationships between BRPC, the Consultant, and the APAC.

[Task 3: Equity Analysis \(BRPC lead with Consultant support\)](#)

As part of the safety and policy analysis for the Action Plan, **areas of Persistent Poverty, Historic Disadvantage, and Environmental Justice** will be engaged specifically to understand how countermeasures and interventions can be equitably addressed. This process will also involve the research and establishment of data-oriented **equity indicators** to establish a baseline and target for this work. The SS4A grant program is covered by the federal Justice40 Initiative to address decades of underinvestment in disadvantaged communities.

**BRPC Role:**

Identification of areas of Berkshire County that meet a threshold for an Area of Persistent Poverty, Historically Disadvantaged Area, and/or Regional Environmental Justice Plus (REJ+)\* will be identified and highlighted by BRPC staff. Avenues for outreach to communities with limited English proficiency will also be researched and pursued.

**Consultant Role:**

The Consultant will assist BRPC in equity analysis efforts by helping to establish equity baselines and/or indicators that will assist in the development of the Action Plan report and recommendations. The Consultant will assist in development of no less than four (4) data-oriented equity indicators through sharing of their experiences and body of knowledge gained through prior project outreach work, professional development and continuing education, and/or other research.

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\* REJ+ is an extended definition of communities that face disadvantages from a transportation focus, based on statewide analysis from MassDOT. More information can be found in the Attachment at the end of this document.

#### Task 4: Safety Analysis (Consultant lead, BRPC support)

The region of Berkshire County will be studied for an analysis of potential safety improvements aimed at **reducing fatalities and serious injuries down to zero**. Data will be collected and consolidated from a diverse range of sources including, but not limited to, the following:

- MassDOT IMPACT crash data query tool
- Highway Safety Improvement Program (HSIP) Crash Clusters
- Strategic Highway Safety Plan (SHSP) emphasis areas corridor screening
- Software as a Service (SaaS) tools to collect and automate safety data

These data will be consolidated into a **countywide High-Injury Risk Network** that will highlight the **top contributing factors** of fatal and serious injury crashes, such as actions of those involved in the crash, roadway geometry and conditions, ambient conditions, and vehicle and driver characteristics. The High-Injury Risk Network will essentially serve as the "Existing Conditions" for the Action Plan to address. It will **combine quantitative and qualitative data** to form a **map and listing of top-risk locations** for fatalities and serious injuries in Berkshire County.

At a minimum, the High-Injury Risk Network will map and/or list the following in a web-based, interactive, format:

- A. All fatalities recorded on Berkshire County roads since the year 2015 by mode of transportation.
- B. All verified serious injuries recorded on Berkshire County roads since the year 2015 by mode of transportation.
- C. All existing Crash Clusters as listed by the Highway Safety Improvement Program (HSIP) for the most recent analysis period.
- D. Top three (3) risk factors from the listing within the State Strategic Highway Safety Plan (SHSP), for the roads in both the urbanized areas and non-urbanized areas in Berkshire County.
- E. Isochrone (travel-time) mapping of travel times to the nearest Trauma Centers and from all EMS dispatch locations covering all accepted roads in Berkshire County with a posted speed limit at or above 30mph, in travel time intervals of 10 minutes.
- F. Informational data layers including the following in Berkshire County:
  - a. Signalized intersections
  - b. Crosswalks with signal control or flashing beacons, and uncontrolled "double threat" crosswalks<sup>†</sup>
  - c. Bicycle/Pedestrian infrastructure (bike lanes, multi-use paths, sidewalks)
  - d. Highway interchanges
  - e. Schools, higher-education, and child-care facilities
  - f. Senior centers and other elder-care facilities
  - g. Bus routes and stop locations
  - h. 2010 Urbanized Areas

#### BRPC Role:

BRPC staff will assist in gathering and transmitting data for the safety analysis, including use of Geographic Information Systems (GIS) and other "in-house" data. We will also collaborate with the Consultant on screening methodologies and location selections where

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<sup>†</sup> "Double threat" crosswalks refer to a pedestrian crossing that spans two or more travel lanes in a single direction. This could include a four-lane highway or a road with one lane in one direction and two lanes in the other direction.



appropriate.

#### Consultant Role:

The Consultant will be the primary party responsible for processing the crash data to interpret trends, identify High-Injury Risk Networks, and create the countywide database of safety deficiencies and high-risk areas: including corridors, intersections, or clusters comprising either.

The Consultant is highly encouraged to utilize third party SaaS tools to aid in the development of a full High-Injury Risk Network. These services typically utilize aggregated data, collected via user locations from cell phone or Connected Vehicle devices, or from cameras and detectors installed as a part of the service. They will then utilize some form of machine learning, algorithms, or artificial intelligence to identify discrete trends in road user behavior (such as speeding, near misses, red-light running, etc.). These services may prove especially useful for better understanding the needs of vulnerable road users (VRUs). The Consultant is encouraged to research potential procurement of these services or leverage an existing agreement with a service provider to augment the publicly available crash data for the Action Plan development.

The Consultant will also provide a brief overview of the development of the High-Injury Risk Network to the regional Transportation Advisory Committee (TAC) and/or the Metropolitan Planning Organization (MPO) at one monthly meeting. This would be distinct from presenting to the APAC, but existing presentation materials and agendas may be re-used or adapted.

#### Task 5: Engagement and Collaboration (BRPC lead, consultant support)

Sharing progress on, and keeping the communities of Berkshire County engaged in, the Action Plan development will help to provide the highest-quality final products. Regular updates to a project website, opportunities for members of the public to share their experiences, and avenues for collecting qualitative analyses of experiences around Berkshire County will be major pillars of this task. **Collaboration with first response and EMS providers** will provide insights into how crashes are addressed, data are collected, and victims are treated. **Collaboration with state and local highway maintenance** will shed light on how roads are currently maintained and how they can be improved to enhance safety. Where most prudent, **feedback from the general public** will also provide insights into discrete high-risk locations to better understand user behavior.

#### BRPC Role:

BRPC staff will perform outreach and work to convene feedback opportunities and listening sessions from the first response and EMS community, state and local highway maintenance, and the public. These opportunities can include focus groups, 1:1 discussions, online surveys or polls, and/or public appearances with feedback opportunities for discrete locations.

#### Consultant Role:

The Consultant will provide insight into creating a consistent manner of gaining feedback from a plurality of individuals and entities. This will involve an iterative process of interviewing police and EMS professionals, highway forepersons and/or staff, members of the public, and other entities as deemed prudent. The Consultant will assist in developing consistent mechanisms for gathering this feedback and processing the results, such as survey forms, online polls, and marketing material. The Consultant will also assist by

implementing best practices for engagement and meaningful public input, as well as progress reporting, especially from a lens of equity, inclusivity, and transparency.

[Task 6 & 7: Policy and Process Changes & Strategy and Project Selections \(collectively “Action Plan Final Products”\) \(Consultant lead, BRPC support\)](#)

The final deliverables of the Action Plan development process will include recommended **Policy and Process Changes** as well as **Strategy and Project Selections**. As noted in the Introduction, the Action Plan must recommend any capital implementation projects in order for them to qualify for Implementation grant funding under the SS4A program. The Action Plan Final Products will include a report and online database **accessible to the public**, that will **recommend both internal process and public policy changes**, along with **capital infrastructure projects that will reduce fatalities and serious injuries** on Berkshire County roads. The Final Products will recommend Proven Safety Countermeasures based on FHWA research, as well as infrastructure upgrades that would bring conformity to accepted design standards such as the MUTCD, AASHTO, and NACTO where deficiencies are identified. Changes or innovations to policies and processes that **support the “Big E’s” of transportation planning** (Engineering, Enforcement, Education and Equity) will also be recommended in the Final Products. The final deliverables will be based on the Safety Analysis “existing conditions” that are addressed in **Task 4**.

BRPC Role:

These tasks will involve a close collaboration between BRPC and Consultant and Subconsultant staff. BRPC will work to provide periodic review and share drafts of materials with the APAC. GIS and other “in-house” data that is useful for providing figures for the Final Products will also be developed as needed.

Consultant Role:

The Consultant will be primarily responsible for drafting a final Comprehensive Safety Action Plan report and database. Development of these materials will be based on the Safety Analysis and Engagement and Collaboration Tasks 4 and 5 under this project. The final Action Plan and database should describe and visualize the following topics:

- i. Action Plan purpose and background
- ii. Outreach and public involvement timeline, actions, and results
- iii. Equity considerations including tests of proportion based on indicators developed in **Task 3**
- iv. Safety analysis of crash clusters, travel corridors, town centers, and other areas with an interactive map and data layers as described in **Task 4**
- v. Recommendations and planning cost estimates of potential implementation projects that address the High-Injury Risk Network developed in **Task 4**
- vi. Recommendations of programmatic changes to crash response, data collection, education, enforcement and equity

## 4. Proposal Evaluation

All proposals received by BRPC will be reviewed to determine whether they are complete and responsive or nonresponsive to the RFP requirements and whether costs are allowable. Proposals received that are responsive, complete, and on time will be evaluated against the following criteria:

A. Qualifications:

- Qualifications of the professional staff assigned to this project.
- Capability of the Consultant and any Subconsultants
- Demonstrated familiarity with, or ability to readily familiarize themselves with, the general geography and transportation network of Berkshire County from a multi-modal perspective.
- Demonstrated familiarity with the National Roadway Safety Strategy, "Vision Zero" planning goals, Proven Safety Countermeasures for roadway safety deficiencies as researched by the FHWA, Massachusetts' initiatives including the Strategic Highway Safety Plan (SHSP), as well as the general goals and principles of the Highway Safety Improvement Program (HSIP) and Road Safety Audits (RSAs), especially within a rural roadway/highway context.

B. Past experience:

- Previous experience of Consultant and any Subconsultants, professional staff assigned to this project, with similar projects.
- Past projects are aligned with the **Tasks** in this RFR Scope of Services.

C. Technical approach:

- Proposed approach meets BRPC's needs per this RFP's requirements and reflects effective use of personnel hours, logical order and timing of tasks to accommodate public and BRPC input, and overall and Action Plan period of performance.
- Each of the tasks listed in **Part 3 – Scope of Services** are addressed, as relevant.
- Proposed approach is presented in a clear and organized manner.

D. Stakeholder and Public Involvement:

- Proposed approach aligns with BRPC's Public Participation Plan, available at this link: [https://berkshireplanning.org/wp-content/uploads/2020/08/BRPC\\_2016\\_PPP\\_wAmend1.pdf](https://berkshireplanning.org/wp-content/uploads/2020/08/BRPC_2016_PPP_wAmend1.pdf)
- Demonstrated experience working with project advisory committees, environmental justice populations, and the general public.
- Ability to provide written and oral translation and interpretation in Spanish and, as needed, other languages.
- Competency in hosting, co-hosting, attending and facilitating virtual/hybrid meetings with interactive elements like polls or slideshows is strongly preferred.

E. Cost: Respondent's total price and cost per task, including hourly rates for each level of personnel.

F. Compliance with Public Policy: Project as proposed will comply with existing local, state, and/or federal regulations and policies, including but not limited to those in the following bulleted list. (scored as yes/no)

- 49 C.F.R. part 20: New Restrictions on Lobbying;
- 49 C.F.R. part 21: Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964;
- 49 C.F.R. part 27: Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance; and

Subpart B of 49 C.F.R. part 32: Governmentwide Requirements for Drug-free Workplace (Financial Assistance).

G. Opportunity: Consultants or Subconsultants designated as small businesses, minority-owned firms, and/or women’s business enterprises and Consultants taking affirmative steps described in 2 CFR § 200.321 to assure that they are used when possible. (scored as yes/no)

Proposals will be scored on their merits using the following weighted approach. The applicant’s response to each criterion (A to H) will be scored from 0 to 5 points, with each score representing the following:

**0 points:** The applicant was non-responsive to the criterion.

**1 point:** The applicant’s response mentions the criterion, but the response was unclear, incomplete, or off topic.

**2 points:** The applicant’s response merely states that the criterion will be adequately addressed.

**3 points:** The applicant adequately addressed the criterion, and their response fulfills the needs of the project at a basic level.

**4 points:** The applicant addresses the criterion in a detailed manner, and their response shows a thoughtful approach toward the project.

**5 points:** The applicant provides a thorough response to the criterion that addresses all details, states assumptions, demonstrates understanding of all tasks involved, and provides relevant examples of past accomplishments related to the criterion.

Criterion	Score (0-5)	Weight	Points	Max Points
A. Qualifications		x 3.0		15
B. Past Experience		x 2.0		10
C. Technical Approach		x 5.0		25
D. Stakeholder Outreach		x 3.0		15
E. Cost <sup>1</sup>	See formula below			25
F. Compliance with Public Policy				5
G. Opportunity				5
TOTAL				100

<sup>1</sup>The cost criterion score will be calculated using a proportional method for a maximum point value of 25:

$$\text{Lowest Submitted Price (from all proposals)} \div \text{This Proposal's Submitted Price} = \text{Proposal Percentage}$$

$$\text{Proposal Percentage} \times \text{Available Points (25)} = \text{Cost Points}$$

## **5. Terms and Conditions Applicable to Contracts issued pursuant to this RFR**

### Contract Overview

Any contract resulting from this RFP will incorporate provisions of this RFR and portions of the successful proposal to which BRPC agrees. The final contract will also include the applicable provisions of 2 CFR 200 and M.G.L. Chapter 30B and any applicable riders or other information deemed appropriate and necessary by BRPC. The properly executed contract shall supersede all proposals, whether written or oral, and all negotiations, conversations, and discussions occurring prior to execution of the contract. Final contracts executed pursuant to this RFP shall be subject to review and approval by management and/or legal counsel for BRPC.

In accordance with BRPC's SS4A grant agreement with the FHWA, the following provisions will be included in every contract agreement:

Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

Non-discrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. Part 21. See additional non-discrimination conditions below.

Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:

- a. withholding payments to the contractor under the contract until the contractor complies; and/or
- b. cancelling, terminating, or suspending a contract, in whole or in part.

#### Non-Discrimination

The Consultant and any Subconsultants agree to comply with all provisions of the following agency-wide non-discrimination policies:

Federal "Title VI/Nondiscrimination" Protections: The Berkshire Metropolitan Planning Organization (MPO) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, or national origin (including limited English proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, the Federal Transit Administration, or both prohibit discrimination on the basis of age, sex, and disability. These protected categories are contemplated within the Berkshire MPO's Title VI Programs consistent with federal interpretation and administration.

Additionally, the Berkshire MPO provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with US Department of Transportation policy and guidance on federal Executive Order 13166.

State Nondiscrimination Protections: The Berkshire MPO also complies with the Massachusetts Public Accommodation Law, M.G.L. c 272 §§ 92a, 98, 98a, prohibiting making any distinction, discrimination, or restriction in admission to or treatment in a place of public accommodation based on race, color, religious creed, national origin, sex, sexual orientation, disability, or ancestry. Likewise, the Berkshire MPO complies with the Governor's Executive Order 526, section 4 requiring all programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-era veterans), or background.

#### Conflict of Interest

It is unlawful for any Consultant or Sub-Consultant firm to offer, or any employee of BRPC or their immediate family to solicit or accept, any gratuity, favor, or anything of monetary value in connection with the solicitation, award, or administration of this RFP and contract agreement(s) issued by BRPC.

The Consultant and any Sub-Consultants shall also be bound by the Competition requirements of 2 CFR 200.319 "in order to ensure objective contractor performance and eliminate unfair competitive advantage."

#### Retainage:

Payments pursuant to the Scope of Work will be subject to a 10% retainage, which will be paid upon successful completion of the contract.

### Insurance

Without limiting its liability, the Consultant/Firm shall maintain, during the life of the contract:

- Worker's Compensation Insurance
- Comprehensive General Liability Insurance
- Automobile Liability Insurance
- Consultant's Professional Liability Insurance

As part of the contract developed from this RFP, the Consultant shall include a standard form "Certificate of Insurance" as evidence of this coverage. The amounts of coverage shall be negotiated as part of the contract but shall generally be sufficient to protect BRPC from liability as a result of this study. This coverage may not be canceled, reduced, or allowed to lapse without written notice to BRPC.