



Portland Energy Efficient Home Pilot

City of Portland Portland Energy Efficient Home Pilot (PEEHP)

Request for Proposals—BDS PEEHP 09 **February 3, 2009**

PEEHP Pre-Submittal Meeting: 5:00-6:30 pm, February 18, 2009

> City of Portland Bureau of Development Services 1900 SW 4th Ave. Portland, OR 97201 Room 2500A. Second Floor

PROPOSALS DUE: 4:30 pm, March 4, 2009

> Attention: Anne Hill City of Portland, Bureau of Development Services 1900 SW 4th Avenue, Suite 5000 Portland, OR 97201

Randy Leonard, Commissioner Paul L. Scarlett, Director City of Portland Bureau of Development Services 1900 SW 4th Avenue, Suite 5000 Portland, OR 97201 503-823-7200 www.portlandonline.com/bds/PEEHP















The selection of Grantee(s) for this RFP is done OUTSIDE of the Portland City Code 5.33, 5.34, and 5.68.

Summary

The City of Portland requests proposals for constructing two (2) one-and-two family houses (single family or duplex/townhome) that perform 15% and 30% more energy efficient than the 2008 Oregon Energy Code standards. Funded through the City of Portland's Portland Energy Efficient Home Pilot (PEEHP) program, this grant supports the construction of energy efficient houses. The PEEHP is a partnership between the City of Portland's Bureau of Development Services (BDS), the Bureau of Planning and Sustainability (BPS), Energy Trust of Oregon, Inc., Homebuilders Association of Metropolitan Portland, National Association of Homebuilders, Northwest Natural, Pacific Power and Portland General Electric.

In the current round of funding to be awarded in 2009, a total of \$113,000 is available. The maximum grant amount for any project is approximately \$10,000. PEEHP grants are intended to substantially offset the costs of exceeding the 2008 Oregon Energy Code by 15% and 30%. Energy Trust of Oregon has agreed to partner with the City to provide builders or teams with technical assistance to determine what will be needed to achieve this result. Thereafter contractors are expected to obtain bids to determine the cost of the work. The sum of the lowest bids for each prescribed element of construction necessary to exceed the building code by 15% or 30% will determine the amount of the grants awarded to the builder or team.

In general, grants will be distributed based on experience, available property, the quality of the proposals, the different types of construction involved and anticipated energy performance. Grant Awards will be based upon the cost estimates (bids) received. The PEEHP partners will establish a fixed amount to be offered as a grant for achieving each performance level, which respondents can choose whether or not to accept.

PEEHP Grants are awarded in two separate payments. Both payments support PEEHP-eligible costs. To reduce an applicant's time and expense for this grant, the PEEHP will follow a two-step process. Grants will be made thereafter and applicants can determine for themselves whether to accept the grant or not, depending on the costs involved. For example, it is always possible that the costs could exceed the grant amount available.

The following is the schedule for the RFP (subject to modification by BDS):

Pre-Submittal Meeting	5-6:30pm, Wednesday, February 18, 2009
Phase 1: Proposals Due by 4:30 pm	Wednesday, March 4, 2009
Announcement of Short List of Submitters	Wednesday, March 11, 2009
Invitation to applicants to Submit a Phase 2:	Friday, March 13, 2009
Supplemental Packet	
Phase 2:Meet with Energy Trust	Monday, March 16 through Friday, March 20,
Representatives and Obtain Bids	2009
Phase 2: Packet Submittal	Thursday, April 16 through
	Monday, April 20, 2009
Award with successful applicant	Thursday, April 30, 2009
Notice to proceed – work begins	Monday, May 4 th , 2009

I. BACKGROUND

The City of Portland and the development industry want to understand the costs and feasibility of construction of one-and-two family houses to the 2008 Oregon Residential Specialty Code (hereafter referred to as the "Energy Code") in comparison with constructing one-and-two family homes that perform 15% and 30% more efficiently than the 2008 Oregon Energy Code standards as determined by energy modeling software.

To achieve this, the Bureau of Development Services (BDS) expects to award approximately 4 grants in the initial release period, and possibly 4 additional grants in a second release period, totaling approximately \$113,000 for the purpose of constructing one-and-two family homes that perform 15% and 30% better than the 2008 Oregon Energy Code standards. The grant funds will be awarded equally to homes featuring gas heat and hot water and homes featuring electric heat and hot water. Of the \$113,000, \$50,000 is from the City of Portland, \$25,000 is contributed from the National Association of Homebuilders, NW Natural has committed City transportation credits totaling \$13,080 in value, \$5000 has been contributed by Pacific Power for high efficiency heat pumps or appliances, and \$20,000 has been contributed by Portland General Electric (PGE). In addition, PGE and NW Natural have arranged in-kind contributions of high efficiency water heaters and furnaces.

Energy Trust of Oregon's New Homes Program will provide technical assistance to help builders determine what measures need to be done to meet these goals, help in the design phase to meet energy efficiency requirements, provide consultation during the building phase and to monitor and verify the homes' final performance. *More detail on this can be found in Section VII.*

The City of Portland, Bureau of Development Services, is seeking project proposals from builders or experienced teams of professionals with demonstrated experience in one-and-two family residential new home construction and proposes to engage the grantees in the following services:

- Construction of one (1) home that is 15% more energy efficient than the 2008 Oregon Energy Code in the City of Portland; and
- Construction of one (1) home that is 30% more energy efficient than the 2008 Oregon Energy Code in the City of Portland:
- Collaboration with the Energy Trust of Oregon's New Homes Program to verify the final energy performance of the home;
- Maintain comprehensive records of all associated costs of labor, materials, and activities attributable to upgrading energy features;
- Make the construction site available to tours and trainings hosted by program sponsors;
- Complete Construction by October 15, 2009; and
- Allow the house to be open to the public for up to 30 days after completion.

II. PEEHP GOALS & OUTCOMES

The Portland Energy Efficient Home Pilot (PEEHP) will generate construction in the Portland area that will provide the industry and public with:

- a. Practical information on the building methods and materials necessary to build cost effective energy efficient homes:
- b. Records of costs associated with constructing energy efficient homes;
- c. Case studies, including those instances of added complexity related to new measures; and
- d. Up to approximately 20 energy efficient homes for sale in Portland.

In general, the PEEHP is seeking experienced builders, or experienced teams of professionals, who have at least two pieces of real property zoned for residential use, to be developed, and who would be interested in exceeding the 2008 Oregon Energy Code standards. Ideally, the teams would each construct two houses on two lots that are comparable in terms of size and layout. One property would be built to 15% above the 2008 Oregon Energy Code while the other would be built to 30% above the 2008 Oregon Energy Code. The City

would like to know how the costs of exceeding the efficiency requirements of the Energy Code may vary based on the type of construction. Therefore, if possible, the City may award a grant to someone proposing single family residential construction, while another might be awarded to a team proposing construction of a row house.

III. PEEHP GRANT PROCESS

As noted above, the grant process will occur in two phases.

- Phase 1: PEEHP partners will create a short list of up to 12 qualified applicants to be considered for grants. The City reserves the right to return to applicants who are on the short list, but not initially invited to submit a supplemental packet, for future grants based on supplemental packets.
- Phase 2: Selected applicants based on scoring as shown in Section IV, will be invited to submit a supplemental packet. They will meet with Energy Trust of Oregon's New Homes Program representatives who will model the applicant's proposed construction plans to in order to confirm that building plans will be 15% and 30% more efficient than the 2008 Oregon Energy Code.
 - Applicants will obtain three (3) written bids for the work specified by Energy Trust of Oregon representatives and submit their Supplemental Packet.

In general, grants will be distributed based on experience, available property, the quality of the proposals, the different types of construction involved and anticipated energy performance. Grant Awards will be based upon the cost estimates (bids) received. The PEEHP partners will establish a fixed amount to be offered as a grant for achieving each performance level, which respondents can choose whether or not to accept. The grant amounts are anticipated to be roughly adequate to offset the cost of exceeding the 2008 Oregon Energy Code standards, but this will not be known until cost estimates are submitted. For more information on the process see the *PEEHP Process Model* (Exhibit A).

IV. SCORING SYSTEM FOR PHASE I

The PEEHP Partners/ Evaluation Committee will score proposals according to the following system:

Team Qualifications, Organization, Goals, Outcomes, Approach, & Experience How well the team meets/exceeds the PEEHP's Goals, capabilities and experience of project team, degree of understanding, team composition and responsibilities, and capacity to turn concept into built project.	45 pts.
Property Contract/Deed Legal ability of team to build on the identified property(s) and feasibility of construction proposed structure(s).	10 pts.
Financing Sufficiency of secured financial resources	10 pts.
Diversity in Employment and Contracting Provide opportunities for workforce and contracting diversity.	15 pts.
Type of Home/Plans Innovation with design, potential for market acceptance and technical transferability to other projects.	20 pts.
Total	100 pts.

PEEHP Partners/ Evaluation Committee will review the proposals. Proposals will be evaluated based on their ability to meet the PEEHP's scoring system described above. Applicants may be asked for follow-up interviews and/or phone calls for further clarification of their proposal.

Once evaluated, PEEHP Partners/ Evaluation Committee will then divide the proposals into the type of home

being constructed. For example, PEEHP will evaluate proposals from those proposing to build a stand-alone single family residence from those proposing to build a two-unit row house.

V. ELIGIBILTY

The following requirements are intended to help potential applicants determine if they should consider submitting a proposal

Eligibi	lity Requirements:
	The (2) properties must be located within the City limits of Portland.
	The properties must be suitable for construction of one-and-two family houses.
	The project site must be secured.
Applica	ants can be individuals, non-profit organizations, corporations, LLCs, or partnerships. Joint applications
and pa	rtnerships are encouraged.
VI DD	OPOSAL FOR PHASE 1
	t and Submittals
	Submit twelve (12) hard copies and one (1) digital version on compact disc of the completed proposal for review by the PEEHP partners.
	Proposals may not exceed six (6) 8.5 x 11" double sided printed sheets not including the construction
	set of plans.
	Do not submit a cover page. Information requested must be included in the body of the proposal.
	Text should be 12 point Arial font, single-spaced.
	The digital version of the proposal should be in Word or .pdf format.
	uction Plan(s)
	Two (2) sets of construction plans 24 x 36 submitted for the house being proposed to be built 15%
	above the 2008 Oregon Energy Code. Include a site plan for the proposed lot.
	Twelve (12) hard copies—11x17"—and one (1) digital version on compact disc of the completed plan
	set.
	Two (2) sets of construction plans 24 x 36 submitted for the house being proposed to be built 30%
	above the 2008 Oregon Energy Code. Include a site plan for the proposed lot.
	Twelve (12) hard copies—11x17"—and one (1) digital version on compact disc of the completed plan
	set.
	Digital proposals should be in Word or .pdf and submitted on compact disc.
	Discs and hard copy applications should be submitted together to the City of Portland Bureau of
	Development Services, 1900 SW 4 th Avenue, Suite 5000, Portland, OR, 97201 c/o Anne Hill by 4:30pm
	on Wednesday, March 4th.
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Each of the twelve (12) copies should be staple bound and should not be contained in any type of folder, three ringed binder, envelope, or other covered file. In the event of a discrepancy between the hard copy and the digital version, the hard copy will be considered the official proposal.

Structure and Content

Teams shall submit the information requested above no later than the date and time, and at the location, specified on the cover of this solicitation. The outside of the envelope shall plainly identify the subject of the proposal, the Grant number and the name and address of the applicant. It is the applicant's responsibility to ensure that proposals are received prior to the specified closing date and time, and at the location specified.

By submitting a response, the applicant is accepting the *General Instructions and Conditions* (see page 14) of this Request for Proposal and provisions of the *PEEHP Grant Agreement* (Exhibit D).

All submissions will be evaluated. Only those applicants providing complete information as required will be

□ Incomplete or faxed applications will not be accepted.

considered for evaluation. The ability to follow these instructions demonstrates attention to detail.

Proposal Page 1: Applicant and Project Information (0 points)

Please list the following applicant information:

- 1. Name
- 2. Organization
- 3. Mailing address
- 4. Email address
- 5. Phone number
- 6. Project title

Proposal Pages 2-4: Team Qualifications, Organization, Goals, Outcomes, Approach, & Experience (45 points)

- 7. Contact information for all team members
- 8. Role in the project for all team members
- 9. Experience of designing/developing/constructing one-and-two family homes in the Portland Metro region that benefits this project for all team members
- 10. Describe and management and organizational capabilities for all team members
- 11. Describe the team's understanding of the PEEHP Program. Why is the team motivated to participate in this program?
- 12. Qualifications and relevant experience of sub-consultants (if any)

Proposal Pages 5-8: Property Contract/Deed (10 points)

- 13. Provide a copy of the property deed or contract for each of the two tax lots to be built on. Lots must meet the zoning requirements and be suitable for construction of one-and-two family houses.
- 14. Include the tax Identification Number and Address for each of the two (2) lots.

Proposal Pages 9-10: Financing (10 points)

15. Provide a copy of the financing structure associated with the construction of the two (2) houses (e.g. a Bank Note). The City agrees to keep such information confidential if provided and will consider it exempt from disclosure under public records law.

Proposal Pages 11: Diversity in Employment and Contracting (15 points)

- 16. Indicate which firms, if any, on the project team are currently certified in the State of Oregon as an MBE, WBE and /or ESB, or if your firm has applied for certification with the State of Oregon's Office of Minority, Women and Emerging Small Business (OMWESB).
- 17. Identify the project team's current diversity of workforce and describe the team's commitments to providing equal employment opportunities.
- 18. Provide the number of total employees for each firm and percentage of minorities and women.
- 19. If the project team will be utilizing certified M/W/ESB firms on the project, please list those firms

Construction Plans: Type of Home and Plans (20 points)

For the house being proposed to be built 15% submitted above the 2008 Oregon Energy Code:

- 20. Two (2) sets of construction plans 24 x 36. Include a site plan for the proposed lot.
- 21. Twelve (12) hard copies—11x17".
- 22. One (1) digital version on compact disc of the completed plan set.
- 23. Identify the typical code path used to build the submitted plan.

For the house being proposed to be built 30% submitted above the 2008 Oregon Energy Code:

- 24. Two (2) sets of construction plans 24 x 36. Include a site plan for the proposed lot.
- 25. Twelve (12) hard copies—11x17".
- 26. One (1) digital version on compact disc of the completed plan set.

27. Identify the typical code path used to build the submitted plan.

VII. PEEHP PROCESS AND REQUIREMENTS

Phase 1: Pre-Submittal Meeting

A non-mandatory, informational PEEHP pre-submittal meeting will be held <u>Wednesday</u>, <u>February 18th, 2009 from 5:00-6:30pm at 1900 SW 4th Avenue</u>, <u>Room 2500A</u>. The intent of the workshop is to provide a brief overview of the PEEHP and answer questions regarding the RFP and the application process. Project partners will attend to answer technical questions related to energy efficiency and verification. **Attendees are expected to have read the RFP prior to the meeting**.

Phase 1: Proposal Review Process

In order to determine scores, the following process will be used: An evaluation review committee will be appointed to evaluate each proposal in accordance with the criteria and point factors listed above. The evaluation committee may seek outside expertise, including but not limited to input from technical advisors, to assist in evaluating proposals. The process will proceed as follows:

- a) An evaluation committee will be appointed to evaluate submitted written proposals comprised of PEEHP partners and local private-sector design and building industry representatives.
- b) The committee will score the written proposals based on the information submitted, according to the evaluation criteria, point factors, and construction categories
- c) The committee will require a minimum of (5) working days to evaluate and score the written qualifications.

Phase 1: Selection and Creation of Short List of Qualified Applicants

Once the qualifications have been scored and reviewed, the highest scoring applicants in each construction category will be placed on the list.

Example: Applicants A, B, and C suggest construction of single family residences. Applicant A receives 95 points, Applicant B receives 90 points, and applicant C receives 80 points. Applicants D and E suggest construction of row houses. Applicant D receives 89 points and applicant E receives 86 points. The City will award a place to A and D, the highest scoring applicants in each category of construction on the list.

During the evaluation process, the Bureau of Development Services has the right to require any clarification or change it needs in order to understand the applicant's view and approach to the project and scope of the work.

Phase 2: Invitation to Submit Supplemental Packet & Attend Energy Trust of Oregon's *New Homes Program* Meeting

PEEHP will invite a total of four (4) applicants from the short list of qualified applicants to submit a Supplemental Packet to the Portland Energy Efficient Home Pilot (PEEHP) proposal.

The selected applicants will take their plans to Energy Trust of Oregon's New Homes Program who will analyze and model those plans to determine what changes need to be made to achieve energy efficiency that is 15% and 30% greater than the 2008 Oregon Energy Code.

If it is necessary to modify the plans to exceed the 2008 Energy Code by 15% or 30%, architectural design services will be provided at no cost to the applicant.

The Energy Trust of Oregon's New Homes Program staff and the applicant will complete the *PEEHP Builder Option Decision Matrix* (Exhibit B) that will identify the elements necessary to achieve the planned upgrade (15% or 30% level) for each house. This list will be used to track costs (and savings) of labor, materials and activities for each measure.

Phase 2: Obtaining Cost Information and Bids

Applicants shall obtain three (3) bids for each of the measures identified on the *PEEHP Builder Option Decision Matrix* (Exhibit B) to achieve the planned upgrade (15% or 30% level) for each house. Once the bids are obtained, the applicant will complete one (1) *PEEHP Builder Bid Matrix* (Exhibit C) for the 15% planned upgrade, and one (1) *PEEHP Builder Bid Matrix* for the 30% planned upgrade.

It may be necessary for applicants to obtain bids to meet the requirements of their original plans, and then obtain additional bids to reflect the cost of the increased energy efficiency at the 15% and 30% levels

For the purpose of this grant program, it is necessary to model both HVAC and hot water systems powered by electricity and those powered by natural gas. To that end, applicants may be asked to obtain bids for both types of systems prior to final determination of construction methods, and ultimately to adapt plans for one system or the other. Example: A measure on the list might be for an HVAC system. The applicant would obtain three (3) bids for a 90% efficient gas furnace along with three (3) bids for an electric heat pump.

The sum of the lowest of the required bids will determine the amount of the proposed grant award.

Phase 2: PEEHP Supplemental Packet Submittal

No more than thirty (30) working days from meeting with the New Homes Program staff, applicants shall resubmit:

submit	
For the	house being proposed to be built 15% submitted above the 2008 Oregon Energy Code: Two (2) sets of construction plans 24 x 36. Include a site plan for the proposed lot.
	Twelve (12) hard copies—11x17".
	One (1) digital version on compact disc of the completed plan set.
Applica	ants shall submit:
	Twelve (12) hard copies and one (1) digital version on compact disc of the completed <i>PEEHP Builder Option Decision Matrix</i> (Exhibit B) for review by the PEEHP partners.
	Twelve (12) hard copies and one (1) digital version on compact disc of the completed <i>PEEHP Builder Bid Matrix</i> (Exhibit C) for review by the PEEHP partners.
For the	house being proposed to be built 30% submitted above the 2008 Oregon Energy Code:
	Two (2) sets of construction plans 24 x 36. Include a site plan for the proposed lot.
	Twelve (12) hard copies—11x17". One (1) digital version on compact disc of the completed plan set.
_	ants shall submit:
	Twelve (12) hard copies and one (1) digital version on compact disc of the completed <i>PEEHP Builder Option Decision Matrix</i> (Exhibit B) for review by the PEEHP partners.
	Twelve (12) hard copies and one (1) digital version on compact disc of the completed <i>PEEHP Builder Bid Matrix</i> (Exhibit C) for review by the PEEHP partners.
	Discs and hard copy applications should be submitted together to: The City of Portland Bureau of Development Services, 1900 SW 4 th Avenue, Suite 5000, Portland, OR, 97201 c/o Anne Hill, by Monday, April 20, 2009.
	Incomplete or faxed applications will not be accepted.
	Each of the twelve (12) copies should be staple bound and should not be contained in any type of folder, three ringed binder, envelope, or other covered file. In the event of a discrepancy between the hard copy and the digital version, the hard copy will be considered the official proposal.

Grant Award Strategy

Grant Awards will be based upon the cost estimates received. The PEEHP partners will establish a fixed amount to be offered as a grant for achieving each performance level, which respondents can choose whether or not to accept. The maximum PEEHP award is \$10,000 per project (2 houses). The partners reserve discretion to determine the amount of any of the final grant awards. Applicants should not presume that they will obtain the maximum amount.

PEEHP Grants are awarded in two separate payments. Both payments support PEEHP-eligible costs.

Contract requirements, Deliverables and Payment Schedule

The grantee will sign a *PEEHP Grant Agreement* (Exhibit D) outlining the terms of the grant, including the expenses to be reimbursed. Proposers may suggest modifications to the grant conditions, however, the City is unlikely to negotiate the terms of the grant and may decline such suggestions. In the event suggestions are declined, prospective grantees may decline to sign the agreement, in which case the City may look to other proposals to whom to award money.

The grantee is responsible for submitting their plans for approvals to the Bureau of Development Services and paying requisite fees and charges associated with the issuance of building permits. The grantee is also responsible for obtaining required inspections in a timely manner.

The Bureau of Development Services will send the first payment of half of the PEEHP grant award to grantees after receiving a signed copy of the *PEEHP Grant Agreement* (Exhibit D), from the grantee, copies of certificates of insurance, agreements, and licenses listed below, AND when the City has issued building permits for the two (2) properties. The *PEEHP Grant Agreement* outlines the PEEHP requirements, terms, conditions, and payment schedule.

Grantees shall perform the tasks listed below for this project, and shall be expected to work closely with designated City personnel to accomplish these goals:

- a) Construct a one-and-two family home that is 15% more energy efficient than the 2008 Oregon Energy Code.
- b) Construct a one-and-two family home that is 30% more energy efficient than the 2008 Oregon Energy Code.
- c) Schedule and manage all subcontractors and materials for construction of the houses.
- d) Document, track, and maintain records including but not limited to receipts, contracts, bids, and timelines for tracking.
- e) Organize records to show costs of each energy upgrade on the list, (i.e. going from R-38 Code to R-49 Energy Star attic ceiling), as well as any related costs associated with energy upgrades (i.e. extending gas lines).
- f) Submit Weekly Activity Log and Monthly Summary (Exhibit E)
- g) Participate in monthly Project Team on-site meetings to address energy efficiency related issues and other meetings or events as requested by PEEHP partners.
- h) Obtain and pass required building inspections.
- i) Work with Energy Trust of Oregon representatives to verify that the home meets the proposed energy performance goals.
- j) Submit the Final Project Report (Exhibit F) to the Bureau of Development Services.

The second and final payment will be made when:

- ☐ All construction is complete and when all building permits are finalized;
 - □ When the energy scores modeled by the Energy Trust of Oregon confirm that the homes exceed the 2008 Energy Code by 15% or 30%; and

	When the	Final Project	Report is a	approved by	the City.
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Within 30 days after project completion, the Energy Trust of Oregon will verify that the homes exceed the 2008 Energy Code by 15% or 30%; through energy scores. Upon final verification, Grantee will have a maximum of 30 days to submit a *Final Project Report*. Within 30 days of approval of the *Final Project Report* by BDS, BDS will pay to Grantee the remaining balance of the Total Grant Amount.

If a home built through the PEEHP program does not meet the percentage target for efficiency, the second payment may not be awarded. In addition, any project that does not meet a minimum of 50% of the target energy efficiency goal will be required to repay the first grant installment.

Payment	Amount	Deliverables
1	Half (50%) of the grant amount	Signed PEEHP Grant Agreement
		Certificates of Insurance
		Building Permits Issued
2	Remaining half (50%) of the grant	Energy model score verified by ETO
	amount	Building Permits Finalized
		Approved PEEHP Final Project Report

Deliverables shall be considered those tangible resulting work products that are to be delivered to the BDS such as reports, draft documents, data, interim findings, drawings, schematics, training, meeting presentations, final drawings and reports.

Deliverables and schedule for this project shall include:

- □ Weekly Activity Logs including subcontractors working on site, scheduled inspections and their results.
- ☐ Monthly Summaries
- ☐ Final Project Report

All deliverables and resulting work products from this grant will become the property of the City of Portland. Expense reports related to labor and materials for subcontracted work will be reported as aggregate numbers, rather than itemized, to protect the confidentiality of financial agreements between builders and subcontractors or vendors.

Insurance, Licenses, Registration and Worker Safety

Grantees shall agree to maintain continuous, uninterrupted coverage of all insurance as required by the City. There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without a 30-day written notice from the Grantee or its insurer(s) to the City. Provide Copies of Insurance Certificates listed below.

As evidence of the insurance coverage, Grantees shall furnish acceptable insurance certificates to the City at the time signed grants are returned to the City. The certificate will specify all of the parties who are Additional Insureds and will include the 30-day cancellation clause as identified above. Insuring companies or entities are subject to City acceptance. If requested, complete policy copies shall be provided to the City. The successful Grantee shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

- 1. <u>Workers' Compensation Insurance</u> in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers (firms with one or more employees, unless exempt under ORS 656.027).
- General Liability Insurance with a combined single limit of not less than \$1,000,000 per occurrence for Bodily Injury and Property Damage. It shall include contractual liability coverage for the indemnity provided under this Grant, and shall provide that the City of Portland, and its agents, officers, and employees are Additional Insureds but only with respect to the successful applicant's services to be provided under this Grant.

- 3. <u>Automobile Liability Insurance</u> with a combined single limit of not less than \$1,000,000 per occurrence for Bodily Injury and Property Damage, including coverage for owned, hired, or non-owned vehicles, as applicable.
- 4. <u>City of Portland Business License</u> Grantees shall obtain a current City of Portland Business License prior to initiation of contract and commencement of the work. Information on how to obtain a business license is provided by the Portland Office of Management and Finance. Visit the following link: http://www.portlandonline.com/omf/index.cfm?c=29554)
 http://www.portlandonline.com/omf/index.cfm?c=29554)
 http://www.portlandonline.com/omf/index.cfm?c=29554)
 http://www.portlandonline.com/omf/index.cfm?c=29554)
 Grantees must be certified as Equal Employment Opportunity Affirmative Action Employers as prescribed by Chapter 3.100 of the Code of the City of Portland. The required documentation must be filed with the Bureau of Purchases, City of Portland, prior to contract execution. Information related to this certification can be found at the following link:

The successful grantee shall strictly adhere to any OSHA rules that may apply specifically to employees under age 18. In addition, the grantee shall ensure that public safety is a priority at each work site.

Monitoring and Verification

BDS will work with PEEHP Partners to provide assistance in monitoring and verifying the Grantee's performance under this agreement. Grantee agrees to cooperate in all aspects of the evaluation. Grantee shall perform any monitoring of PEEHP measures proposed in the proposal and as identified in the *PEEHP Tasks* and *Materials* (Exhibit D). Grantee agrees to cooperate with the BDS and PEEHP partners throughout the term of this agreement.

The Bureau of Development Services has assigned a project manager to oversee the successful applicant's work and provide support as needed. Specific responsibilities include:

- a) Review Weekly Activity Logs and Monthly Summaries (Exhibit E):
- b) Coordinate meetings with the Energy Trust of Oregon's New Homes Program:
 - During the design phase to meet energy efficiency requirements of the grant;
 - During the building phase to provide consultation; and

http://www.portlandonline.com/omf/index.cfm?c=27353&

- During the inspection phase, to provide verification of the homes' final performance.
- c) Provide energy efficiency/marketing materials which may include brochures, relevant forms and permission forms; and
- d) Provide information about available resources and assistance

Documenting the Project

One of the goals of the PEEHP is to determine how the costs of exceeding the efficiency requirements of the Energy Code may vary based on the type of construction, and also to gather practical information on the building methods and materials necessary to build cost effective energy efficient homes for future projects in Portland. The selected applicant will work with BDS and PEEHP Partners to collect data about the project. The documentation will draw from the original proposal, the *PEEHP Grant Agreement* (Exhibit D), *Weekly Activity Logs and Monthly Summaries* (Exhibit E), inspections, test results, modeling data, interviews, design documents, and a *Final Project Report* (Exhibit F) to be completed by the grantee.

GENERAL INSTRUCTIONS AND CONDITIONS

CONTACT INFORMATION—Questions and requests for clarification regarding this Request for Proposals must be directed in writing, via email or fax, to the person listed below. **The deadline for submitting such questions/clarifications is** *Wednesday, February 25, 2009 (7 days prior to the Proposal Due Date)*. An addendum will be issued no later than 72 hours prior to the proposal due date to all recorded holders of the RFP if a substantive clarification is in order. Oral instructions or information concerning the request for proposal given out by Bureau or Office managers, employees or agents to prospective applicants shall not bind the City.

Anne Hill 1900 SW 4th Avenue, Suite 5000 Portland, Oregon 97201 Phone (503) 823-4807

DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIREMENTS – The City of Portland seeks to extend contracting opportunities to Minority Business Enterprises, Women Business Enterprises and Emerging Small Businesses (M/W/ESBs) in order to promote their economic growth and to provide additional competition for City contracts.

E-mail:

Fax: (503) 823-7600

hilla@ci.portland.or.us

ENVIRONMENTALLY PREFERABLE PROCUREMENT - In accordance with the City's Sustainable City Principles and the City's Sustainable Procurement Strategy, it is the policy of the City of Portland to encourage the use of products or services that help to minimize the human health and environmental impacts of City operations. Therefore, applicants are encouraged to incorporate environmentally preferable products or services into their responses wherever possible. "Environmentally preferable" means products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service. To view the above City policies go to www.portlandonline.com and navigate to "Charter, Code & Policies Documents".

INVESTIGATION- The applicant shall make all investigations necessary to inform it regarding the service(s) to be performed under this request for proposal.

SPECIAL CONDITIONS - Where special conditions are written in the Request for Proposal, these special conditions shall take precedence over any conditions listed under the Professional, Technical and Expert Service "General Instructions and Conditions".

COST OF PROPOSAL- This Request for Proposal does not commit the City to pay any costs incurred by any applicant in the submission of a proposal or in making necessary studies or designs for the preparation thereof, or for procuring or contracting for the services to be furnished under the request for proposal.

CANCELLATION – The City reserves the right to modify, revise or cancel this RFP. Receipt and evaluation of proposals or the completion of interviews do not obligate the City to award a contract.

LATE PROPOSALS- Proposals received after the scheduled closing time for filing will be returned to the applicant unopened.

REJECTION OF PROPOSALS- The City reserves the right to reject any or all responses to the Request for Proposal if found in the City's best interest to do so. In the City's discretion, litigation between the City and an applicant shall be cause for proposal rejection, regardless of when that litigation comes to the City's attention and regardless how the consultant's proposal may have been scored. Proposals may also be rejected if they use subcontractors or sub consultants who are involved in litigation with the City. Applicants concerned about possible rejection on this basis should contact the City <u>before</u> submission of a proposal for a preliminary determination of whether its proposal will be rejected.

EQUAL BENEFITS PROGRAM—Applicants must provide benefits to their employees with domestic partners equivalent to those provided to employees with spouses as prescribed by Chapter 3.100 of the Code of the City of Portland. The required documentation must be filed with the Bureau of Purchases, City of Portland, prior to contract execution.

CONFLICT OF INTEREST–An applicant filing a proposal thereby certifies that no officer, agent or employee of the City who has a pecuniary interest in this request for proposal has participated in the contract negotiations on the part of the City, that the proposal is made in good faith without fraud, collusion or connection of any kind with any other applicant of the same call for proposals, and that the applicant is competing solely in its own behalf without connection with or obligation to, any undisclosed person or firm.

CONFIDENTIALITY – All information submitted by applicants shall be public record and subject to disclosure pursuant to the Oregon Public Records Act (ORS 192.410 et seq.), except such portions of the proposals for which applicant requests exception from disclosure consistent with Oregon Law. Any portion of a proposal that the applicant claims constitutes a "trade secret" or is "confidential" must meet the requirements of ORS 192.501(2) and ORS 192.502(4). If the entire proposal is marked as constituting a "trade secret" or being "confidential," at the City's sole discretion, such a proposal may be rejected as non-responsive.

If a request to inspect the proposal is made, the City will notify the applicant of the request. If the City refuses to release the records, the applicant agrees to provide information sufficient to sustain its position to the District Attorney of Multnomah County, who currently considers such appeals. If the District Attorney orders that the records be disclosed, the City will notify the applicant in order for the applicant to take all appropriate legal action. The applicant further agrees to hold harmless, defend and indemnify the City for all costs, expenses and attorney fees that may be imposed on the City as a result of appealing any decision regarding the applicant's records.

The City retains the right to waive minor irregularities and discrepancies that will not affect the competitiveness or fairness of the solicitation and selection process.