



IRFP NUMBER 00001033

PROFESSIONAL, TECHNICAL, AND EXPERT SERVICES

City of Portland, Oregon
September 17, 2018

INTERMEDIATE REQUEST FOR PROPOSALS

For

Rossi Farms Development Plan – Real Estate Development Economics and Real Estate Appraisal

PROPOSALS DUE: October 15, 2018 by 4:00 p.m.

Envelope(s) shall be sealed and marked with RFP number and Project Title.

SUBMITTAL INFORMATION: Refer to PART II, SECTION B.3 (PROPOSAL SUBMISSION)

Submit the Proposal to:

City of Portland
Bureau of Planning and Sustainability
Attn: Trisha Schultz
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Refer questions to:

Barry Manning
Email: barry.manning@portlandoregon.gov

A **NON-MANDATORY PRE-SUBMITTAL MEETING** has been scheduled for September 26, 2018, 10:00 am at 1900 SW 4th Ave Suite 7100 Portland, OR 97201.

GENERAL INSTRUCTIONS AND CONDITIONS

CORPORATE RESPONSIBILITY AND SOCIAL EQUITY CONTRACTING REQUIREMENTS – The City of Portland seeks to extend contracting opportunities to Disadvantaged Business Enterprises, Minority Owned Business Enterprises, Women Owned Business Enterprises, and Emerging Small Businesses (D/M/W/ESBs) in order to promote their economic growth and to provide additional competition for City contracts. Therefore, the City has established an overall 20% utilization goal in awarding PTE contracts to Oregon State certified D/M/W/ESBs on all City PTE contracts.

CITY SUSTAINABILITY OBJECTIVES – The City has a history of striving to be more sustainable in its operations and planning. Starting with the City's Sustainable City Principles (1994) the City has established a variety of policies to guide its work on sustainability, including: the Sustainable Procurement Policy, Green Building Policy, Climate Action Plan, and the Stormwater Management Manual (to view these and related City policies, go to the Portland Policy Documents Website: <https://www.portlandoregon.gov/citycode/index.cfm?&c=26818>). As applicable to City procurement, these policies guide the City to buy products and services that reduce the City's negative environmental, human health, and social impacts, while maintaining fiscal health in the short and long term. As such, the City seeks to do business with firms that will actively contribute to the City's sustainability objectives.

ENVIRONMENTAL CLAIMS – Upon request, the vendor must provide and make publicly available verifiable evidence supporting every environmental claim made about the products or services provided to the City. Environmental claims for which verifiable evidence must be provided include any claim provided on products, product packaging, product or service sales literature and websites, and information provided to respond to this solicitation.

INVESTIGATION – The Proposer shall make all investigations necessary to be informed regarding the service(s) to be performed under this request for proposal.

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

CLARIFICATION OF REQUEST FOR PROPOSAL – Proposers who request a clarification of the RFP requirements must submit questions in writing to the person(s) shown in the REFER QUESTIONS TO section on the cover of this RFP, or present them verbally at a scheduled pre-submittal meeting, if one has been scheduled. The City must receive written questions no later than the date stated herein. The City will issue a response in the form of an addendum to the RFP if a substantive clarification is in order.

Oral instructions or information concerning the Request for Proposal given out by City bureaus, employees, or agents to prospective Proposers shall not bind the City.

ADDENDUM – Any change to this RFP shall be made by written addendum issued no later than 72 hours prior to the proposal due date. The City is not responsible for any explanation, clarification, or approval made or given in any manner except by addendum.

COST OF PROPOSAL – This Request for Proposal does not commit the City to pay any costs incurred by any Proposer 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 rejected as non-responsive and returned to the Proposer unopened.

REJECTION OF PROPOSALS – The City reserves the right to reject any or all responses to the Request for Proposal if it is found to be in the City's best interest to do so. In the City's discretion, litigation between the City and a Proposer may be cause for proposal rejection, regardless of when that litigation comes to the City's attention and regardless how the Proposer's proposal may have been scored. Proposals may also be rejected if they use subconsultants who are involved in litigation with the City. Proposers who are concerned about possible rejection on this basis should contact the City before submission of a proposal for a preliminary determination of whether its proposal will be rejected.

CITY OF PORTLAND TAX REGISTRATION NUMBER – Successful Proposer shall obtain a current City of Portland Tax Registration Number prior to initiation of contract and commencement of the work.

WORKERS' COMPENSATION INSURANCE – Successful Proposer shall be covered by Workers' Compensation Insurance or shall provide evidence that State law does not require such coverage.

CERTIFICATION AS AN EEO AFFIRMATIVE ACTION EMPLOYER – Successful Proposers must be certified prior to contract execution, as Equal Employment Opportunity Affirmative Action Employers as prescribed by Chapter 5.33.076 of the Code of the City of Portland.

EQUAL BENEFITS PROGRAM – Successful Proposers must certify prior to contract execution, that they provide benefits to their employees with domestic partners equivalent to those provided to employees with spouses as prescribed by Chapter 5.33.077 of the Code of the City of Portland.

LOCAL CONTRACTING – If the final evaluation scores are otherwise equal, the City prefers goods or services that have been manufactured or produced by a Local Business. The City desires to employ local businesses in the purchase, lease, or sale of any personal property, public improvements, or services. The City wants the residents of the State of Oregon and SW Washington to benefit from optimizing local commerce and services, and the local employment opportunities they generate. [City of Portland [Resolution #36260](#)]

CONFLICT OF INTEREST – A Proposer filing a proposal hereby certifies that the proposal is made in good faith without fraud, collusion or connection of any kind with any other Proposer of the same request for proposals, that the Proposer is competing solely on its own behalf without connection or obligation to, any undisclosed person or firm, that Proposer is not a City official/employee or a business with which a City official/employee is associated, and that to the best of its knowledge, Proposer, its employee(s), its officer(s) or its director(s) is not a City official/employee or a relative of any City official/employee who: i) has responsibility in making decisions or ability to influence decision-making on the contract or project to which this proposal pertains; ii) has or will participate in evaluation, award or management of the contract related to this proposal; or iii) has or will have financial benefits in the contract to which this proposal pertains. Proposer understands that should it elect to employ any former City official/employee during the solicitation period or the term of the contract then that the former City official/Consultant employee must comply with applicable government ethics and conflicts of interest provisions in ORS Chapter 244, including but not limited to ORS 244.040(5) and/or ORS 244.047, and the City's Charter, Codes and administrative rules, including but not limited to lobbying prohibitions under Portland City Code Section 2.12.080.

PUBLIC RECORDS – Any information provided to the City pursuant to this RFP shall be public record and subject to public disclosure pursuant to Oregon public records laws (ORS 192.410 to 192.505). Any portion of a proposal that the proposer claims as exempt from disclosure must meet the requirements of ORS 192.501(2) and ORS 192.502(4) and/or ORS 646.461 et seq. The fact that a proposer marks and segregates certain information as exempt from disclosure does not mean that the information is necessarily exempt. The City will make an independent determination regarding exemptions applicable to information that has been properly marked and redacted. Information that has not been properly marked and redacted may be disclosed in response to a public records request. When exempt information is mixed with nonexempt information, the nonexempt information must be disclosed.

If the City refuses to release the records, the proposer 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 proposer in order for the proposer to take all appropriate legal action. The proposer 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 proposer's records.

The Chief Procurement Officer has the authority to waive minor irregularities and discrepancies that will not affect the competitiveness or fairness of the solicitation and selection process.

These Professional, Technical and Expert Services Request for Proposal "General Instructions and Conditions" are not to be construed as exclusive remedies or as a limitation upon rights or remedies that may be or may become available under ORS Chapter 279.

PART I SOLICITATION REQUIREMENTS

SECTION A GENERAL INFORMATION

1. SCOPE OF WORK

The City of Portland (City), Bureau of Planning and Sustainability is seeking proposals from individuals, firms, teams or Consultants, hereafter called "Proposer(s)," with demonstrated experience in real estate development economics, and commercial property appraisal on large sites (over 20 acres) for the Rossi Farms Development Plan, a Metro CET funded project managed by the City of Portland Bureau of Planning and Sustainability. The effort will develop a concept master plan for the 30+ acre group of parcels located at NE 122nd Avenue at NE Shaver Street. The subject site, shown as Focus Area Map (Exhibit B) in the attached Exhibit C, is owned by multiple entities including the Rossi, Garre and Giusto families and the Parkrose School District. The site is currently zoned for Commercial/Mixed Use and Multi-Dwelling Residential land uses, and a mix of commercial and residential uses is anticipated, through development, by the Portland 2035 *Comprehensive Plan*.

The purpose of the work in this solicitation is to provide economic and financial feasibility data to inform a conceptual development master plan for the site, and includes the following specific components:

- perform commercial real estate appraisal for the site.
- evaluate market conditions for development types, including feasibility of a grocery store.
- develop cost estimates and proformas for commercial, residential and other types of developments envisioned by concept plan.

Note: This RFP is closely related to another RFP for Real Estate Development Master Planning for the subject site. If a firm wishes to propose for multiple solicitations they must submit a separate proposal for each.

2. PROJECT FUNDING

The budgeted cost for the services described herein is \$35,000. The City does not currently have funding to exceed this budget. The Proposer's proposal shall include the Proposer's true estimated cost to perform the work irrespective of the City's budgeted funds for this work.

3. TIMELINE FOR SELECTION

The following dates are proposed as a timeline for this project:

Pre-submittal meeting at 10:00 am	September 26, 2018
Written proposals due at 4:00 p.m.	October 15, 2018
Announcement of short list Proposers	October 24, 2018
Interviews or additional review, if deemed necessary	Week of November 5, 2018
Selection committee recommendation	Week of November 13, 2018
Notice to proceed – work begins	Week of November 26, 2018

The City reserves the right to make adjustments to the above noted schedule as necessary.

SECTION B WORK REQUIREMENTS

1. TECHNICAL OR REQUIRED SERVICES

The City of Portland seeks a Consultant to conduct economic and financial feasibility data to inform a concept development master plan for the subject site. Proposers with experience in real estate development economics on sites of 20+ acres, and with a mix of land use types and intensities are particularly desired.

Professional services required are to include: Real estate economics, commercial property appraisal.

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

Scope: This scope will occur in two phases. The first phase is a market study and appraisal. Through a separate contract, the City will obtain a site survey. A separate consultant will also be hired to develop concept plans for the development of the site.

Phase One – Appraisal and Market Study.

Appraisal: Produce a commercial property appraisal to establish market value of subject parcels, consistent with standard professional appraisal methodology. The appraisal will take into consideration any known title defects or encumbrances of record, known environmental conditions, and the cost of removing structures. The report should show the value of the entire site, including structures; the value of land without structures; value of improvements to land; and the estimated amount to demolish structures. The report should show the value of the entire site, including structures; the value of land without structures; value of improvements to land; and the estimated amount to demolish structures.

Market Study: Evaluate market conditions in the vicinity of the subject site, to determine achievable rents for commercial and residential uses, and supportable development types and scales. One objective of the market study is to determine what kinds of housing types (or mixes of housing types) are economically feasible on the site. Are mixed use buildings financially viable in the foreseeable future, or is a lower density more likely? Another objective is to evaluate the type and intensity of commercial uses that could be viable. What level of retail development is supportable? Is there a market for office uses? The market study will also evaluate the feasibility of a grocery store and the type of facility that could be supported. Overall, the work should identify a range of use mixes and development intensities that are feasible within the next 10-years, including least cost development and top of market development.

Phase Two - Pro-forma, Financial feasibility Gaps.

This phase will build on concept plans and rough cost estimates provided by the master plan consultant. The task is to use that information to develop a development pro-forma. The pro-forma should include calculations of the financial return that a proposed real estate development is likely to create. It describes the proposed project in quantifiable terms, estimates revenues that are likely to be obtained, the costs that will have to be incurred, and the net financial return that a developer could achieve. All assumptions made should be identified. Any assumptions that, if changed, create a disproportionate impact on the results of the analysis should be specifically identified and described.

An adjunct to that deliverable would be an analysis of any financial feasibility gaps identified in the project, and identification of mechanisms to close those gaps. This is important because the preferred master plan concept may strive to achieve both public and private goals, and some elements of the plan

may not be feasible through private investment alone. A central question to resolve in this work is making recommendations for project phasing/sequencing and examining any opportunity for public-private partnerships (development agreements, etc.). The City and property owner would like to use the information from this work to develop and refine an implementation strategy. In combination with the separate concept plan, this work will provide a basis for the property owner to solicit proposals from specific developer teams, or develop more specific public-private agreements.

Deliverables:

- Market study report
- Appraisal report
- Pro-forma analysis and adjunct report covering feasibility gaps, and any recommendations

2. WORK PERFORMED BY THE CITY / OTHERS

The City has assigned a project manager to oversee the successful Proposer's work and provide support as needed. Specific duties the City will perform include:

- **Project management:** The City will manage the project, including arranging and making presentations to commissions and decision makers. The Consultant may be asked to participate in presentations to commissions and decision makers. City staff will review proposer work products throughout the project.
- **Other project work elements -** including concept master plan development and a site survey - may be performed by other consultants selected through separate RFP processes.
- **Public Outreach and Involvement:** City staff will generally be responsible for public outreach and involvement throughout the project. The Consultant will be required to design, staff and produce materials for public events (charrettes/workshops), but the City will be responsible for invitations to public, meeting logistics and similar functions. City staff may also have a substantive role in such meetings. City staff will recruit a Project Working Group (PWG) which will meet throughout the project and will be facilitated by City staff. The Consultant may be required to attend some of these meetings. In addition to committees, public involvement events may include City staff attendance at meetings of established organizations to share information about the project and other meeting with the public (roundtables, focus groups, open houses) to gather information about community aspirations for the project and desired features. All noticing, printing, and distribution of public outreach materials will be performed by City staff.

The City will be responsible for providing a separate grant to a community organization(s) to involve traditionally-under-represented groups, such as communities of color, or renters. The City will also manage a project website, organize a project working group, provide staff support to develop and execute community outreach plans, and directly pay for outreach-related materials, including room rentals, and report printing.

- **Research:** City staff will compile information to supplement Consultant work in the area of demographics, zoning code provisions and entitlements, etc..
- **Technical expertise:** The City has assigned staff to the project with expertise in urban design, urban/real estate economics, housing, code development, as well as general land use planning expertise. These staff will work closely with the Consultant to develop, advise and review

proposer work products.

City staff will also recruit a technical advisors group including public agency experts in housing, transportation, environmental services, parks and transportation which will also meet throughout the project. City staff will also organize and manage a series of meetings to solicit and compile early design advice and information from city development review agencies including BDS, BES, PBOT, Portland Parks, BDS, Water Bureau, Fire Bureau, Police Bureau and the Housing Bureau.

- City staff will coordinate review of and feedback on Consultant work products.

The City will provide the successful Proposer with:

- Meeting rooms to review work products associated with this project.
- Printing and distribution of materials in excess of required quantity and type of documents.

3. PROJECT REVIEWS

On a day-to-day basis, the progress of the work will be managed by the City's Project Manager. The project will also include a committee made up of project stakeholders, including representatives of the property owners, government agencies, and community members that may provide feedback. The following project reviews will be conducted:

- Review of baseline assumptions and information.
- Review of draft and final materials related to market conditions for uses and urban economics for development
- Review of draft and final pro forma analysis and financial; feasibility gap analyses.

The following individuals and groups may review and provide comment on the products:

- City Project Manager
- Metro Project Manager
- Property owner representative
- Working Group Members (via the project manager)

4. DELIVERABLES AND SCHEDULE

Deliverables shall be considered those tangible resulting work products that are to be delivered to the City such as reports, draft documents, data, interim findings, drawings, schematics, training, meeting presentations, final drawings, and reports. Unless otherwise specified by the City, the successful Proposer shall prioritize submitting applicable deliverables electronically, and any paper-based deliverables shall be printed double-sided and in bindings or report covers that are fully recyclable, preferably using materials containing post-consumer waste (PCW) recycled content.

Deliverables and schedule for this project shall include:

- a. Market study report, including grocery store feasibility analysis.
- b. Appraisal report.
- c. Pro-forma analysis for the concept plan development scheme and brief adjunct report covering feasibility gaps, and any recommendations.
- d. Submit monthly subconsultant payment and utilization reporting electronically by the 15th of each month with invoice (reference Part II, Section C.5 of the RFP).
- e. The work is expected to begin upon contract execution in late 2018 with final products and deliverables completed by April 15, 2019.

All deliverables and resulting work products from this contract will become the property of the City of Portland. As such, the Consultant and any Subconsultants grant the City the right to copy and distribute (in any and all media and formats) project deliverables for regulatory, project certification/recognition, program development, public education, and/or for any purposes at the sole discretion of the City of Portland.

5. PLACE OF PERFORMANCE

Contract performance will take place primarily at the successful Proposer's facility. On occasion and as appropriate, work will be performed at City facilities, a third-party location such as the subject site, or any combination thereof.

6. PERIOD OF PERFORMANCE

The City anticipates having the successful Proposer begin work immediately upon contract execution with submittal of final deliverables to the City occurring by April 15, 2019.

Proposals containing earlier completion of the deliverables are acceptable and encouraged.

7. ACH PAYMENTS

It is the City's policy to pay its vendor invoices via electronic funds transfers through the automated clearing house (ACH) network. To initiate payment of invoices, vendors shall execute the City's standard ACH Vendor Payment Authorization Agreement which is available on the City's website at: <https://www.portlandoregon.gov/brfs/45475>. Upon verification of the data provided, the Payment Authorization Agreement will authorize the City to deposit payment for services rendered directly into vendor accounts with financial institutions. All payments shall be in United States currency.

8. PUBLIC SAFETY

Public safety may require limiting access to public work sites, public facilities, and public offices, sometimes without advance notice. The Proposer shall anticipate delays in such places and include the cost of delay in the proposed cost. The successful Proposer's employees and agents shall carry sufficient identification to show by whom they are employed and display it upon request to security personnel. City project managers have discretion to require the successful Proposer's employees and agents to be escorted to and from any public office, facility, or work site if national or local security appears to require it.

9. BUSINESS COMPLIANCE

The successful Proposer(s) must be in compliance with the laws regarding conducting business in the City of Portland before an award may be made. The Proposer shall be responsible for the following:

Certification as an Equal Employment Opportunity (EEO) Affirmative Action Employer

The successful Proposer(s) must be certified as Equal Employment Opportunity Employers as prescribed by Chapter 5.33.076 of the Code of the City of Portland prior to contract award. To certify go to the website at: <https://procure.portlandoregon.gov>.

Non-Discrimination in Employee Benefits (EB)

The successful Proposer(s) must be in compliance with the City's Equal Benefits Program as prescribed by Chapter 5.33.077 of the Code of the City of Portland prior to contract award. To certify go to the website at: <https://procure.portlandoregon.gov>.

Business Tax Registration

The successful Proposer(s) must be in compliance with the City of Portland Business Tax registration requirements as prescribed by Chapter 7.02 of the Code of the City of Portland prior to contract award. Details of compliance requirements are available from the Revenue Bureau Tax Division, 111 SW Columbia Street, Suite 600, Portland, Oregon 97201, (503) 823-5157, website: <http://www.portlandoregon.gov/revenue/29320>.

10. INSURANCE

The successful Proposer(s) shall obtain and maintain in full force, and at its own expense, throughout the duration of the contract and any warranty or extension periods, the required insurances identified below. The City reserves the right to require additional insurance coverage as required by statutory or legal changes to the maximum liability that may be imposed on Oregon cities during the term of the contract. Successful Proposer shall be able to provide evidence that any or all subconsultants performing work or providing goods or services under the contract have the same types and amounts of insurance coverage as required herein or that the subconsultant is included under the Successful Proposers policy.

Workers' Compensation Insurance: Successful Proposer shall comply with the workers' compensation law, ORS Chapter 656 and as it may be amended. Unless exempt under ORS Chapter 656, The Successful Proposer and any/all subconsultants shall maintain coverage for all subject workers for the entire term of the contract including any contract extensions.

Commercial General Liability Insurance: Successful Proposer shall have Commercial General Liability (CGL) insurance covering bodily injury, personal injury, property damage, including coverage for independent successful Proposer's protection (required if any work will be subcontracted), premises/operations, contractual liability, products and completed operations, in per occurrence limit of not less than \$1,000,000, and aggregate limit of not less than \$2,000,000.

Automobile Liability Insurance: Successful Proposer shall have automobile liability insurance with coverage of not less than \$1,000,000 each accident, and an umbrella or excess liability coverage of \$2,000,000. The insurance shall include coverage for any auto or all owned, scheduled, hired and non-owned auto. This coverage may be combined with the commercial general liability insurance policy.

Professional Liability & Errors & Omissions Insurance: Successful Proposer shall have Professional Liability and/or Errors & Omissions insurance to cover damages caused by negligent acts, errors or omissions related to the professional services, and performance of duties and responsibilities of the Successful Proposer under this contract in an amount with a combined single limit of not less than \$1,000,000 per occurrence and aggregate of \$3,000,000 for all claims per occurrence. In lieu of an occurrence based policy, Successful Proposer may have claims-made policy in an amount not less than \$1,000,000 per claim and \$3,000,000 annual aggregate, if the Successful Proposer obtains an extended reporting period or tail coverage for not less than three (3) years following the termination or expiration of the Contract.

Additional Insurance: Any insurance required by Federal Law or State Statute or City Code; such as Bailees Insurance, Maritime Coverage, or other coverage(s).

Additional Insured Endorsement: The liability insurance coverage, except Professional Liability, Errors and Omissions, or Workers' Compensation, shall be without prejudice to coverage otherwise existing, and shall name the City of Portland and its bureaus/divisions, officers, agents and employees as Additional Insureds, with respect to the Successful Proposer's activities to be performed, or products or services to be provided. Coverage shall be primary and non-contributory with any other insurance and self-insurance. Notwithstanding the naming of additional insureds, the insurance shall protect each

additional insured in the same manner as though a separate policy had been issued to each, but nothing herein shall operate to increase the insurer's liability as set forth elsewhere in the policy beyond the amount or amounts for which the insurer would have been liable if only one person or interest had been named as insured.

Continuous Coverage & Notice of Cancellation: The Successful Proposer agrees to maintain continuous, uninterrupted coverage for the duration of the Contract. There shall be no termination, cancellation, material change, potential exhaustion of aggregate limits, or non-renewal of coverage without thirty (30) days written notice from Successful Proposer to the City. If the insurance is canceled or terminated prior to completion of the Contract, Successful Proposer shall immediately notify the City and provide a new policy with the same terms. Any failure to comply with this clause shall constitute a material breach of Contract and shall be grounds for immediate termination of this Contract.

Certificate(s) of Insurance: Successful Proposer shall provide proof of insurance through acceptable certificate(s) of insurance and additional insured endorsement forms(s) to the City prior to the award of the Contract if required by the procurement documents (e.g., request for proposal), or at execution of Contract and prior to any commencement of work or delivery of goods or services under the Contract. The Certificate(s) will specify all of the parties who are endorsed on the policy as Additional Insureds (or Loss Payees). The insurance coverage required under this Contract shall be obtained from insurance companies acceptable to the City of Portland. The Successful Proposer shall pay for all deductibles and premium. The City reserves the right to require, at any time, complete, certified copies of required insurance policies, including endorsements evidencing the coverage required.

SECTION C PROJECT PROVISIONS

1. SAMPLE CONTRACT

The Professional, Technical, and Expert Services Contract is the City's standard contract and will be used as a result of this selection process. A sample contract can be viewed at: <https://www.portlandoregon.gov/brfs/article/537760>.

2. ATTACHMENTS

Exhibit A	PTE Participation Disclosure Form 1
Exhibit B	Rossi Farms Development Plan Metro/City of Portland Intergovernmental Agreement
Exhibit C	Map with study Focus Area

PART II PROPOSAL PREPARATION AND SUBMITTAL

SECTION A PRE-SUBMITTAL MEETING/CLARIFICATION

1. PRE-SUBMITTAL MEETING

A pre-submittal meeting and/or site visit is scheduled for this Request for Proposal on September 13, 2018 at 11:00 am at 1900 SW 4th Ave Suite 7100 Portland, OR 97201.

This is a **non-mandatory** meeting; therefore proposal submission will not be contingent upon attendance at this meeting

Telephone conference will be available. Please contact Trisha Schultz at (503) 823-5772 for conference call in instructions.

2. IRFP CLARIFICATION

Questions and requests for clarification regarding this Request for Proposal must be directed in writing, via email or fax, to the person listed below. **The deadline for submitting such questions/clarifications is seven (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.

City of Portland
Bureau of Planning and Sustainability
Attn: Trisha Schultz
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Trisha Schultz
trisha.schultz@portlandoregon.gov

SECTION B PROPOSAL SUBMISSION

1. PROPOSALS DUE

Sealed proposals must be received 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 RFP number, and the name and address of the Proposer. It is the Proposer's responsibility to ensure that proposals are received prior to the specified closing date and time, and at the location specified. Proposals received after the specified closing date and/or time shall not be considered and will be returned to the Proposer unopened. The City shall not be responsible for the proper identification and handling of any proposals submitted to an incorrect location.

2. PROPOSAL

Proposals must be clear, succinct and **not exceed 15 pages**. Section dividers, title page, table of contents, cover letter, and the PTE Participation Disclosure Form 1 do not count in the overall page count of the proposal. Proposers who submit more than the pages indicated may not have the additional pages of the proposal read or considered. Resumes and work examples may be attached and are not included in the maximum page count.

Submittals shall be printed on both sides of a single sheet of 8.5" x 11" paper wherever applicable; if sheets are printed on both sides, it is considered to be two pages. Color is acceptable, but content should not be lost by black-and-white printing or copying. For purposes of review and in the interest of the City's Sustainable Paper Use Policy and sustainable business practices in general, the City requests the use of submittal materials (i.e. paper, envelopes, etc.) that contain post-consumer recycled content and are readily recyclable. Submittals shall NOT include 3-ring binders or any plastic binding, folders, or indexing materials. Reusable binding posts, clips or rings and recycled content paper envelopes or folders are examples of acceptable bindings.

All submittals will be evaluated on the completeness and quality of the content. Only those Proposers providing complete information as required will be considered for evaluation. The ability to follow these instructions demonstrates attention to detail.

3. PROPOSAL SUBMISSION

For purposes of this proposal submission, the proposer shall submit: **one (1) original printed copy, and five (5) additional printed copies, and one (1) PDF or MS Word format copy on CD disk or flash drive.** If the proposer requests redactions please submit one (1) PDF or MS Word format document with redactions on a USB flash drive or CD disk. If no redactions are requested in a proposal, please state that clearly in the Cover Letter section of your submittal. **The entire proposal submittal must be received at the place and on or before the time and date specified on the cover page of this RFP document.**

REDACTION FOR PUBLIC RECORDS: Any portion of a proposal that the proposer claims as exempt from disclosure must meet the requirements of ORS 192.501(2), ORS 192.502(4) and/or ORS 646.461 et seq. **Proposers are required to submit a redacted copy of their proposal and all attachments.** "Redaction" means the careful editing of a document to obscure confidential references; a revised or edited document thereby obscuring the exempt information but otherwise leaving the formatted document fully intact. **The redacted copy must be a complete copy of the submitted proposal, in which all information the Proposer deems to be exempt from public disclosure has been identified.**

When preparing a redaction of your proposal submission, a proposer must plainly mark the redactions by obscuring the specific areas your firm asserts are exempt from public disclosure. In addition, a summary page identifying the pages where redactions occur shall be included with the proposal submission (summary is not included in page limitations). **If a proposer fails to submit a redacted copy of their proposal as required, the City may release the proposer's original proposal without redaction.** 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.

Unless expressly provided otherwise in this RFP or in a separate written communication, the City does not agree to withhold from public disclosure any information submitted in confidence by a proposer unless the information is otherwise exempt under Oregon law. The City agrees not to disclose proposals until the City has completed its evaluation of all proposals and publicly announces the results.

Please refer to the GENERAL INSTRUCTIONS AND CONDITIONS for more information about confidential information within public records.

4. COST OF RESPONDING

All costs incurred by the Proposer in preparation of proposals to this solicitation, including presentations to the City and/or for participation in an interview shall be borne solely by the Proposer; the City shall not be liable for any of these costs. At no time will the City provide reimbursement for submission of a proposal unless so stated herein.

5. ORGANIZATION OF PROPOSAL

Proposers must provide all information as requested in this Request for Proposal (RFP). Proposals must follow the format outlined in this RFP. Additional materials in other formats or pages beyond the stated page limit(s) may not be considered. The City may reject as non-responsive, at its sole discretion, any proposal or any part thereof, which is incomplete, inadequate in its response, or departs in any substantive way from the required format. Proposals shall be organized in the following manner:

1. Cover Letter
2. Project Team
3. Proposer's Capabilities
4. Project Approach and Understanding
5. Corporate Responsibility

6. Proposed Cost
7. Supporting Information
8. A completed PTE Participation Disclosure Form 1 (refer to Part II.C.5)

SECTION C EVALUATION CRITERIA

1. COVER LETTER

By Submitting a proposal, the Proposer is accepting the General Instructions and Conditions of this Request for Proposal (reference second page of the IRFP), the stated insurance coverage and limitations, and the Standard Contract Provisions of the Professional, Technical, and Expert Services contract. Any exceptions to the requirements or requests for waivers **MUST** be included in the proposal Cover Letter or they will not be considered.

- The Cover Letter must include the following:
 - RFP number and project title
 - Full legal name of proposing business entity
 - Structure or type of business entity
 - Name(s) of the person(s) authorized to represent the Proposer in any negotiations
 - Name(s) of the person(s) authorized to sign any contract that may result
 - Contact person's name, mailing or street addresses, phone and fax numbers and email address
 - Statement that no redactions are requested, if applicable

A legal representative of the Proposer, authorized to bind the Proposer in contractual matters must sign the Cover Letter.

If your firm has a current City of Portland Business Tax registration, has completed the City's Equal Employment Opportunity (EEO) and Equal Benefits (EB) certifications online, include in the Cover Letter your firm's City of Portland Business Tax number and a statement that your firm's EEO and Equal Benefits certifications are complete.

2. PROJECT TEAM

Please provide the following:

- Approximate number of people to be assigned to the project.
- Extent of company's principal member's involvement.
- Names of key personnel who will be performing the work on this project, and:
 - their roles and responsibilities on this project
 - current assignments and location
 - directly relevant experience on similar or related projects
 - unique qualifications
 - demonstrated performance record of key personnel
 - percentage of their time that will be devoted to the project

Provide a professional resume for each key personnel, including key personnel of any Subconsultant(s) proposed to be assigned to the project. Resumes shall include educational background, professional development, and demonstrate that the individual(s) meets the qualification and experience requirements for performing the work outlined in this RFP.

- Proposals must identify a proposed project manager who would be responsible for the day-to-day management of project tasks and would be the primary point of contact with your firm. Describe the project manager's experience with similar projects and with managing and leading

interdisciplinary teams. List other projects the proposed project manager is currently assigned to.

- Describe the on-going training (continuing education or experience) key team members have received, specifically as it relates to energy efficiency, green building/infrastructure design and methods, material optimization, or identifying and utilizing least-toxic and low-carbon products and materials.
- Team qualifications and experience on similar or related projects:
 - qualifications and relevant experience of prime consultant
 - qualifications and relevant experience of sub-consultants, if any

3. PROPOSER'S CAPABILITIES

Please provide the following information:

- Describe your firm's legal structure, areas of expertise, length of time in business, number of employees, and other information that would be helpful in characterizing the firm. Provide the same information for any subconsultants to be utilized on the project.
- Provide the address of the firm's home office and the address of the office that will manage the project, if applicable.
- Describe similar projects performed within the last 10 years, which best characterize firm's capabilities, work quality and cost control.
- For each project mentioned, include the name, address and phone number of a person who can be contacted regarding your performance on the project. When submitting projects for which your firm worked in an auxiliary capacity or in a joint venture or partnership, include the name of the lead firm.
- Describe similar projects with other government agencies or private entities.
- Describe firm's resources available to perform the work for the duration of the project and other on-going projects.
- Describe firm's internal procedures and/or policies associated or related to work quality and cost control.
- Describe firm's management and organizational capabilities.
- Describe or provide a detailed description of firm's approach to overall management and integration of all activities required by the scope of work, including the management objectives and techniques that demonstrate how the work requirements will be met.

4. PROJECT APPROACH AND UNDERSTANDING

For each phase of work, the project approach should:

- Describe the proposed work tasks and activities, and provide a narrative description of how the firm proposes to execute the tasks during each phase of the project.
- Identify the team members who will work on each task.
- Describe the proposed work products that will result from each task or activity.
- Identify points of input and review with City staff and other reviewers.
- Based on your firm's expertise and experience with similar projects, demonstrate how your firm will effectively complete the proposed project.
- Identify the time frame estimated to complete each task.

5. CORPORATE RESPONSIBILITY

Through the adoption of The Portland Plan, the Social Equity Contracting Strategy and Sustainable Procurement Policy, the Portland City Council has shown its commitment to contracting with socially and environmentally responsible businesses. The City values and supports diversity and is dedicated to advancing equity in public contracting by increasing opportunities for State of Oregon certified Disadvantaged Business, Minority Owned, Women Owned, and Emerging Small Business enterprises (D/M/W/ESB).

The Social Equity Contracting Strategy promotes D/M/W/ESB economic growth and encourages partnering and mentoring between large and small D/M/W/ESB firms on City PTE contracts. Therefore, the City has established an overall aspirational goal of 20% in awarding PTE subconsultant contracts to Oregon State certified D/M/W/ESB firms. Proposing firms are encouraged to use the State's Certification Office for Business Inclusion and Diversity (COBID) website (<https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp>) for identifying potential D/M/W/ESB subconsultants.

All Proposers shall address the following in their proposals:

a. State of Oregon Certification

- Please indicate in your Cover Letter whether your firm is currently certified in the State of Oregon as a DBE, MBE, WBE, or ESB.

b. Disadvantaged, Minority, Women and Emerging Small Business Subcontracting

- Please list the total project amount on the PTE Participation Disclosure Statement (Form 1). Include in the Form all scopes of work being performed, the specific dollar amount, the firm name, and the State D/M/W/ESB certification of the firm performing the work.
- Points will be awarded based upon the dollars contracted with State of Oregon certified D/M/W/ESB firms utilized as subconsultants. The listed dollar amounts and specific firms must flow through to the final contract.
- Meeting the aspirational goal of 20% will be awarded 50% of the available points for this criteria. Additional points will be awarded based on a mathematical calculation for utilization exceeding the goal or deducted based on the same formula for utilization not meeting the goal.
- DMWESB Subcontracting Evaluation Formula:
The Utilization % ÷ 40% x 8 points = the Score
Example: if the Utilization % = 20%, then the Score would be: (20% ÷ 40% x 8 points) = 4 points
Note - Proposed Utilization % includes D/M/W/ESB utilization at only the Subconsultant level.

***Note: Failure to submit Form 1 with your proposal may result in the proposal being found non-responsive and may be rejected.**

c. Workforce Diversity and Community Involvement

- Describe your firm's workforce demographics and any measurable steps taken to ensure a diverse internal workforce (e.g., women and people of color).
- How do you approach internal on the job training, mentoring, technical training, and/or professional development opportunities for women and people of color?
- Describe your firm's employee compensation structure, (e.g., living wages, healthcare coverage, employee leaves, dependent care, etc.).
- Describe your firm's commitment to community service, (e.g., charitable programs, scholarships, economic development, etc.)

d. Sustainable Business Practices

- List the top three actions/ongoing practices your firm has implemented to reduce the environmental impacts of your operations (e.g., energy efficiency, use of recycled content or non-toxic products, use of public transit or alternative fuel vehicles, waste prevention and recycling, water conservation, green building practices, etc.). Reference implementation dates, timelines, and any performance metrics that characterize your achievements.
- Does your firm hold any third-party certifications related to sustainable business operations (e.g. [Sustainability at Work](#), [B-Corp certification](#), etc.)? If so, reference the name of the certification, a link to the certification requirements and who administers the certification.

The City expects thoughtful consideration of all of the above Corporate Responsibility criteria in the preparation of proposals. The City will enforce all D/M/W/ESB commitments submitted by the successful Proposer. The successful Proposer will be required to submit subconsultant payment and utilization information electronically to ensure that subconsultants are utilized to the extent proposed and submitted in the original proposal. The successful Proposer and their subconsultants will be required to utilize the City's automated compliance audit process for prime contractors and subcontractors. More information on this process may be viewed on the City Procurement website at: <https://www.portlandoregon.gov/brfs/75932>. The successful Proposer will not be permitted at any time to substitute, delete, or add a subconsultant without the prior written approval of the Chief Procurement Officer. This form may be obtained from the Procurement Services website at: <https://www.portlandoregon.gov/brfs/article/536319>.

6. PROPOSED COST

The proposal shall include the Proposer's **true estimated cost or fixed-price estimate** for the proposed project approach irrespective of the City's anticipated cost, and shall include the hourly rates of each person associated with the project as well as the estimated number of hours each staff member will be expected to work on each task.

7. SUPPORTING INFORMATION

Supporting material must include a minimum of three references, and may include other information pertinent to the project or work to be performed. References must include the contact person's name, agency, address, phone number, their role in the project (e.g., project manager, etc.), name of the project, and when the work was done.

Résumés: Provide a professional resume for each key person, including key personnel of any Subconsultant(s) proposed to be assigned to the project. Résumés shall include educational background, professional development, and demonstrate that the individual(s) meets the qualification and experience requirements for performing the work as outlined in this RFP.

PART III PROPOSAL EVALUATION

SECTION A PROPOSAL REVIEW AND SELECTION

1. EVALUATION CRITERIA

An Evaluation Committee (Committee) will be appointed to evaluate the proposals received. For the purpose of scoring proposals, each Committee member will evaluate each proposal in accordance with the criteria listed in Part II, Section C. The Committee may seek the assistance of outside expertise, including, but not limited to, technical advisors. The Committee will require a minimum of five (5) working days to evaluate and score the proposals

The choice of how to proceed, decisions to begin or terminate negotiations, determination of a reasonable time, decisions to open negotiations with a lower scoring Proposer, and any decision that a solicitation should be cancelled are all within the sole discretion of the City.

The proposal evaluation process consists of a series of Evaluation Levels that will lead to the identification of a Successful Proposer. Each proposal response will be evaluated in accordance with the following evaluation criteria:

Evaluation Level #1 – Written Scoring: Responses meeting the mandatory and responsiveness requirements will be further evaluated as part of Evaluation Level #1. One hundred possible points are available at Level #1. This step consists of a detailed review and scoring by the Committee of the proposals as follows:

Level #1 Evaluation Criteria		
Criteria	Maximum Level #1 Score	Point Distribution by Subsection
1. Cover Letter		REQUIRED
2. Project Team	20	
3. Proposer’s Capabilities	20	
4. Project Approach	25	
5. Corporate Responsibility	20	
State of Oregon Certification		4
DMWESB Subcontracting		8
Workforce Diversity & Community Involvement		3
Sustainable Business Practices		5
6. Proposed Cost	15	
Total:	100	

Evaluation Level #2 – Interview Scoring: If oral interviews or presentations are determined to be necessary, this next step will consist of oral presentations to further clarify the Proposer’s proposal(s). The number of proposals on the “short list” depends on whether the Committee believes such proposals have a reasonable chance of scoring well enough to be awarded a contract. Proposers invited to participate in Evaluation Level #2 (oral interviews) will be given additional information regarding the City’s desired content a reasonable time before the scheduled Evaluation Level #2 oral interviews/presentations are held. The scoring of the Level #2 will be as follows:

Level #2 Evaluation Criteria		
Criteria	Maximum Level #2 Score	Point Distribution by Subsection
1. Project Team	30	
2. Proposer’s Capabilities	30	
3. Project Approach	40	
Total:	100	

All communications shall be through the contact(s) referenced in Part II, Section A.2 of the RFP. At the City’s sole discretion, communications with members of the evaluation committee, other City staff, or elected City officials for the purpose of unfairly influencing the outcome of this RFP may be cause for the Proposer’s proposal to be rejected and disqualified from further consideration.

The City has the right to reject any or all proposals for good cause in the public interest, and the Chief Procurement Officer may waive any evaluation irregularities that have no material effect on upholding a fair and impartial evaluation and selection process.

NOTE: In the City's discretion, litigation between the City and a Proposer may be cause for proposal rejection, regardless of when that litigation comes to the City's attention and regardless how the Proposer's proposal may have been scored. Proposals may also be rejected if they use subconsultants or Subconsultants who are involved in litigation with the City. Proposers who are concerned about possible rejection on this basis should contact the City before submission of a proposal for a preliminary determination of whether its proposal will be rejected.

4. SCORING PROCESS

For Evaluation Level #1, the sum of all points earned by a Proposer from all proposal evaluators will be the Overall Score for Level #1. The Evaluation Committee may choose to focus on only a limited number of proposals by developing a "short list" to move on to Evaluation Level #2 based on the scores from the written proposals. Or they may choose to proceed directly to contract negotiation and award.

If Proposers move to Evaluation Level #2, then the proposal scores from Level #1 will not be used during the oral interview/presentation process and they will be scored based on the Level #2 criteria alone. Following completion of the Evaluation Level #2 scoring, each Proposer's Evaluation Level #2 score will be added to their Evaluation Level #1 score to determine their Total Overall Score. The highest scoring proposal(s), based on their Total Overall Score, may be identified as the Successful Proposer(s).

5. CLARIFYING PROPOSAL DURING EVALUATION

At any point during the evaluation process, the City is permitted, but is not required, to seek clarification of a proposal. However, a request for clarification does not permit changes to a proposal.

SECTION B CONTRACT AWARD

1. CONSULTANT SELECTION

Following the Evaluation Committee's final determination of the highest scored Proposer, the City will issue a Notice of Intent to Negotiate and Award and begin contract negotiations. The City will attempt to reach a final agreement with the highest scoring Proposer. However, the City may, in its sole discretion, terminate negotiations and reject the proposal if it appears agreement cannot be reached. The City may then attempt to reach a final agreement with the second highest scoring Proposer and may continue on, in the same manner, with remaining proposers until an agreement is reached. A Consultant selection process will be carried out under Portland City Code Chapter 5.68.

The selection of the Successful Proposer shall be based on negotiated costs and conformance to the City's terms and conditions. Negotiations will follow with the Successful Proposer, and if successful, the consultant and City will enter into a service contract for the work. If agreement concerning the negotiated costs, schedule, and scope of work cannot be reached with the Successful Proposer within a time period deemed reasonable to the City, the City may, at its sole discretion, terminate such negotiations and begin negotiations with the next highest scored proposer from the Short List.

2. CONTRACT DEVELOPMENT

The proposal and all responses provided by the successful Proposer may become a part of the final contract. Any information included as part of this contract shall be a public record and not exempt from disclosure, including items redacted from the proposal. The form of contract shall be the City's Contract for PTE Services.

For contracts over \$500,000, the evaluation committee's recommendation for contract award will be submitted to the Portland City Council for approval.

3. REVIEW

REVIEW: Following the Notice of Intent to Negotiate and Award, the public may view proposal documents. However, any proprietary information so designated by the Proposer as a trade secret or confidential and meeting the requirements of ORS 192.501, 192.502 and/or ORS 646.461 et seq., will not be disclosed unless the Multnomah County District Attorney determines that disclosure is required. At this time, Proposers not awarded the contract may seek additional clarification or debriefing, request time to review the selection procedures or discuss the scoring methods utilized by the evaluation committee.

4. KICK-OFF MEETING

If requested by the City, the successful Proposer shall begin work by attending an orientation meeting to take place within 30 days following execution of the contract. The successful Proposer shall then develop and maintain a comprehensive schedule for all elements of the project.

**CITY OF PORTLAND
PROFESSIONAL TECHNICAL & EXPERT (PTE) SERVICES
PARTICIPATION DISCLOSURE FORM 1**

CITY PTE DISCLOSURE REQUIREMENTS

The City's disclosure program was adopted to document the utilization of State of Oregon certified Disadvantaged, Minority owned, Women owned, and Emerging Small Businesses (D/M/W/ESBs) on City projects.

This Request for Proposal (RFP) requires the Proposer to submit a PTE Participation Disclosure Form 1. The Proposer must disclose the following information:

- 1) Contact information and Employer Identification Number (EIN) for all contract participants.
- 2) State of Oregon D/M/W/ESB designations (**verify current certification status at: <https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp>**).
- 3) The dollar amount or percentage of the Proposer's self-performing work.
- 4) The dollar amount or percentage of each Subconsultant's work.
- 5) The proposed scope or category of work that each Subconsultant will be performing.
- 6) ALL Subconsultants are to be listed on this Form, not certified firms only.
- 7) Total percentage of contract amount allocated to Oregon State certified D/M/W/ESB subconsultant firms.

Report all amounts in United States Dollars (USD). The use of 'TBD', 'N/A', or similar symbols is not acceptable. All requested information must be provided.

If the Proposer will not be using any subconsultants, the Proposer is still required to enter its own information in the appropriate section, and to indicate "**NONE**" in the subconsultant section of the accompanying form, and to submit the form with their proposal.

FAILURE TO SUBMIT THE PTE PARTICIPATION DISCLOSURE FORM 1 WITH THE PROPOSAL MAY RESULT IN THE PROPOSAL BEING FOUND NON-RESPONSIVE AND REJECTED FROM CONSIDERATION.

CITY OF PORTLAND PTE PARTICIPATION DISCLOSURE FORM 1

This Request for Proposals (RFP) requires the Proposer to submit this PTE Participation Disclosure Form 1. **Failure to submit this form with the proposal may result in the proposal being found non-responsive and rejected.** Proposers must disclose the following information:

Please print all information clearly.

Project Name: _____ RFP Number: _____

Proposer Name: _____ Proposer's EIN #: _____

Contact Name: _____ Phone: _____ Email: _____

Proposer's Total Cost: \$ _____

Self-Performing Amount: \$ _____

Combined percentage of total subcontract amounts allocated to State of Oregon certified D/M/W/ESB participation (<i>Subconsultants only</i>):	%
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SUBCONSULTANT INFORMATION (please print) ¹	D/M/W/ESB Cert. ²	Subconsultant Scope/Type of Work	Subcontract % / \$ ³
Firm Legal Name: Email: Phone #: EIN #⁴:			
Firm Legal Name: Email: Phone #: EIN #:			
Firm Legal Name: Email: Phone #: EIN #:			
Firm Legal Name: Email: Phone #: EIN #:			

NOTE:

1. If the Proposer will not be using any Subconsultants, the Proposer is required to indicate "NONE" in the Subconsultant Information section of this form and submit this form with their proposal.
2. The Proposer and ALL Subconsultants must be listed on this form. Leave D/M/W/ESB column blank if firm is not currently certified through the State of Oregon Office of Minority, Women, and Emerging Small Business: <https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp>.
3. Report all amounts in US Dollars (USD). Using 'TBD', 'N/A', or similar acronyms is not acceptable.
4. Do not enter Social Security Numbers (SSN) on this form.

SUBCONSULTANT INFORMATION (please print)	D/M/W/ESB Cert.	Subconsultant Scope/Type of Work	Subcontract % / \$
Firm Legal Name: Email: Phone #: EIN #:			
Firm Legal Name: Email: Phone #: EIN #:			
Firm Legal Name: Email: Phone #: EIN #:			
Firm Legal Name: Email: Phone #: EIN #:			
Firm Legal Name: Email: Phone #: EIN #:			
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