



RFP No. BES049

PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

City of Portland, Oregon
May 3, 2006

REQUEST FOR PROPOSALS

for

**On-Call Materials Testing, Special Inspection, Geotechnical
Engineering Support, and Drilling Services**

PROPOSALS DUE: May 19, 2006, by 4:00 p.m.

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

Submit one (1) original and three (3) complete copies of the Proposal to:

Thomas Pfeiffer, P.E.
City of Portland
Bureau of Environmental Services
Materials Testing Laboratory and Geotechnical Services
1405 N. River Street
Portland, OR 97227

Refer questions to:

Thomas Pfeiffer, P.E.
Phone: 503-823-2340
Fax: 503-823-2342 Email: tomp@bes.ci.portland.or.us

GENERAL INSTRUCTIONS AND CONDITIONS

DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIREMENTS – The City of Portland seeks to extend contracting opportunities to Minority Business Enterprises, Women Business Enterprises and Emerging Small Businesses (M/W/ESBs) in order to promote their economic growth and to provide additional competition for City contracts. Therefore, the City has established an overall 20% utilization goal in awarding PTE contracts to ESBs. No goal is set for the use of M/WBE firms, but the City is committed to ensuring that such firms receive opportunities and equal consideration to be awarded City PTE contracts.

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

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

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

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 conference, 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 Bureau or Office managers, 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 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 shall be cause for proposal rejection, regardless of when that litigation comes to the City's attention and regardless how the consultant's proposal may have been scored. Proposals may also be rejected if they use subcontractors or subconsultants who are involved in litigation with the City. Proposers 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 consultant shall obtain a current City of Portland Business License prior to initiation of contract and commencement of the work.

WORKERS COMPENSATION INSURANCE – the successful consultant 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- Proposers must be certified as Equal Employment Opportunity Affirmative Action Employers as prescribed by Chapter 3.100 of the Code of the City of Portland. The required documentation must be filed with the Bureau of Purchases, City of Portland, prior to contract execution.

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

CONFIDENTIALITY – All information submitted by proposers shall be public record and subject to disclosure pursuant to the Oregon Public Records Act (ORS 192.410 et seq.), except such portions of the proposals for which proposer requests exception from disclosure consistent with Oregon Law. Any portion of a proposal that the proposer claims constitutes a "trade secret" or is "confidential" must meet the requirements of ORS 192.501(2) and ORS 192.502(4).

If a request to inspect the proposal is made, the City will notify the proposer of the request. 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 Purchasing Agent 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 Terms 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

CONTRACT REQUIREMENTS

SECTION A

GENERAL INFORMATION

1. INTRODUCTION

The Bureau of Environmental Services (BES) serves the Portland community by protecting public health, water quality and the environment. Specifically, BES protects the quality of surface and ground waters and conducts activities that promote healthy ecosystems in watersheds, and provides sewage and stormwater collection and treatment services.

BES has several program areas requiring materials testing, special inspections, geotechnical engineering support, and drilling services that are provided in-house by the City of Portland Materials Testing Laboratory. Due to the increase in Capital Improvement Project (CIP) activity including Combined Sewer Overflow (CSO) projects, watershed management, stormwater management and sewer system upgrades and expansion, the need for these types of services has seasonally expanded beyond available staff resources.

2. SCOPE OF WORK

BES is seeking proposals from qualified firms to provide services on an “as-needed” basis in support of the Materials Testing Laboratory and Geotechnical Services Division. These services consist of providing the personnel and equipment necessary to perform field and laboratory testing, special inspection services, geotechnical services and drilling services.

Proposals will be accepted in two separate *service areas*:

1. Materials Testing and Special Inspection Services
2. Geotechnical/Geological Services and Drilling Services

Contracts may be awarded to multiple firms in each service area. Selected firms will enter into a three-year contract for services as required. The contract amount may vary dependent upon the amount of work estimated for a particular category and the number of contracts awarded.

As services are requested as the need arises, there is no guarantee that the total dollar limit of any contract will be reached. Payment will be made based upon established hourly billing rates for specified classifications and within a total contract not-to-exceed limit. The not-to-exceed limit will be established at the time the contract is executed.

3. PROJECT FUNDING

This is the City's best estimate of anticipated services. As services are requested as the need arises, there is no guarantee that these dollar estimates will be reached.

Service Area 1. Materials Testing and Special Inspection

It is estimated that the total amount of services needed in this area will not exceed \$370,000 annually. It is anticipated that up to two contracts will be awarded in this service area.

Service Area 2. Geotechnical/Geological Support and Drilling Services

It is estimated that the total amount of services needed in this area will not exceed \$180,000 annually. It is anticipated that up to two contracts will be awarded in this service area.

4. WORK ORDERS

Contract services provided will be authorized via Work Orders issued by the On-Call Contracts Manager for the City of Portland Materials Testing Laboratory (MTL Contracts Manager). In service areas where more than one contract is awarded, work will be assigned on a rotational basis as equitably as practicable.

The scope of work and schedule for labor and drilling requirements will be established in writing via a Work Order prior to commencement of the work. Any changes to the scope of work or schedule must be agreed to by the consultant and the City in writing as an amendment to the Work Order.

All work progress reports and invoices will be submitted to the MTL Contracts Manager.

5. TIMELINE FOR SELECTION

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

Written proposals due at 4:00 p.m.	May 19, 2006
Selection committee recommendation	May 31, 2006
Contracts awarded	June 7, 2006
City Council approval of contracts	June 21, 2006
Contracts effective	July 1, 2006

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

SECTION B

WORK REQUIREMENTS

1. REQUIRED SERVICES

SERVICE AREA 1. MATERIALS TESTING AND SPECIAL INSPECTION

Materials Testing/Laboratory Technician Services

The Contractor shall provide materials testing and/or laboratory technicians and equipment (including a vehicle, cellular phone and tools) to the City as needed to perform field density testing and sampling of asphaltic concrete, base rock, and native and imported trench backfill and other materials testing on City construction projects. The total number of technicians required at any one time may vary from 0 to 4 (or more) and will be required for periods varying from 1 day to 6 months. Specific testing services will include:

- (a) Tests for Density of Soil and Soil Aggregate by Nuclear Method (ASTM D 2992).
- (b) Sampling Aggregate (ASTM D 75, D 702) and various construction materials.
- (c) Sieve analysis to determine soil and aggregate gradation and classification (ASTM C 137, C 117, C 2487, C 2488).
- (d) Moisture-Density Relations (Proctors) of Soils and Soil Aggregate mixtures (ASTM D 1557, D 698).
- (e) Lab Determination of Soil Moisture (ASTM D 2216).
- (f) Concrete Test Cylinders (ASTM C 31, C 39, C 138, C 143, C 172, C 173, C 231, C 617).
- (g) Extraction and Gradation Tests on Asphaltic Concrete Mixes (ASTM C 136, D 2041, D 2172, and D 4125) and ASSHTO TP 53).
- (h) Nuclear Density of Asphaltic Concrete (ASTM D 2950).
- (i) Field Data Collection of Geotechnical Instrumentation such as piezometer, inclinometers, tiltmeters, crack gauges and settlement casing.

Testing services will be performed in accordance with the contract documents of the project for which the testing is performed. Applicable ASTM, AASHTO, City of Portland Standards and the City of Portland Materials Testing Laboratory testing procedures will be guidelines for the required work.

Laboratory technicians will be required to perform field sampling and laboratory testing work. The work will include all the above tests with the exception of items (a) and (h). When field testing is not assigned, laboratory testing work will be performed. The City will furnish all laboratory testing equipment.

Qualified technicians will be supplied to the City within a reasonable period of time during the term of the contract. The reasonable time period may vary from a prior day notice for 8-hour assignments to a 2-week notice for 6-month assignments.

“Qualified Testing Technicians” are technicians who are listed on a valid Oregon Radioactive Materials License, have completed the Oregon Concrete and Aggregate Producers Association (OCAPA) training and have a minimum of 3 years verifiable materials testing experience. All training associated with obtaining and maintaining Radioactive Materials Licensure and OCAPA certification will be at the expense of the firm awarded the contract to provide these services.

“Qualified Laboratory Technicians” are defined as individuals having verifiable, related materials testing laboratory experience (minimum of 2 years, or a BSCE or related field and a minimum of 1 year) and having the minimum knowledge, skills and abilities indicated on pages 13 and 14 of this Exhibit.

Special Inspector

Special inspection services shall be provided, as needed, by qualified and City of Portland certified Special Inspectors. Special inspection personnel shall be currently licensed in the category of work for which they will be inspecting. Typical areas of inspection include: Reinforced Concrete, Reinforced Masonry, Structural Steel and Proprietary Anchors. Occasionally there could be a call for Fireproofing, Shotcrete, Wood Diaphragms and Shear Walls. All special inspections shall be coordinated through the Material Testing Laboratory BES/CIP Special Inspections coordinator. All special inspections, in addition to meeting the requirements of the COP Building Official shall also adhere to all applicable requirements of the Materials Testing Laboratory Quality Assurance Manual.

“Qualified Special Inspectors” are inspectors who are licensed by the City of Portland and have a minimum of 3 years verifiable special inspection experience.

Once the City has accepted the Special Inspector, the City expects that they will be utilized as workload permits on a 1-day, 1-week, or 1 month duration cycle.

EQUIPMENT REQUIRED – Service Area 1:

Testing Technician

The Testing Technician will have the following equipment available at all times. This equipment is to be furnished by the firm, which is awarded the contract.

- Nuclear Moisture Density gauge and accessories.
- Cellular phone
- Vehicle: Late model (less than 10 years old) pickup, van, or similar type vehicle in good operating and serviceable condition.
- Miscellaneous equipment necessary for performance of the above-listed field-tests (i.e. calculator, shovel, etc.).
- Safety equipment (i.e. hard hat, hearing protection, safety vest, gloves, other protective clothing, fire extinguisher, flares, first aid kit, etc.).

The Nuclear Density/Moisture gauges to be used in this work shall be ODOT certified gauges that are calibration checked in accordance with ASTM D-2922 (as modified herein) prior to starting the work. The City Materials Testing Laboratory will coordinate, observe and record the calibration checks. Each check will consist of readings (average of 5 one-minute readings) taken at the surface and 2-inch depth intervals to the maximum depth of the gauge. If any average reading varies from the block density by more than 2-pounds, the City may require that the gauge be serviced or recalibrated prior to its use. The City will furnish test blocks.

Laboratory Technician

The Laboratory Technician will have the above-listed equipment available with the exception of a "Nuclear Density/Moisture gauge and accessories".

Special Inspector

The Special Inspector will have the following equipment available at all times. This equipment is to be furnished by the firm that is awarded the contract for this work:

- Cellular phone
- Vehicle: Late model (less than 10 years old) vehicle in good, serviceable condition.
- Safety equipment (i.e. hard hat, hearing protection, safety vest, gloves, other protective clothing, fire extinguisher, flares, first aid kit, etc.).

SERVICE AREA 2. GEOTECHNICAL/GEOLOGICAL SUPPORT AND DRILLING SERVICES

Staff Geotechnical Engineer or Geologist

The Staff Geotechnical Engineer or Geologist will be required to perform various functions such as lithologic logging of test borings, monitoring of pile driving, observing monitor well installation, performing engineering analysis or calculations and other engineering or geologic related tasks. This position will be under the direct supervision of a registered professional engineer from the City. The Staff Geotechnical Engineer must have a Bachelor of Science degree from an accredited engineering program and have passed the Fundamentals of Engineering exam. The geologist must have a Bachelor of Science degree from an accredited geology program. Staff engineers and geologists will likely be utilized on a 1-day to 1-month duration cycle.

Once a technician, inspector, or engineer/geologist has been accepted by the City to perform work it is the City's expectation that that same individual will complete the entire term of the original service request.

Drilling Services

Contractor shall provide the services of drillers licensed to drill and install monitoring wells in the State of Oregon. Contractor will provide the services of at least two drilling companies qualified to do the work.

Contractor and Contractor's subcontractors continue to remain obligated subject to the requirements of ORS Chapter 656, Workers Compensation.

The driller shall utilize hollow stem auger, flight auger, mud rotary wash, or air rotary methods of drilling. Test drilling services will be performed under the direction of BES' project manager or a representative of the Materials Testing Laboratory (MTL). The test drill crew, drill rig, and drilling equipment will report to the MTL located at 1405 N. River Street, or at a prearranged test site location. This equipment includes but is not limited to:

- a. Drill rig and accessories for conducting standard penetration test boring (SPT), standard flight auger borings, rotary wash borings, and air rotary borings,
- b. Equipment to properly install monitoring wells, piezometers, and inclinometers,
- c. Equipment to properly install 2 to 4-inch diameter monitoring wells,
- d. Safety equipment (e.g. hard hat, hearing protection, safety vest, gloves, protective clothing, fire extinguisher, flares, first aid kit, etc.)

The driller shall have the necessary licenses and insurance to perform the work requested. MTL personnel will coordinate, observe and record the results of exploration drilling. The driller will be responsible for providing soil samples to the MTL representative. The driller shall provide all tools, equipment, and expendable materials necessary to bore, construct piezometers, monitoring wells, inclinometers, and the abandonment of all the above.

EQUIPMENT REQUIRED – Service Area 2:

Staff Geotechnical Engineer /Geologist

The Staff Engineer or Geologist will have the following equipment available at all times. This equipment is to be furnished by the firm that is awarded the contract for this work:

- Cellular phone
- Vehicle: Late model (less than 10 years old) vehicle in good, serviceable condition.
- Safety equipment (i.e. hard hat, hearing protection, safety vest, gloves, other protective clothing, fire extinguisher, flares, first aid kit, etc.).

Drilling Services

The driller will have available the equipment identified in the above description of drilling services work requirements.

The City will interview all proposed candidates and may elect to reject personnel for any reason based on the resume, interview, or during a 30-day trial period. Thereafter, if a candidate does not perform effectively, such ineffective performance will be documented and provided to the firm. The City may require the firm to replace the individual. Qualified replacement personnel shall be provided to the City within one week of written request.

2. WORK PERFORMED BY THE CITY

The MTL Contracts Manager shall make available sufficient hours as is required to meet with selected firm and provide such information as required.

The City will direct and supervise the daily work activities of contract personnel while on assignment to the City. All job performance and/or personnel issues, including failure to perform activities as directed by the City, shall be the responsibility of the contractor, and shall be referred thereto for action.

The MTL Contracts Manager will oversee the work and provide support as needed.

Other specific duties that the City will provide include the following:

- All forms and associated paperwork necessary for technician(s) to accurately record daily job activities, density tests, sampling, and other work assigned by the City
- Daily, weekly, and monthly job assignments
- All equipment to perform required laboratory testing at the City's laboratory as well as equipment required for concrete testing and cylinder preparation (wheelbarrows, slump cones, rods, air meters etc.)

4. PLACE OF PERFORMANCE

The work will be performed at the City Materials Testing Laboratory (MTL) at 1405 N. River Street, or at field laboratories and on project construction sites. The City of Portland will utilize these services during the planning, design or construction phase of projects under contract.

5. CONTRACT TERM

The City desires to have contracts in place and effective as of July 1, 2006. The term of the contracts shall be three (3) years.

6. PUBLIC SAFETY

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.

7. INSURANCE

The successful Proposer(s) shall agree to maintain continuous, uninterrupted coverage of all insurance as required by the City. There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without a 30-day written notice from the successful Proposer or its insurer(s) to the City.

Workers Compensation Insurance in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers (firms with one or more employees, unless exempt under ORS 656.027).

General Liability Insurance with a combined single limit of not less than \$500,000 each occurrence for Bodily Injury and Property Damage. It shall include contractual liability coverage for the indemnity provided under this contract, and shall provide that the City of Portland, and its agents, officers, and employees are Additional Insureds but only with respect to the successful Proposer's services to be provided under this Contract.

Automobile Liability Insurance with a combined single limit of not less than \$500,000 each occurrence for Bodily Injury and Property Damage, including coverage for owned, hired, or non-owned vehicles, as applicable.

Professional Liability Insurance with a combined single limit of not less than \$1,000,000 each claim, incident, or occurrence. This is to cover damages caused by negligent acts, errors or omissions related to the professional services to be provided under this contract.

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

SECTION C

ATTACHMENTS

1. INDEX

Exhibit A	First Tier Subconsultant Disclosure Form (<i>submit with proposal</i>)
Exhibit B	Cost Proposal Form (<i>submit with proposal</i>)

2. 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: <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

There will be no pre-submittal meeting or site visit scheduled for this project.

2. PROPOSAL 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 5 working 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.

Thomas Pfeiffer P.E.

Bureau of Environmental Services

1405 N. River St.

Portland, Oregon 97227

E-mail: tomp@bes.ci.portland.or.us

Phone: 503-823-2340

Fax: 503-823-2342

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. Responses received after time or date listed herein shall not be considered. Proposals received after the scheduled closing time for filing will be returned to the Proposer unopened.

2. PROPOSAL

Proposers are not required to submit a proposal in both service areas. Proposers may respond to more than one of the areas; however a separate proposal must be submitted, with the service area clearly identified on the outside of the envelope, for each area in which the proposer wishes to be considered.

Proposals must be clear, succinct, and **not exceed 10 pages**, using a 10-point or larger font size. The page limit does not include resumes, the First Tier Subconsultant Disclosure Form (see *Exhibit A*), or the Cost Proposal Form (see *Exhibit B*). Proposers who submit more than the pages indicated may not have the additional pages of the proposal read or considered.

Proposals should be printed double-sided where feasible and stapled in the upper left corner. Do not use bindings, binders or dividers.

For purposes of review and in the interest of the City's Sustainable Paper Use Policy and sustainable business practices in general, the City encourages the use of paper that contains post-consumer recycled content and is readily recyclable. Firms are encouraged to print/copy 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. ORGANIZATION OF PROPOSAL

Proposers must provide all information as requested in this Request for Proposal (RFP). Responses 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. Proposal responses shall be organized in the following manner:

1. Cover Letter
2. Firm's Capabilities
3. Firm's Experience
4. Staff Experience and Qualifications
5. Diversity in Employment and Contracting Requirements
6. A completed First Tier Disclosure Form (*see Exhibit A*)
7. Cost Proposal Form (*see Exhibit B*)
8. Resumes

SECTION C

PROPOSAL CONTENT

1. COVER LETTER

By submitting a response, the Proposer is accepting the General Instructions and Conditions of this Request for Proposal (reference second page of the RFP).

The Cover Letter must include the following:

- RFP number and project title
- 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 addresses

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

Prior to contracting the successful Proposer must have a City of Portland Business License and be certified as an Equal Employment Opportunity (EEO) employer. If your firm currently has a business license and is EEO certified, include your firm's City of Portland Business License number as well as the Equal Employment Opportunity (EEO) expiration date.

2. FIRM'S CAPABILITIES

This section should describe your firm or team's capabilities and resources to perform the work requirements. At a minimum, include the following:

- 1) Describe your firm or team's qualifications relevant to the work scope for this service area as described in ***Section I.B.1. Required Services***.
- 2) Describe your ability to provide timely response to requests for personnel, and how other ongoing projects may affect availability for personnel under this contract.
- 3) How will you assure that qualified personnel are available for the duration of the contract?
- 4) Management and organizational capabilities. Describe your approach to overall management and integration of all activities required by the scope of work, including quality assurance responsibility.

If submitting a proposal for Service Area #2 – Geotechnical/Geological Support and Drilling Services, also include the following:

- 5) Identify a minimum of two subconsultants for drilling services and describe how their qualifications meet the requirements set forth in ***Section I.B.1. Required Services***

3. FIRM'S EXPERIENCE

This section should describe the proposer's experience performing this type of work and that of any subconsultants. At a minimum, include the following:

- 1) Provide examples of similar work performed within the last five years, which best demonstrate the proposer's experience and ability to perform the required services for this service area.
- 2) Provide at least three verifiable references for which the proposer has provided similar services. Include the general scope of services provided, when the work was done, and the contact person's name, company or agency name, address, and phone number.

**4. STAFF
EXPERIENCE AND
QUALIFICATIONS**

This section should describe the experience and qualifications of the individuals who will be involved in performing and supervising contract work, including those of any subcontractors. At a minimum, include:

- Names of principal, project manager, and key staff. Describe their education, directly related work experience, professional development and demonstrated performance record. Resumes may be provided as attachments to the proposal.
- Provide a listing of the qualified personnel currently on staff that could be provided under the proposed contract for this service area. (For example, for Service Area 1, provide a listing of qualified technicians and special inspectors currently on staff.) Resumes may be provided as attachments to the proposal.

(Note: Resumes are not counted toward the page limit for the proposal submittal.)

**5. DIVERSITY IN
EMPLOYMENT
AND
CONTRACTING
REQUIREMENTS**

The City is committed to increasing contracting opportunities for State of Oregon certified minority, women and emerging small business (M/W/ESB) enterprises. The City values, supports and nurtures diversity, and encourages any firm contracting with the City to do the same, maximizing M/W/ESB business participation with regard to all City contracts. As such, the City has established an overall 20% utilization goal in awarding PTE contracts to State of Oregon certified emerging small business (ESB) enterprises and has assigned at least 15% of the total points available on this solicitation to determine the award of this contract. No goal is set for the use of minority (MBE) and women business (WBE) enterprises, but the City is committed to ensuring that such firms receive opportunities and equal consideration to be awarded City PTE contracts.

All Proposers shall address the following in their proposals:

- a. Indicate if your firm is currently certified in the State of Oregon as an MBE, WBE and/or ESB, or if your firm has applied for certification with the State of Oregon's Office of Minority, Women and Emerging Small Business (OMWESB).
- b. Identify your current diversity of workforce and describe your firm's commitments to providing equal employment opportunities. Include in your response:
 - Number of total employees and description of type of work performed.
 - Number of minorities and women within your current workforce, broken out by ethnicity and positions held.
 - Any underutilization of minorities or women within your workforce and your firm's efforts to remedy such underutilization.
 - Any plans to provide innovative mentoring, technical training or professional development opportunities to minorities and women in your workforce in relation to this project, or plans to employ minorities and women to work on this project.
 - Description of the process your firm uses to recruit minorities and women.
- c. Have you subcontracted or partnered with State of Oregon certified M/W/ESB firms on any project within the last 12 months? If so, please describe the history of the firm's subcontracting and partnering with certified M/W/ESB firms. Include in your response:
 - List of State of Oregon certified M/W/ESB firms with which your firm has had a contractual relationship during the last 12 months.
 - Any innovative or successful measures that your firm has undertaken to work with M/W/ESB firms on previous projects.
 - Any mentoring, technical or other business development services your firm has provided to previous or current M/W/ESB subconsultants or partners, or will provide in relation to this project.
- d. Are you subcontracting any element of your proposal? Describe your firm's plan for obtaining maximum utilization of certified M/W/ESB firms on this project. Include in your response:
 - Subcontracting opportunities your firm has identified in the scope of this project.

- Efforts made relating to outreach and recruitment of certified M/W/ESB firms. Did your firm advertise contracting opportunities in the *Daily Journal of Commerce*, *Skanner*, *Oregonian*, *Observer*, *El Hispanic News*, *Asian Reporter*, and/or other trade publications? Did your firm conduct any outreach meetings? Did your firm use the State's OMWESB certification list, or other source, as a basis for direct outreach? What were the actual results of any of the above efforts?
 - Any proposals received from certified M/W/ESB firms. If any such proposals were rejected, provide reasons for rejection.
 - Other efforts your firm used or proposes to use in relation to this project.
- e. If your firm will be utilizing certified M/W/ESB firms on this project, please list those firms and detail their role within your proposal. In addition, **all Proposers must submit Exhibit A - First Tier Subconsultant Disclosure Form 1** in their proposal, which requires Proposers to identify the following:
- The names of all subconsultants to be used on this project.
 - The names of all State of Oregon certified MBE, WBE and ESB firms. If firms have more than one certification (i.e., ESB and MBE, and/or ESB and WBE) note that on the form so that proper credit can be given for the ESB goal and for tracking MBE and WBE utilization.
 - The proposed scope or category of work for each subconsultant.
- If Proposers will not be using any subconsultants that are subject to the above disclosure requirements, Proposers are required to indicate "**NONE**" on the First Tier Subconsultant Disclosure Form 1.

The City expects thoughtful consideration of all of the above Diversity in Employment and Contracting criteria in the preparation of proposals. The City will enforce all diversity in workforce and M/W/ESB commitments submitted by the successful Proposer, and 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 originally proposed and submitted in its proposal. The successful Proposer will not be permitted at any time to substitute or add a subconsultant without the written approval of the Purchasing Agent. ALL subconsultants, including M/W/ESB firms, and first tier subconsultants shall be reported on the Monthly Subconsultant Payment and Utilization Report as well as contract amounts and payments. For reference, a copy of this form may be obtained at:
<http://www.portlandonline.com/shared/cfm/image.cfm?id=26477>

6. **COST PROPOSAL** Provide hourly labor rates and drilling costs using the **Cost Proposal Form**, attached as **Exhibit B**. Hourly rates are inclusive of all costs associated with the provision of the services including labor, overhead, direct and indirect costs, and profit. The mark-up for subcontractor services shall not exceed 5%.

(Note: The Cost Proposal Form is not counted toward the page limit for the proposal submittal.)

PART III

PROPOSAL EVALUATION

SECTION A

PROPOSAL REVIEW AND SELECTION

1. EVALUATION CRITERIA SCORING

Each proposal shall be evaluated on the following evaluation criteria, weighting and maximum points, as follows:

Criteria		Maximum Score
a.	Firm's Capabilities	25
b.	Firm's Experience	20
c.	Staff Experience and Qualifications	20
d.	Diversity in Employment and Contracting	15
e.	Cost Proposal	20
Total Points Available		100

2. PROPOSAL REVIEW

An evaluation review committee will be appointed to evaluate the proposals received. For the purpose of scoring proposals each of the committee members will evaluate each proposal in accordance with the criteria and point factors listed above. The evaluation committee may seek outside expertise, including but not limited to input from technical advisors, to assist in evaluating proposals.

The successful Proposer shall be selected by the following process:

- a. An evaluation committee will be appointed to evaluate submitted written proposals.
- b. The committee will score the written proposals based on the information submitted according to the evaluation criteria and point factors.
- c. The committee may require a minimum of 14 working days to evaluate and score the written proposals.
- d. A contract shall be awarded to the highest scored firm or firms in each service area. Multiple contracts may be awarded in a service area. It is anticipated that at least 1 but not more than 2 contracts will be awarded in each service area.

For contracts over \$100,000, the evaluation committee's recommendation for contract award will be submitted to the Portland City Council for approval. The City has the right to reject any or all proposals for good cause, in the public interest.

NOTE: In the City's discretion, litigation between the City and a Proposer shall 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 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.

3. CLARIFYING PROPOSAL DURING EVALUATION

During the evaluation process, the City has the right to require any clarification or change its needs in order to understand the Proposer's view and approach to the project and scope of the work.

SECTION B

CONTRACT AWARD

1. CONSULTANT SELECTION

The City will award a contract to the highest scoring Proposer(s) in each service area. A consultant selection process will be carried out under Portland City Code Chapter 5.68.

2. CONTRACT DEVELOPMENT

The proposal and all responses provided by the successful Proposer may become a part of the final contract. The form of contract shall be the City's Contract for PTE Services.

3. AWARD REVIEW AND PROTESTS

REVIEW:

Following the Notice of Intent to Award, the public may view proposal documents. However, any proprietary information so designated by the Proposer as a trade secret and meeting the requirements of ORS 192.501(2) 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:

Protests may be submitted to the Purchasing Agent only for contracts in excess of the formal limit established by the City Auditor (currently \$21,496), and only from those Proposers who would receive the contract if their protest were successful.

Protests must be received by the Purchasing Agent within seven (7) calendar days UNLESS OTHERWISE NOTED following the date of the City's Notice of Intent to Award was issued. The protest must specifically state the reason for the protest and show how its proposal or the winning proposal was mis-scored or show how the selection process deviated from that described in the solicitation document. The contract award process will be put on hold until the protest has been resolved.

Timely protests 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 Purchasing Agent may waive any procedural irregularities that had no material affect on the selection of the proposed contract, 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 Purchasing Agent shall issue a notice canceling the Notice of Intent to Award.

Decisions of the Purchasing Agent are final and conclude the administrative appeals process.

EXHIBIT A

CITY OF PORTLAND PROFESSIONAL TECHNICAL & EXPERT (PTE) SERVICES FIRST TIER SUBCONSULTANT DISCLOSURE FORM

CITY PTE DISCLOSURE REQUIREMENTS

The City's disclosure program was adopted to document the use of subconsultants on City projects over \$100,000, particularly Oregon certified Minority, Women and Emerging Small Businesses (M/W/ESBs).

This Request for Proposal requires submission by the Proposer of the First Tier Subconsultant Disclosure Form. When the contract amount of a first-tier subconsultant furnishing services, labor or labor and materials would be greater than or equal to \$10,000, the Proposer must disclose the following information about such subconsultants:

- 1) The subconsultant's contact information
- 2) State of Oregon M/W/ESB designation
(Verify certification status with the Office of Minority, Women and Emerging Small Business at <http://egov.oregon.gov/DCBS/OMWESB/index.shtml>)
- 3) The proposed scope or category of work that the subconsultant will be performing
- 4) The amount of the subconsultant's contract

If the Proposer will not be using any subconsultants that are subject to the above disclosure requirements, the Proposer is required to indicate "**NONE**" on the accompanying form.

ATTACHMENTS: Form 1: City of Portland PTE First Tier Subconsultant Disclosure Form

**PTE FIRST TIER SUBCONSULTANT DISCLOSURE FORM
(FORM 1)**

RFP BES049

On-Call Materials Testing, Special Inspection, Engineering Support, and Drilling Services

This Request for Proposal requires submission by the Proposer of the First Tier Subconsultant Disclosure Form.

Service Area # and Title: _____

Proposer Name: _____

SUBCONSULTANT NAME (Please Print)	M/W/ESB	SCOPE/TYPE OF WORK
Firm Name: Firm Phone #: Firm Fax #:		
Firm Name: Firm Phone #: Firm Fax #:		
Firm Name: Firm Phone #: Firm Fax #:		
Firm Name: Firm Phone #: Firm Fax #:		
Firm Name: Firm Phone #: Firm Fax #:		
Firm Name: Firm Phone #: Firm Fax #:		

NOTE:

- 1) If the Proposer will not be using any subconsultants that are subject to the above disclosure requirements, the Proposer is required to indicate "NONE" on this form.
- 2) Leave M/W/ESB column blank if firm is not confirmed certified through the *State of Oregon Office of Minority, Women and Emerging Small Business*: <http://egov.oregon.gov/DCBS/OMWESB/index.shtml>.

EXHIBIT B

RFP BES049

**On-Call Materials Testing, Special Inspection, Engineering Support, and Drilling Services
Cost Proposal**

Service Area # and Title: _____

Proposer Name: _____

Submission of this proposal form acknowledges that these rates are inclusive of all costs associated with the provision of these services including labor, direct and indirect costs and profit.

The contractor will pay all cellular phone equipment and fees. Cellular phone usage generally does not exceed 200 minutes per month for technicians assigned to report to work at 1405 North River Street. The City will notify the contractor of its intent to assign any technician to a field office for a period in excess of one month and will compensate the contractor an additional \$1.00 per hour for the full duration of the assignment to the field office. The City will reimburse the contractor for vehicle mileage when the contract employee accumulates mileage outside the City of Portland city limits while on City business and at the direction of the Materials Testing Laboratory supervisor.

Provide hourly rates for the followings:

Service Area 1

One-day minimum position:

Testing Technician	\$ _____/hr.
Laboratory Technician	\$ _____/hr.
Special Inspector	\$ _____/hr.

One-month minimum position:

Testing Technician	\$ _____/hr.
Laboratory Technician	\$ _____/hr.
Special Inspector	\$ _____/hr.

Three-month minimum position:

Testing Technician	\$ _____/hr.
Laboratory Technician	\$ _____/hr.

Six-month minimum position:

Testing Technician	\$ _____/hr.
Laboratory Technician	\$ _____/hr.

Service Area 2

One-day minimum position:

Staff Engineer or Geologist	\$ _____/hr.
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One-month minimum position:

Staff Engineer or Geologist	\$ _____/hr.
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Drilling Services:

Attach a Schedule of Charges for drilling services for each drilling subcontractor as a separate sheet.

The overtime rates for Technicians, Special Inspectors, and Staff Engineers and Geologists will be 1.25 times the hourly rates and will be for time worked in excess of 40 hours per work week and for work on New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Short layoffs may result due to inclement weather, holiday shutdown periods, schedules, etc. The proposal should stipulate the contractors proposed maximum allowable layoff period during each position duration.