



RFP NUMBER 00000302

PROFESSIONAL, TECHNICAL, AND EXPERT SERVICES

City of Portland, Oregon
April 15, 2016

REQUEST FOR PROPOSALS

for

Livable Streets Policy and Strategy Development

PROPOSALS DUE: May 4, 2016 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
Patrick Boyd
1120 SW 5th Ave, Suite 800
Portland, OR 97204

Refer written questions only to:

Patrick Boyd
Fax: (503) 865-3453
Email: Patrick.Boyd@portlandoregon.gov

GENERAL INSTRUCTIONS AND CONDITIONS

CORPORATE RESPONSIBILITY AND SOCIAL EQUITY 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. Therefore, the City has established an overall 20% utilization goal in awarding PTE contracts to 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 Storm water Management Manual (to view these and related City policies, go to the Portland Policy Documents Website: <http://www.portlandonline.com/auditor/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 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 found 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 subcontractors 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.

CITY OF PORTLAND BUSINESS LICENSE – Successful Proposer shall obtain a current City of Portland Business License 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 as Equal Employment Opportunity Affirmative Action Employers as prescribed by Chapter 5.33.076 of the Code of the City of Portland. The required documentation must be filed with Procurement Services, City of Portland, prior to contract execution.

EQUAL BENEFITS PROGRAM – Successful Proposers must 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. The required documentation must be filed with Procurement Services, City of Portland, prior to contract execution.

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. BACKGROUND

The City of Portland's Draft 2035 Plan calls for designing, managing and repurposing Portland streets to create opportunities for a variety of community functions. To respond to this call, the Portland Bureau of Transportation (PBOT) is developing a Livable Streets Strategy to provide greater opportunities for placemaking and community uses of the right-of-way. A Livable Streets Strategy will support innovation in the public right-of-way by opening Portland's streets, parking spaces, plazas, and alleys to a range of events, programming, and physical infrastructure that reinforce the idea that public streets are public places to be enjoyed by all ages and abilities.

2. SCOPE OF WORK

Proposer will work with Portland Bureau of Transportation staff in producing a Livable Streets Strategy. The Strategy will include a programmatic and regulatory framework to inform the planning, permitting, and management of community use projects in the right-of-way (ROW). This work will also include developing recommendations for how to encourage and streamline citizen initiated projects. PBOT intends to submit the Strategy for adoption by City Council.

The City of Portland, Bureau of Transportation is seeking proposals from individuals, firms, teams or consultants, hereafter called "Proposer(s)," with demonstrated experience in city placemaking planning and proposes to engage the successful Proposer for the following services: program analysis, policy scans, and report production.

4. PROJECT FUNDING

The City has not determined the anticipated cost for the requested services. 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.

5. TIMELINE FOR SELECTION

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

Written proposals due at 4:00 p.m.	May 4, 2016
Selection committee recommendation	May 20, 2016
Notice to proceed – work begins	Upon Contract Execution

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

SECTION B

WORK REQUIREMENTS

1. TECHNICAL OR REQUIRED SERVICES

Professional services required will likely include: best practices analysis, policy gap analysis, project and program development, plan development and finalization.

The successful Proposer 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. Existing Conditions: Evaluation of Current Programs
 - Evaluate City's existing programs related to community uses of the right-of-way (ROW) to determine areas for improvement.
 - Produce a summary report evaluating PBOT's existing community uses of ROW programs
- b. Best Practices Analysis
 - Research best practices of community uses of the right-of-way.

- Research policies that other jurisdictions have in place to help advance placemaking and community use of the right-of-way, including site selection and evaluation criteria, design guidance/standards, public/private partnership strategies, permitting opportunities, inspection and enforcement actions, management tools (including maintenance agreements, liability requirements, vendor licensing, programming strategies), monitoring and evaluation techniques, and strategies to facilitate community initiated projects.
 - Produce Best Practices analysis.
- c. Livable Streets Overarching Goals
- Develop recommendations for overarching Livable Streets Strategy goals.
 - Produce a summary memo on Livable Streets Strategy Goal Recommendations
- d. Conduct Policy Gap Analysis
- Define the policy and regulatory changes and management tools needed to implement Livable Streets programming.
 - Research current City, PBOT, and other City Bureau policies, plans, and code language that pertain to Livable Streets Strategy and contribute to achieving program goals. Identify all relevant City Code that pertains to the implantation of a Livable Streets Strategy.
 - Recommend a policy statement(s) that provides guidance to the City regarding how to balance placemaking in constrained areas (specifically the use of the curb zone or the removal of lanes).
 - Produce a Policy Gap Analysis that recommends policies, plans, and code language that the City needs to consider adding, changing, eliminating, or pursuing further.
 - Produce draft code language necessary to implement Livable Streets programs.
- e. Program Area Recommendations
- Assist project team in scoping existing PBOT programs that will exist under Livable Streets umbrella.
 - Recommend three (3) new placemaking program areas for Portland (e.g. Pedestrian Plazas, Capital Project Demonstration Projects, Play Streets, etc.) with feedback from the Livable Streets Stakeholder Committee.
 - Define goals and scope of each new program area. Identify performance measures to gauge program success.
 - Identify 3-5 pilot project concepts for each program area.
 - Produce summary report on Program Area Recommendations.
- f. Livable Streets Strategy Framework and Program Implementation Tools
- Develop a framework for both existing and new program implementation:
 - Determine where opportunities exist for public/private partnership.
 - Recommend strategies to simplify and inspire community led projects.
 - Recommend site selection and evaluation criteria.
 - Recommend design guidance/standards.
 - Recommend permitting opportunities.
 - Recommend an inspection and enforcement strategy.
 - Recommend a maintenance and liability strategy.
 - Recommend site programming strategy (including vendor licensing).
 - Develop sample agreements for maintenance, liability, and programming.
 - Recommend monitoring and evaluation techniques.

- Develop application and instruction materials for 6 identified Livable Streets programs.
- Produce Livable Streets Strategy Framework and Program Implementation Tools
- g. Program Implementation Recommendations
 - Select six (6) pilot projects for immediate implementation. Develop implementation plans using the program tools developed as part of the Livable Streets Framework above.
- h. Final Livable Streets Strategy document
 - Draft a Livable Streets Strategy document from research, approved goals, policy scan, framework strategies, and implementation tool development.
 - Produce Citywide pilot project map.

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:

- Provide consultant with existing conditions materials: PBOT's existing placemaking programming/projects and related policies and procedures.
- Establish and convene stakeholder advisory committee.
- Develop external outreach and public input plan.
- Produce an online public toolkit and guide for community led-projects.

3. PROJECT REVIEWS

On a day-to-day basis, the progress of the work will be managed by the City's Project Manager. A bi-weekly check-in meeting will be established between the successful proposer and project staff.

The Stakeholder Advisory Committee will be made up of external stakeholders. The PBOT Project Team will consist of 4-5 PBOT staff members.

The following project reviews will be conducted:

- a. Review, amend, approve Program Area Recommendations.
- b. Review, amend, approve policy recommendations from Policy Gap Analysis.
- c. Review, amend, approve pilot project list for each program area.
- d. Review and provide feedback on the Draft Livable Streets Strategy.
- e. Review and provide feedback on the three Program Implementation Recommendations.

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. The successful Proposer is encouraged to provide any deliverables in accordance with the City's Sustainable Paper Use Policy. Materials printed at 8.5x11 or 11x17 size should be printed using 100% post-consumer recycled paper and vegetable-based ink. The policy can be viewed at: <http://www.portlandoregon.gov/brfs/37755>.

Deliverables for this project shall include:

- a. Write summary reports on following topics:

Due: May 31, 2016

- Evaluation of Current Programs
- Best Practices Analysis
- Overarching Strategy Goal Recommendations
- Policy Gap Analysis
- Draft Code Language
- Program Area Recommendations

b. Produce Livable Streets Strategy Framework and Program Implementation Tools

Due: July 31, 2016

c. Produce Implementation Plans for six (6) immediate pilot projects.

Due: September 30, 2016

d. Produce Final Livable Streets Strategy document, including the citywide pilot project map.

Due: September 30, 2016

Reports to be submitted to City Project Manager for review prior to acceptance by the City. Proposer will be responsible for making requested amendments. Reports to be submitted electronically as PDFs and original files in editable formats to be made available as requested.

On all contracts over \$50,000, the successful Proposer shall submit a Monthly Subconsultant Payment and Utilization Report by the 15th of each month with invoice (reference Part II, Section C.5 of the RFP).

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, 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 September 30, 2016.

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: <http://www.portlandoregon.gov/bfs/article/409834>.

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 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. Details of certification requirements is available from Procurement Services' website under Contractor Resources.

Non-Discrimination in Employee Benefits (Equal Benefits)

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. Details of certification requirements is available from Procurement Services' website under Contractor Resources: Contractor Requirements.

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 is available on the Revenue Bureau Tax Division website.

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: The insurance offering is

waived for this project only.

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: 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

1. SAMPLE CONTRACT

PROJECT PROVISIONS

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 on Procurement Services' website at <http://www.portlandonline.com/shared/cfm/image.cfm?id=27067>.

PART II

PROPOSAL PREPARATION AND SUBMITTAL

SECTION A

PRE-SUBMITTAL MEETING/CLARIFICATION

1. PRE-SUBMITTAL MEETING

A non-mandatory pre-submittal meeting is scheduled for this Request for Proposal on Friday, April 22, 2016 at 11:00am by phone at 1-720-988-2090, conference ID 683 686 31

2. RFP 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 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.

Patrick Boyd
E-mail: Patrick.Boyd@portlandoregon.gov
Fax: (503) 865-3453

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 10 double sided 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.

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. Submittals shall be printed on both sides of a single sheet of 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.

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, five (5) additional printed copies, and one (1) MS Word format copy on USB thumb drive.**

If the proposer requests redactions please submit an unprotected 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 RFP), 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 currently has a City of Portland Business Tax Registration number, is in compliance with the Equal Benefits Program, and is Equal Employment Opportunity (EEO) certified, include in the Cover Letter your firm's Business Tax Registration number, and a statement that your firms' Equal Benefits Application and your EEO certification are in compliance.

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 as 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.
- 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

The Proposer shall provide the following information:

- 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 5 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 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. [if additional information is desired, add:] Include organizational charts, a statement regarding lines of authority and responsibility, and a statement regarding how the Proposer is prepared to respond promptly to problems and any changes to scope of work.

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.
- 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.

If applicable, discuss any unique aspects of the project, alternative approaches the City might wish to consider or special considerations related to programmatic/funding requirements.

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 Minority, Women and Emerging Small Business enterprises ("M/W/ESB").

The Social Equity Contracting Strategy promotes M/W/ESB economic growth and encourages partnering and mentoring between large and small M/W/ESB firms on City PTE contracts. Therefore, the City has established an overall aspirational goal of 20% in awarding PTE prime consultant and subconsultant contracts to State of Oregon certified M/W/ESB firms. Proposing firms are encouraged to use the State's OMWESB website for identifying potential M/W/ESB subconsultants.

All Proposers shall address the following in their proposals:

a. Oregon State Certification

Please indicate in your response if your firm is currently certified in the State of Oregon as an MBE, WBE, or an ESB.

b. Minority, Women and Emerging Small Business Contracting

- If your firm is acting as the prime consultant or utilizing subconsultants on this project, please list the total project contract amount including scopes of work on Form 1(PTE Participation Disclosure Form).
- Points will be awarded based upon the maximum dollars contracted with State of Oregon certified M/W/ESB prime and/or subconsultants.

***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 five 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.
- Is your firm currently a [B-Corp certified](#) firm certified by B Lab? Does your firm hold any other third-party certifications related to sustainable business operations (e.g. [Sustainability at Work](#))? If so, reference the name of the certification, a link to 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 M/W/ESB commitments submitted by the successful Proposer. The successful Proposer will be required to submit a completed Monthly Subconsultant Payment and Utilization Report to ensure that subconsultants are utilized to the extent proposed and submitted in the original proposal. 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. A copy of the Subconsultant Change Request Form can be found on Procurement Services' website under Contractor Resources.

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. Additionally, this cost 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.

PART III

SECTION A

1. EVALUATION CRITERIA

PROPOSAL EVALUATION

PROPOSAL REVIEW AND SELECTION

A Selection Review 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 ten (10) 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: Proposals 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 of the responses as follows:

Level #1 Evaluation Criteria		
Criteria	Maximum Level #1 Score	Point Distribution by Subsection
1. COVER LETTER		REQUIRED
2. PROJECT TEAM	15	
3. PROPOSER'S CAPABILITIES	15	
4. PROJECT APPROACH	35	
5. CORPORATE RESPONSIBILITY	20	
OR State Certification		4
MWESB Contracting		8
Workforce Diversity & Community Involvement		3
Sustainable Business Practices		5
6. PROPOSED COST	15	
TOTAL:	100	

Evaluation Level #2 – Oral Scoring: If oral interviews or presentations are determined to be necessary, this next step will consist of oral presentations and further clarification of the Proposer's response. The number of proposals on the "short list" depends on whether the Committee believes such proposals have a reasonable chance of leading to the award of a contract. Proposers invited to participate in Evaluation Level #2 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
2. PROJECT TEAM	20	
3. PROPOSER'S CAPABILITIES	20	
4. PROJECT APPROACH	45	
6. PROPOSED COST	15	
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 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 subcontractors 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.

2. SCORING PROCESS

For Evaluation Level #1, the sum of all points earned by a Proposer from all proposal evaluators will be the Total Overall Score for Level #1. The Evaluation Committee may 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 may 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 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, based on their Total Overall Score, may be identified as the Successful Proposer.

3. 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 the contract with the successful Proposer cannot be reached within a time period deemed reasonable to the City, the City may elevate any of the proposers that were identified on 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 \$100,000, the evaluation committee's recommendation for contract award will be submitted to the Portland City Council for approval.

3. REVIEW AND PROTESTS

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.

PROTESTS:

Proposers who are eliminated at any stage of the evaluation process will be notified of their elimination. At that time, Proposers who wish to protest their elimination shall file a protest within seven (7) calendar days of the notice. Protests may be submitted to the Chief Procurement Officer for this formal solicitation only from those Proposers who would receive the contract if their protest was successful.

Protests must be in writing and received by the Chief Procurement Officer within seven (7) calendar days, unless otherwise noted, following the date the City's Notice of Intent to Negotiate and Award, Notice to Short List, or notification for non-responsiveness was issued. The protest must specifically state the reason for the protest and show how its proposal or the successful proposal was mis-scored, or show how the selection process deviated from that described in the solicitation document. No contract will be awarded until the protest has been resolved.

Protests must be timely and must include all legal and factual information regarding the protest, and a statement of the form of relief requested. Protests received later than specified or from other than the Proposer who would receive the contract if the protest was successful will not be considered. The exercise of judgment used by the evaluators in scoring the written proposals and interviews, including the use of outside expertise, is not grounds for appeal.

The Chief Procurement Officer may waive any procedural irregularities that had no material effect on the selection of the proposed consultant, invalidate the proposed award, amend the award decision, request the evaluation committee re-evaluate any proposal or require the Bureau to cancel the solicitation, and begin again to solicit new proposals. In the event the matter is returned to the evaluation committee, the Chief Procurement Officer shall issue a notice canceling the Notice of Intent to Negotiate and Award.

Decisions of the Chief Procurement Officer are final and conclude the administrative appeals process.

**EXHIBIT A
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 Oregon certified Minority, Women and Emerging Small Businesses (M/W/ESBs) on City projects.

This Request for Proposal (RFP) requires submission by the Proposer of the PTE Participation Disclosure Form 1. The Proposer must disclose the following information:

- 1) Contact information and Employer Identification Number (EIN or FED ID#) for all contract participants
- 2) State of Oregon M/W/ESB designation
(Verify current certification status with the Office of Minority, Women, and Emerging Small Business)
- 3) The proposed scope or category of work that the Proposer and any subconsultants will be performing
- 4) The dollar amount of the Proposer's self-performing work and of all subconsultants' contract(s)
- 5) Percentage of total contract amount allocated to Oregon certified M/W/ESB participation

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 submit the form with its 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 Proposal requires submission by the Proposer of this PTE Participation Disclosure Form 1. Proposers must disclose the following information:

Please print all information clearly.

Proposer Name: _____ **Proposer's Total Cost: \$** _____

Project Name: _____ **RFP Number:** _____

Contact Name: _____ **Phone:** _____ **Email:** _____

Percentage of total contract amount allocated to Oregon certified M/W/ESB participation	(Proposer & Subconsultant added together)		%
PROPOSER INFORMATION (Please Print)	M/W/ESB	SCOPE / TYPE OF WORK	SELF-PERFORMING AMOUNT
Firm Legal Name: Email: Phone #: Fax#: FED ID OR EIN # (No SS#):			\$
SUBCONSULTANT INFORMATION (Please Print)	M/W/ESB	SCOPE / TYPE OF WORK	SUBCONTRACT AMOUNT
Firm Legal Name: Email: Phone #: Fax#: FED ID OR EIN # (No SS#):			\$
Firm Legal Name: Email: Phone #: Fax#: FED ID OR EIN # (No SS#):			\$
Firm Legal Name: Email: Phone #: Fax#: FED ID OR EIN # (No SS#):			\$

NOTE:

- 1) Report all amounts in US Dollars (USD); using 'TBD', 'N/A', or similar symbols is not acceptable.
- 2) The Proposer and all subconsultants must be listed on this form. Leave M/W/ESB column blank if firm is not confirmed as currently certified through the State of Oregon Office of Minority, Women, and Emerging Small Business.
- 3) 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 its proposal.
- 4) Do not enter Social Security numbers on this form.

Failure to submit this form with the proposal may result in the proposal being found non-responsive and rejected.