

Request for Proposals: Borough of Sharpsburg, PA Comprehensive Stormwater Management Plan



September 3rd, 2024

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Request for Proposals: Comprehensive Stormwater Management Plan for Sharpsburg, PA

Introduction

The Borough of Sharpsburg, located five miles northeast of downtown Pittsburgh along the Allegheny River, sits at the bottom of multiple watersheds, making it one of the most flood-exposed municipalities in Allegheny County. The Borough is seeking to identify the most impactful areas and corresponding solutions – including green stormwater infrastructure solutions – that are ripe for investment to mitigate flooding. The Borough has issued this request for proposals from qualified firms to create an innovative and Comprehensive Stormwater Management Plan that will guide the Borough’s stormwater, parks, development, and capital improvement efforts for the next 25 years.

Overview of Comprehensive Stormwater Plan

The Comprehensive Stormwater Management Plan will support the following goals and objectives:

- The reduction of localized flooding due to storm events and stormwater flows in and upstream from Sharpsburg,
- The reduction of combined sewer flows and combined sewer overflows, which negatively impact water quality in Sharpsburg’s local waterways and decrease the environmental quality of the Borough for its residents,
- The use of green infrastructure and other solutions to reconnect the Borough with its natural resources, including its streams and the riverfront, highlighting their potential uses for recreation and well-being, and
- The creation of a well-considered approach to selecting and prioritizing capital projects and other program elements to support these goals in the short, medium and long-term.

The Comprehensive Stormwater Management Plan should update and build upon existing relevant Sharpsburg area plans. Since 2014, Sharpsburg has set in place several plans and frameworks guiding stormwater management planning in the Borough, integrating community education and equity with its efforts to reduce and mitigate stormwater-driven riverine flooding. Sharpsburg has also participated in, and been included in, plans which include the Borough as one element in county-wide planning. The consultant will be expected to review and incorporate the following plans, as well as additional plans as necessary, into the Comprehensive Stormwater Management Plan to ensure the recommendations align with existing goals in the community.

The [River Bend Comprehensive Plan](#), published in 2014, is a joint municipal plan between the boroughs of Etna, Millvale, Sharpsburg that aims to prioritize zoning requirements and city planning for the improvement of the Allegheny River Bend communities. One of the eight goals

of the plan is to address stormwater management and features several planning ideas to meet it.

The [Allegheny County Stormwater Management Plan](#) was adopted in 2017 and is administered by Allegheny County Economic Development and the County and Watershed Plan Advisory Committee (WPAC). Through a survey, 241 problem stormwater areas were identified as well as 193 stormwater control facilities in Allegheny County. The WPAC fostered municipal participation through direct contact, providing help with forms, and other assistance, resulting in in-depth data on municipal commitment level, stormwater issues, and problem areas which informed both the technical and non-technical parts of the plan.

The [Sharpsburg Community Vision Plan](#) was released in January of 2019 and is Sharpsburg's 10-year roadmap. The Plan is built on the foundation of six principles and includes several proposals to address stormwater.

Sharpsburg's [Climate Action Plan](#), adopted in 2021, is a critical document to achieve the Borough's goals of becoming a leader in municipal sustainability. The plan includes significant climate targets and impact mitigation goals that will prepare the community for chronic and increasingly extreme weather events.

The [Pine Creek Watershed Implementation Plan](#), published in 2009, seeks to determine the best method to reduce nonpoint source pollutant loads in Pine Creek Watershed. A total of 14 municipalities are located in the Pine Creek Watershed, including a small portion of Sharpsburg. The plan identifies best management practices (BMPs) for the watershed and creates a mechanism and schedule for implementation. The plan seeks to address pollutant reduction on impaired streams before the development of Total Maximum Daily Load (TMDLs) plans.

Sharpsburg is currently working to develop a plan to achieve FEMA's [Community Rating System](#) (CRS) discounts. CRS is a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements in the [National Flood Insurance Program](#) (NFIP). Sharpsburg is actively taking steps to apply for all the credit items within our capabilities, including:

- Assemble a Program for Public Information (PPI)
- Use the Borough website to host information regarding flooding in Sharpsburg Flood Insurance Rating Maps (FIRM)
- Store FIRMS and other relevant flood maps and resources in the Borough office
- Obtain copies of the FIRM and other CRS documents to be stored in the library
- Make digitized map (GIS) that shows the SFHA, among other elements
- Acquire an emergency notification system
- Develop a system that predicts flood elevations and arrival times at specific locations in the community
- Create a written plan for coordinating flood warning and response activities with operators of critical facilities
- Inventory all properties in the floodplain that have been acquired or relocated by the Borough

As mentioned above, additional relevant planning should be incorporated in the Stormwater Management Plan, including but not limited to the [Allegheny County Hazard Mitigation Plan Update](#), [Sharpsburg EcoDistrict Roadmap](#), and [CONNECT Climate Action Plan](#).

As time allows, the plan may also consider opportunities for Sharpsburg's stormwater management efforts to align with complementary activities underway in the region, in particular:

- Capital planning and any long-term plans assembled by the upstream [Hampton Water Shaler Authority](#), which may offer opportunities for collaboration on joint projects.
- ALCOSAN's Clean Water Plan, including [the Regional Tunnel Project](#), as well as [support of community efforts to reduce overflows](#).
- The Southwest Pennsylvania Commission's [Transportation Improvement Program](#) planning, especially opportunities embedded in it to implement green infrastructure and improved stormwater management on Route 28 and other major corridors through and around Sharpsburg.
- Upcoming projects to be carried out by the Pennsylvania Department of Transportation (PennDOT) in Sharpsburg and its upstream communities, which are documented in [PennDOT's 4 and 12 year plans](#).
- The [upcoming implementation](#) of a Department of Transportation grant to provide access to the new Allegheny Shores development, extend the Three Rivers Heritage Trail and upgrade six bus stops on Main Street.
- Upcoming [U.S. Army Corps projects](#) for flood control, and other opportunities to incorporate green infrastructure and water quality improvements into Army Corps projects.

Additional Goals

The Borough intends Green Stormwater Infrastructure (GSI) to be a central component of the strategy of the Comprehensive Stormwater Management Plan. GSI provides multiple benefits, including creating green space for resident use, reducing the urban heat island effect, and improving ecological quality, in addition to reducing stormwater runoff quantity and improving water quality. GSI implementation is a goal of several of the local plans listed above as precursors to the Comprehensive Stormwater Management Plan, including the Community Vision Plan, the Climate Action Plan, and the Sharpsburg EcoDistrict Roadmap.

In order to achieve a level of stormwater management impacts the Borough aims to target in the Comprehensive Stormwater Management Plan, it will be necessary for distributed, green stormwater infrastructure solutions to be implemented across both public and private property. The Comprehensive Stormwater Management Plan will include pathways to ensure that both of these potential sources of stormwater management are explored. While capital planning and site selection will address the implementation of stormwater infrastructure on public property, other approaches, including a review of existing ordinances and suggested changes to better incentivize and require stormwater management practices on private property, will be necessary as well.

Sharpsburg is committed to ensuring the Comprehensive Stormwater Management Plan reflects the needs and values of its community members. The objective of the plan is not only to develop effective and sustainable solutions for managing stormwater but also to actively engage and educate the community throughout the process. The development and implementation of the plan will include multiple community engagement and education opportunities, and the recommendations and implementation plan will directly reflect stakeholder input. Community engagement and education practices will be inclusive and accessible, reaching a diverse range of individuals and local organizations. Our goal is to build a well-informed, proactive community that understands and supports the initiatives put forth to protect and improve our local water resources and overall environmental health.

Sharpsburg is dedicated to ensuring the highest standards of water quality within its stormwater management practices. One of the goals of the Comprehensive Stormwater Management Plan is to explore opportunities for water quality monitoring that assesses and reports on the health of the Borough's local waterways. The consultant is expected to provide recommendations on how to develop a robust water quality monitoring program, to be implemented in the future. This should include evaluating existing water quality data and identifying feasible steps and best practices for implementing ongoing monitoring and data sharing. For example, recommendations may include suggested methods to track the effectiveness of stormwater solutions outlined in the plan.

Instructions for Submission

Submission of Proposals: It is the firm's responsibility to have its sealed proposal at the Borough Manager's Office by the submission deadline of 9:00 a.m. on Tuesday, October 15th, 2024. Proposals received after the deadline will remain unopened and will not be considered. The following address should be used on the outside of the envelope containing the proposals:

**Borough Manager
Borough of Sharpsburg
1611 Main St
Sharpsburg, PA 15215**

Pre-Proposal Conference: A mandatory pre-proposal conference will be held at 10:00 am on Friday, September 20th, 2024, at the Sharpsburg Borough Building, 1611 Main St, Sharpsburg, PA 15215, with a virtual option available for firms unable to attend in person. The virtual meeting link will be available at <https://sharpsburgborough.com/calendar/>. Any questions that may arise related to this Request for Proposals should be submitted in writing to the Borough Manager prior to this conference.

Proposals: An original and five copies of the proposal shall be submitted in paper format with one flash drive containing digital copies of the proposal in Microsoft Word and PDF file formats. Fewer copies of extensive materials covering the firm's work are acceptable. Proposals should be limited to no more than 20 single sided pages or 10 double sided pages and should be bound in an 8½" x 11" format.

Proposal Selection Criteria

The contract will be awarded to the firm or team that in the Borough's opinion is the most responsive and responsible according to the criteria provided here.

- Relevant experience, of both the firm and the proposed project team, with:
 - Projects sharing key characteristics with the Comprehensive Stormwater Management Plan for Sharpsburg, including plan development in small communities and/or communities that are largely built out, planning for collaborations with neighboring communities and state agencies, work that leverages limited budgets, etc.;
 - Projects involving the improvement and management of combined sewer systems;
 - Projects carried out in urban areas in Southwest Pennsylvania, or in similar regions;
 - Demonstrated ability to conduct a meaningful community engagement process
 - Projects centering and prioritizing green infrastructure as a method for stormwater management
- Alignment of the proposal with the goals for Sharpsburg's Comprehensive Stormwater Management Plan, described above, and completeness with respect to the Scope of Services below; and
- Proposed cost.

Additional Requirements

Insurance: Firms shall carry a minimum of One Million Dollars (\$1,000,000) professional liability policy to protect the Borough in case of negligent errors, acts or/and omissions of the firm. Please refer to the Sample Agreement for complete insurance requirements.

Compliance With Laws: Firms shall comply with all applicable federal, state and local statutes, rules and regulations.

Schedule

Activity	Estimated Date
RFP Published	Week 1 (week of 9/3)
Pre-Proposal Conference	9/20/24
Deadline for Receipt of Proposals	10/15/24
Interviews with selected firms	10/18/24-10/22/24
Borough Manager and Selection Committee makes recommendation to Borough Council	10/23/24
Borough Council makes formal award	10/24/24
Notice of award and contract documents sent to successful firm	Week of 10/28/24

Firm returns executed agreement

Week of 11/4/24

Issue Notice to Proceed with effective date of agreement

By 11/15/24

Typically, funding will be available shortly after the start of the fiscal year (July), though may vary, in practice, reflecting the availability of funds.

Scope of Work

The professional services sought in this request include an assessment of existing conditions, public engagement, facility inventory and mapping, hydrologic and hydraulic analysis, ordinance analysis, and the development of a Comprehensive Stormwater Management Plan and implementation plan. The scope of services does not include any capital improvements or contract administration. Proposals may include additional action items that, in the opinion of the proposer, will help achieve the goals and intent of the tasks that are not listed in this RFP or the related documents. These should be clearly identified in the proposal.

Task 1: Detailed Assessment of Conditions

- Consult with Sharpsburg project leads to finalize the project scope, timeline, and budget.
- Establish a kick-off meeting with key Sharpsburg staff.
- In consultation with Sharpsburg staff, schedule and implement regular project meeting updates.
- Collect and review relevant data, facilities inventories, maps, plans, ordinances, budgets and billing information.
- Review and assess progress towards relevant priorities identified in past planning efforts, including the: Community Vision Plan; Riverbend Comprehensive Plan; Sharpsburg Climate Action Plan; Pine Creek Watershed Implementation Plan; and review of opportunities to achieve FEMA's Community Rating System (CRS) discounts.

Task 2: Public Engagement

- Organize meetings and interviews with representatives from all relevant municipal departments and other organizations to document the institutional history of stormwater management issues and understand public needs.
- Create a comprehensive outreach strategy that actively engages a broad cross-section of stakeholders within Sharpsburg. Ensure efforts and accommodations are made to include low- to moderate-income, minority, elderly, and disabled citizens. The selected firm must translate technical information into understandable and engaging formats for the public.
- Plan and host public workshops, appearances at existing community events and gatherings, and other outreach events to promote the project, establish goals and objectives, explore alternative viewpoints, and build consensus on recommended updates to the stormwater management plan.

- Implement multiple feedback channels, such as online surveys, comment boxes at public meetings, and dedicated email addresses, to gather input from community members who may not be able to attend in-person events.
- Keep thorough records of all information gathered during the public engagement process for inclusion in the final deliverables.
- Use the Borough's website and other digital platforms to post updates, surveys, and materials designed to keep residents, businesses, and other stakeholders informed and involved in the planning process, both before and after each public engagement event.
- Regularly report back to the community on how their input has been incorporated into the plan. This can be done through follow-up meetings, newsletters, and/or updates on the Borough's website.
- Continuously monitor and evaluate the effectiveness of the engagement efforts, making adjustments as needed to ensure ongoing and meaningful participation from the community.
- Identify high-priority stormwater management areas and access detailed local knowledge by engaging with the most flood-prone community members, to inform the mapping and recommendations in the plan. This will serve as a way to "ground-truth" and enhance the modeling efforts in Task 4.
- Develop avenues to involve the community in supporting the plan's implementation, potentially including a community ambassador program, partnerships with local NGOs, school districts, or other organizations and institutions.

Task 3: GIS Inventory Assessment and Updates

- Working with the Sharpsburg team, assess the existing GIS inventory to determine the extent of work necessary to enable accurate hydraulic modeling and selection and prioritization of project locations. (Sharpsburg currently maintains spatial data on catch basins, combined lines, manholes, some of the pipes that connect catch basins to the main lines, and data identifying lines that have been CCTV'd over the last year).
- Assess the existing asset mapping strategy and materials and identify the extent of work necessary to enable accurate understanding and assessment of the system. Develop a summary of the existing GIS inventory and necessary next steps and existing asset management plan and necessary next steps (e.g., field surveys to verify the accuracy of the GIS inventory, if necessary).
- Ensure the accuracy of ownership attributes for all features in the GIS inventory, including vacant lots. Features should be classified as public if they are in a public right-of-way, on public property, or within a Borough easement. Note any expected changes in future land use and development patterns, in consultation with Sharpsburg's staff. Document any discrepancies in ownership attributes, reach a consensus with Borough staff on necessary changes, and update the inventory accordingly.
- Any updated mapping should be digitized in a format compatible with the Borough's mapping procedures and computer systems, with the final deliverables in ArcGIS format.

Task 4: Hydrologic and Hydraulic Analysis

- Assist Sharpsburg in confirming the desired level of service for storm drainage facilities.

- Offer technical guidance by summarizing performance criteria or guidelines used by comparable municipalities.
- Estimate peak flow demands for the desired level of service using hydrological data such as soils, current and future land use, and topography, with calculations appropriate for the evaluated conditions.
- Identify areas lacking sufficient infrastructure to meet the desired level of service based on a hydrologic and hydraulic analysis to support flood risk reduction and GSI planning and prioritization. Include complementary data for these areas, such as the populations, economic corridors, or transportation infrastructure affected across these areas.
- Incorporate community input on stormwater problem areas (see Task 2) to the final modeling outputs. This will result in a robust dataset of prioritized stormwater infrastructure improvement projects.
- Calculate peak flows for all major public and private system points, including surface concentrated flows, inlets, water quality features, pipes, junctions, detention structures, channels, culverts, creeks, stream crossings, and other significant system components.

Task 5: Analysis of Ordinances

- Provide an evaluation of the effectiveness of stormwater mitigation requirements and BMPs in the Borough's current stormwater ordinance. Consider approaches that address stormwater management and/or encourage green stormwater infrastructure (GSI) or best management practices (BMPs) on both public property (e.g., streets, parks, etc.) and private property. Key measures might include the environmental benefits, size of storm events mitigated, needed level of design, area requirements, complexity of construction, cost, frequency/difficulty of maintenance, and/or expected functional life. This effort might also include a review of approaches to stormwater mitigation in the ordinances of communities similar to Sharpsburg, in terms of geography, population size, and stormwater management systems and challenges. This review should consider opportunities to minimize costs and harness any potential economic benefits (including from new commercial developments) for local residents.
- Based on discussions with Sharpsburg, develop a prioritized list of proposed revisions and/or updates to the Borough's existing planning, zoning, development regulations or other locally adopted plans. Outline key next steps and a roadmap for conducting public outreach to finalize the prioritization and implementation of these updates.
- Conduct public outreach as part of this prioritization process, and outline key next steps and a roadmap for conducting public outreach to finalize the prioritization and implementation of these updates.
- Support Sharpsburg in beginning to implement the highest-priority elements among the proposed revisions to existing ordinances, policies and plans.

Task 6: Comprehensive Plan Development

- Prepare a Comprehensive Stormwater Management Plan with recommendations based on the outcomes of community engagement, assessment of conditions, hydrologic & hydraulic modeling, and ordinance analysis. Recommendations will include the following:
 - Capital Planning:

Based on the detailed assessment of conditions conducted in Task 1, provide an evaluation, and if appropriate, conceptual alternatives for capital recommendations made in previous Sharpsburg planning, determined to be incomplete and still relevant, with appropriate updates as needed due to community changes.

As part of this work, a qualitative assessment of storm drainage problem areas is required. This information can be prepared from interviews with Borough officials, complaint files, citizens' forums and workshops that will allow residents an opportunity to share their concerns about storm drainage, flooding and water quality. Specific areas shall be identified, with a priority ranking for analysis and possible remedial actions to be recommended in the Comprehensive Stormwater Management Plan.

Provide conceptual alternatives for ideas received during public engagement and for areas identified as stormwater-related flooding areas during the hydrologic and hydraulic analysis, including modifications to existing infrastructure and new infrastructure.

Combine all conceptual alternatives into a prioritized capital projects list, including a ranking by importance. Considerations for rankings shall include severity of the deficiency, area of impact, public safety benefits, project scale, affected individuals, properties, businesses, organizations, and other metrics deemed necessary by the consultant and Borough staff to achieve the optimal level and scope of service.

- Programmatic Planning:

In addition to Capital Planning, prepare recommendations for programs to be implemented by the Borough to address the necessary organizational needs for the long-term function of the stormwater management practices outlined in the capital planning. This may include addressing the need for new or improved monitoring of the function of stormwater infrastructure, operations and maintenance practices, ongoing public outreach and education, and other programs to support the effective adoption of the capital projects outlined in the Comprehensive Stormwater Management Plan.

Task 7: Implementation Plan

- Prepare a detailed implementation plan outlining a strategy to support the implementation of the recommendations made in the Comprehensive Stormwater Management Plan. The Implementation Plan should include:
 - A preliminary 25-year implementation schedule for the highest-priority capital projects.
 - A detailed list of actions to implement the Comprehensive Stormwater Management Plan, including start dates, completion dates, cost estimates, financing options and responsible parties for each action.
- An implementation strategy describing the organizational structures and process that will be used to ensure the Comprehensive Stormwater Management Plan and supporting tasks are implemented.

- A description of the proposed changes to existing planning, zoning, development regulations or other locally adopted plans of the Borough to support the Comprehensive Stormwater Management Plan, including a suggested schedule for adopting such changes.
- Cost estimation:
 - Prepare preliminary cost estimates for the implementation of each conceptual alternative.
 - Prepare preliminary projected cost estimates for operation & maintenance of existing and new infrastructure, over a 25-year period.
 - Create a proposed 25-year stormwater management budget, including capital and maintenance items, that is consistent with the established schedule.
- Funding and Financing planning
 - Prepare a list of potential funding sources to support the development and implementation of the Comprehensive Stormwater Management Plan, as well as the concept-level project designs that each potential funding source would be compatible with. Funding sources can be grants, state funding and federal funding sources, inter-governmental partnerships, public-private partnerships, opportunities for revenue generation, and others.
 - Identify strategies to ensure that the costs of the Comprehensive Stormwater Management Plan are shared equitably by all residents and local stakeholders who will benefit from it.

Task 8: Deliverables

- The selected Consultant will establish a strategy, budget, and schedule to meet the Borough's goals for the Integrated Stormwater Management Plan, and manage the work to deliver the project in a manner acceptable to the Borough. [Task 1]
- The selected Consultant will review available information related to Sharpsburg's planning documents, asset management and mapping approach, and existing GIS inventory, and prepare a short report summarizing the information reviewed, any gaps or inconsistencies, and the work necessary to enable accurate understanding and assessment of the system. [Task 1]
- The selected Consultant will prepare summary reports of the information gathered through the community engagement process, including a map of community identified high-priority stormwater management areas where residents are experiencing issues, and any challenges or limitations inherent in the information collected. [Task 2]
- An updated GIS inventory of relevant stormwater facilities and infrastructure in a format compatible with existing mapping systems at the Borough. [Task 3]
- A stormwater model identifying areas where existing infrastructure is insufficient to meet the desired level of stormwater service, i.e. where stormwater-related flooding is a likely event in the short- to middle-term. [Task 4]
- A final map/list of stormwater infrastructure challenge areas identified through both the modeling and community engagement process [Task 2 and 4].
- A comparison and evaluation of the effectiveness for stormwater mitigation requirements and BMPs in the Borough's current stormwater management ordinance. [Task 5]
- A prioritized list and suggested schedule for implementing proposed revisions and/or updates to the existing planning, zoning, development regulations or other locally adopted plans of the Borough. [Task 5]

- A prioritized list of conceptual plans for stormwater management projects in Sharpsburg. [Task 6]
- A report on necessary practices and programs to be implemented in order to support the long-term maintenance and integration of new and existing stormwater management projects. [Task 6]
- An implementation plan outlining a 25-year schedule for the implementation of the priority projects described in the Comprehensive Stormwater Management Plan, cost estimates for the priority projects, and funding and financing options which may provide funding for the priority projects. [Task 7]

Budget

The proposal should include a budget outlining the expected project costs, including a breakdown of costs by task. This budget should note the staff and any overhead costs as well as any direct costs (e.g., for materials, equipment, software licenses, travel and other relevant expenses).

Sharpsburg intends to award a one year contract for \$100,000.

Assurances and Affidavit:

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

Firms or teams are expected to represent the diversity of the community. Such diversity should be reflected in such aspects as ownership, professional personnel, consultants and staff. Evidence of such diversity should be part of the submittal.

EEO Plan. The firm will develop and implement an EEO policy that, as a minimum, will recruit, hire, train, and promote, at all levels, without regard to age, race, color, genetic information, national origin, religion, political affiliation, handicapped status, gender, sexual orientation, sexual preference, transgender status, gender identity and expression.

The firm will ensure equal employment opportunity applies to all terms and conditions of employment, personnel actions, and firm-sponsored programs. Every effort shall be made to ensure that employment decisions, programs and personnel actions are non-discriminatory. That these decisions are administered on the basis of an evaluation of an employee's eligibility, performance, ability, skill and experience.

The successful firm will be in compliance with Title VI & VII of the 1964 Civil Rights Act, as amended, in that it does not on the grounds of race, color, national origin, sex, age, handicap, or veteran status, discriminate in any form or manner against employees or employers or applicants for employment and is in full compliance with the Americans with Disabilities Act.

LEGAL AND CHARACTER QUALIFICATIONS

Claims and Lawsuits. If the firm submitting a proposal is involved in any pending claims or lawsuits, these should be described in the proposal.

PROPOSAL

This proposal is submitted to the Borough of Sharpsburg, Pennsylvania (the Borough), by the undersigned who is an authorized officer of the firm and said firm is licensed to do business in Pennsylvania. Further, the undersigned is authorized to make these assurances and certifies their validity. The firm recognizes that all assurances and representations herein are binding on the firm and failure to adhere to any of these commitments, at the Borough's option, may result in a revocation of the agreement.

Consent is hereby given to the Borough to contact any person or organization in order to make inquiries into legal, character, technical, financial, and other qualifications of the firm. The firm understands that, at such time as the Borough decides to review this proposal, additional information may be requested. Failure to supply any requested for information within a reasonable time may result in the rejection of the firm's proposal with no re-submittal rights. The firm understands that the Borough, after considering the legal, financial, technical, and character qualifications of the firm, as well as what in the Borough's judgment may best serve the public interest of its citizens and employees, may grant a contract.

The firm understands that this proposal is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a proposal for the same, and is in all respects fair and without collusion or fraud. It understands that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. Any agreement issued will be on the basis of the firm's service and financial plans and arrangements are feasible and adequate to fulfill the conditions set forth in this project and the firm's response.

Company Name: _____

Authorized Person: _____
(Print/Type)

Signature: _____

Title: _____ Date: _____

Address: _____

Telephone: _____ Fax: _____

Email: _____

NON-COLLUSION AFFIDAVIT

State of: _____ Contract/Bid No. _____

County of: _____

I state that I am _____ of _____
(Title) (Name of Firm)

I state that:

1. The price(s) and amount of this bid have been arrived at independently and without consultation, communications or agreement with any other contractor, bidder or potential bidder.
2. Neither the price(s) nor the amount of this bid, and neither the approximate price(s) nor approximate amount of this bid, have been disclosed to any other firm or person who is a bidder or potential bidder, and they will not be disclosed before bid opening.
3. No attempt has been made or will be made to induce any firm or person to refrain from bidding on this contract, or to submit a bid higher than this bid, or to submit any intentionally high or non-competitive bid or other form of complementary bid.
4. The bid of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other non-competitive bid.
5. _____, its affiliates,
(Name of Firm)

subsidiaries, officers, directors and employees are not currently under investigation by any governmental agency and have not in the last three years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract, except as follows:

I state that _____ understand and acknowledges that the
(Name of Firm)

above representations are material and important, and will be relied on by the Borough of Sharpsburg in awarding the contract(s) for which this bid is submitted. I understand and my firm understands that any misstatement in this affidavit is, and shall be, treated as fraudulent concealment from the Borough of Sharpsburg of the true facts relating to the submission of bids for this contract.

Name and Title

SWORN TO AND SUBSCRIBED

BEFORE ME THIS _____ DAY

OF _____, 20__

Notary Public

My Commission Expires:

INSTRUCTIONS FOR NON-COLLUSION AFFIDAVIT

1. This Non-Collusion Affidavit is material to any contract awarded pursuant to this bid. According to the Pennsylvania Antibid-Rigging Act, 73 P.S. Sec. 1611 et seq. governmental agencies may require Non-Collusion Affidavits to be submitted together with bids.
2. This Non-Collusion Affidavit must be executed by the member, officer, or employee of the bidder who makes the final decision on prices and the amount quoted in the bid.
3. Bid rigging and other efforts to restrain competition, and the making of false sworn statements in connection with the submission of bids are unlawful and may be subject to criminal prosecution. The person who signs the Affidavit should examine it carefully before signing and assure himself or herself that each statement is true and accurate, making diligent inquiry, as necessary, of all other persons employed by or associated with the

bidder with responsibilities for the preparation, approval, or submission of the bid.

4. In the case of a bid submitted by a joint venture, each party to the venture must be identified in the bid documents, and an Affidavit must be submitted separately on behalf of each party.
5. The term “complementary bid” as used in the Affidavit has the meaning commonly associated with that term in the bidding process, and includes the knowing submission of bids higher than the bid of another firm, any intentionally high or non-competitive bid, and any other form of bid submitted for the purpose of giving a false appearance of competition.
6. Failure to file an Affidavit in compliance with these instructions will result in disqualification of the bid.