



RFP No. BES090

PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

**City of Portland, Oregon
February 13, 2009**

REQUEST FOR PROPOSALS

for

Engineering Services for Odor Control Facility

PROPOSALS DUE: March 20, 2009 by 4:00 p.m.

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

Submit one (1) original and eight (8) complete copies of the Proposal to:

City of Portland
Bureau of Environmental Services
5001 N. Columbia Boulevard
Portland, OR 97203-2098

Refer questions to:

Steve Simonson
Phone: (503) 823-2480
Fax: (503) 823-2478
Email: steves@bes.ci.portland.or.us

A PRE-SUBMITTAL MEETING has been scheduled for March 3, 2009, at 9:30 a.m., at the Columbia Boulevard Wastewater Treatment Plant, 5001 N. Columbia Blvd., Portland, Oregon, in the Mt. Jefferson Conference Room.

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 Policy, the City of Portland values the use of products or services that minimize the negative 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.

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

CONFLICT OF INTEREST - 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 the entire proposal is marked as constituting a "trade secret" or being "confidential," at the City's sole discretion, such a proposal may be rejected as non-responsive.

If a request to inspect the proposal is made, the City will notify the 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. As part of its program, it collects and treats wastewater and combined sewage for more than 500,000 people within an area of 133 square miles. The Bureau is completing a long term program to abate combined sewer overflows and treat the captured combined sewage.

2. BACKGROUND

The Portsmouth Force Main is an element of the Willamette Combined Sewer Overflow (CSO) system that will convey up to 120 million of gallons per day (MGD) of combined sewage from the Swan Island CSO Pump Station (SIPS) to the Columbia Boulevard Wastewater Treatment Plant (CBWTP).

Based on the most recent operating plan, which includes both wet weather and dry weather operation, the new Portsmouth Force Main may generate hydrogen sulfide and emit odors at the discharge end of the pipeline. Swan Island CSO Pump Station design and construction work will include a chemical injection system to suppress sulfide generation in the force main. However, due to intermittent operating scenarios, the discharge of the pipeline cannot be guaranteed to be odor-free. The design and construction of this facility will treat foul air exhausted from the sewer system and protect the neighbors from nuisance odors.

This project provides design (pre-design and final design) of odor control facilities that will be installed at the discharge end of the new Portsmouth Force Main where it connects to the existing Portsmouth Tunnel at what is called the "North Shaft" for the Portsmouth Force Main. The Portsmouth Force Main design provides two exhaust ducts (30-inch and 10-inch) from the North Shaft to a foul air vault at grade that is open to the atmosphere. The Portsmouth Force Main Odor Control Facility will provide design of a ventilation and odor control system to treat the foul air from the force main and the tunnel and will connect to the foul air vault, which will be located at 6825 N. Willamette Boulevard.

3. SCOPE OF WORK

The City of Portland, Bureau of Environmental Services is seeking proposals from individuals, firms, teams or consultants, hereafter called "Proposer(s)," with demonstrated experience in wastewater-related odor control processes and facilities, and proposes to engage the successful Proposer for the following services: Engineering Services for the Portsmouth Force Main Odor Control Facility, BES Project #E08927.

1. Develop odor control system sizing and performance criteria.
2. Develop odor control technology screening methodology and evaluation criteria in collaboration with BES project team.
3. Identify, screen and evaluate odor control technology options, including costs, site arrangements, and other factors. Develop a technical memorandum that documents and supports the basis for selecting the recommended technology.
4. Solicit, identify, and screen for feasibility and ideas, concerns or issues provided by the neighbors and community.
5. Review existing geotechnical information for the project site to establish appropriate site-specific design criteria.
6. Prepare preliminary plans for site civil (including erosion control and storm water management), architectural, structural, mechanical, and electrical disciplines.
7. Prepare a Preliminary Design Report that includes appropriate final design criteria, preliminary plans for the odor control facility developed to approximately 30% complete, and an estimate of the probable cost of construction.

8. Provide Final Design services, with progress submittal of plans and technical specifications for BES review at 60%, 90%, and final design completion.
9. Identify all permitting requirements for construction of the project, and support BES in the preparation of applicable permit applications.
10. Provide support to BES in its public outreach program for the project.

The following are potential future tasks and are not included in the scope of work. These additional services, if needed, will be defined at the completion of final design and will only be authorized by a contract amendment. Compensations will be based on rates and schedules submitted in the proposal to this solicitation. The cost for this additional work is not included in the estimate referenced below in the Project Funding area.

11. Assist BES during the bidding period by responding to bidders questions, and preparing any required design clarifications, and Addenda.
12. Provide professional services during construction, which will include shop drawing reviews, reviewing and responding to Construction Contractor requests for information (RFI) and requests for clarification (RFC), preparation of any design clarifications that may be required, provide Bureau of Development Services (BDS) required structural inspections and reports, and assist the Owner's Representative as requested during construction.
13. Prepare an Operation & Maintenance Manual for the odor control facility at the completion of construction.

4. PROJECT FUNDING

The anticipated cost for the Design services described herein is \$140,000 to 175,000. 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.

SECTION B

WORK REQUIREMENTS

1. TECHNICAL OR REQUIRED SERVICES

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:

1. Preliminary Design Services
 - Hold a project kickoff meeting with the project manager and key members of the BES project team
 - Compile project specific data
 - Establish design criteria and design standards
 - Develop an overall project schedule
 - Identify odor control technology options and recommend screening criteria for the options
 - Conduct a preliminary design workshop
 - Complete development of a technical memorandum that documents the basis for selecting the recommended technology
 - Identify all required permits, and incorporate permit application and acquisition in the project schedule
 - Prepare a draft Preliminary Design Report for review by the BES team
 - Respond to BES review comments and finalize the Preliminary Design Report
 - Conduct public survey and participate in public forum such as an open house to collect ideas, concerns and issues
2. Final Design Services
 - a. 60% Design
 - Develop an erosion control plan for the project according to the requirements of the latest edition of the City of Portland's Erosion Control

Manual

- Coordinate with the City of Portland's Parks Bureau to develop a site Landscaping Plan that will be included in the Contract Documents
 - Develop a storm water management plan for the project according to the City's Storm Water Management Manual
 - Prepare 60% design drawings and technical specifications, including architectural, structural, mechanical, and electrical disciplines and applicable instrumentation and control (i.e. process control strategy, process and instrumentation diagrams, and loop narratives, if applicable)
 - Provide an Engineer's Estimate of the Probable Cost of Construction
 - Provide permitting assistance
 - Make final recommendations on equipment and construction packaging
 - Conduct 60% design review meeting and respond to BES review comments
 - Participate in public forum such as an open house to present 60% drawings with ability to incorporate any appropriate changes as the outcome
- b. 90% Design
- Develop and provide a Project Construction Schedule that identifies the sequencing of work broken into discrete tasks with descriptions and durations and dependencies
 - Prepare 90% design drawings and technical specifications
 - Update the Engineer's Estimate of the Probable Cost of Construction
 - Conduct 90% design review meeting and respond to BES review comments
- c. Final Design
- Prepare and submit final contract documents (electronic and print ready copy format)
 - Submit final design report
 - Submit final engineer's cost estimate
 - Submit structural calculations and geotechnical data for building permit application

2. WORK PERFORMED BY THE CITY

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:

- Meet with successful Proposer and provide information and guidance
- Coordinate project meetings, workshops and reviews
- Develop and implement a Bureau project management plan, which includes the following objectives for the successful Proposer and the Bureau:
 - Work together as an effective and efficient design team
 - Provide an efficient and cost effective design for the new odor control facility
 - Communicate with and incorporate BES staff input during design
 - Provide designs that will result in an odor control facility that is relatively easy to operate and maintain
 - Provide a design package that is easy to understand, ready to bid, and on a relative basis easy to construct
 - Comply with all regulatory requirements

The City will provide the successful Proposer with:

- Site plans and related plans and elevations of the pertinent parts of the Portsmouth Force Main construction documents
- Other as-built drawings and site plan information as needed
- BES CAD Standards
- BES Wastewater Group Control System Standards

3. 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. The policy can be viewed at:

<http://www.portlandonline.com/omf/index.cfm?c=37732>.

Deliverables and schedule for this project shall include:

- a. Technical Memoranda
- b. Cost Estimates
- c. Schedules
- d. Predesign Report
- e. Final Design Report
- f. Construction Plans and Specifications
- g. Submit a Monthly Subconsultant Payment and Utilization Report by the 15th of each month (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.

4. PLACE OF PERFORMANCE

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

5. 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 December 31, 2009.

6. 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.

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 \$1,000,000 per 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 \$1,000,000 per 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

per 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. If insurance coverage is provided on a "claims made" basis, the successful Proposer shall acquire a "tail" coverage or continue the same coverage for three years after completion of the contract, provided coverage is available and economically feasible. If such coverage is not available or economically feasible, contractor shall notify City immediately.

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

1. INDEX

2. SAMPLE CONTRACT

ATTACHMENTS

Exhibit A First Tier Subconsultant Disclosure Form (submit with proposal)
Exhibit B Construction plans from the Portsmouth Force Main, Segment 2 Package relating to the North Shaft – Sheets C256, C257, C258, C267

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

A pre-submittal meeting and/or site visit is scheduled for this project on March 3, 2009, at 9:30 a.m. at the Columbia Boulevard Wastewater Treatment Plant, 5001 N. Columbia Boulevard, Portland, Oregon 97203, in the Mt. Jefferson Conference Room.

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

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 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.

Steve Simonson
Bureau of Environmental Services
5001 N. Columbia Boulevard
Portland, Oregon 97203

E-mail: steves@bes.ci.portland.or.us
Phone: (503) 823-2480
Fax: (503) 823-2478

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 30 pages. First Tier Disclosure Form, section dividers, title page, and table of contents 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 encourages the use of submittal materials (i.e. paper, dividers, binders, brochures, etc.) that contain post-consumer recycled content and are readily recyclable. The City discourages the use of materials that cannot be readily recycled such as PVC (vinyl) binders, spiral bindings, and plastic or glossy covers or dividers. Alternative bindings such as reusable/recyclable binding posts, reusable binder clips or binder rings, and recyclable cardboard/paperboard binders are examples of preferable submittal materials. Proposers 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 pages)
2. Project Team (6 pages)
3. Proposer's Capabilities (5 pages)
4. Project Approach and Understanding (10 pages)
5. Diversity in Employment and Contracting Requirements (5 pages)
6. Proposed Cost (2 pages)
7. A completed First Tier Subconsultant Disclosure Form (refer to Part II.C.5)

SECTION C

EVALUATION CRITERIA

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) and the Standard Contract Provisions of the Professional, Technical and Expert Services contract.

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.

BUSINESS COMPLIANCE

The Proposer 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

All Proposers must be certified as Equal Employment Opportunity Employers as prescribed by Chapter 3.100 of the Code of the City of Portland. Failure to receive EEO certification prior to the date and time of bid opening may result in delaying the award of the contract. Details of certification requirements are available from the Bureau of Purchases, 1120 SW Fifth Avenue, Room 750, Portland, Oregon 97204, (503) 823-6855, website: <http://www.portlandonline.com/omf/purchasing>

Non-Discrimination in Employee Benefits (Equal Benefits)

Proposers are encouraged to submit the Equal Benefits Compliance Worksheet/Declaration Form with their response. If not submitted, you will be contacted and required to provide this form prior to contract award; otherwise your proposal may be rejected. If your company does not comply with Equal Benefits and does not intend to do so, you must still submit the Form. The Equal Benefits Compliance Worksheet/Declaration Form can be obtained from the following web site: <http://www.portlandonline.com/omf/purchasing>

Fill out the form properly. You may call the Bureau of Purchases at 503-823-6855 to ensure you correctly complete the form. You may also call the contact listed on the front page of this solicitation document for assistance.

There are five options on the Worksheet/Declaration Form to pick among. They range from full compliance (Options A, B, C), to one that requires advance authorization by the City (Option D – Delayed Compliance), to Non Compliance. Select the option that is true of your company's standing at the time you submit your proposal. You cannot change your answer after you submit the Worksheet/Declaration Form.

Option D is only used if you have an official waiver from the City. Waivers are only issued by the Bureau of Purchases.

The Form provides the City your declared Equal Benefit status. However, the City issues the final determination of your Equal Benefit status for purposes of contract award.

If information on your form is conflicting or not clearly supported by the documentation that the City receives, the City may seek clarification to ensure we properly classify your compliance.

Business License

All Proposers must be in compliance with the City of Portland Business License requirements as prescribed by Chapter 7.02 of the Code of the City of Portland. Details of compliance requirements are available from the Revenue Bureau License and Tax Division, 111 SW Columbia Street, Suite 600, Portland, Oregon 97201, (503) 823-5157, website: <http://www.portlandonline.com/omf/index.cfm?c=29320>

If your firm currently has a business license and is EEO certified, include in the Cover Letter your firm's City of Portland Business License number as well as the Equal Employment Opportunity (EEO) expiration date.

2. PROJECT TEAM

The proposal shall, at a minimum, include the following information:

- Approximate number of people to be assigned to the project;
- Extent of company's principal member's involvement;
- Team qualifications and experience on similar or related projects:
 - o Qualifications and relevant experience of prime consultant
 - o Qualifications and relevant experience of sub-consultants, if any
 - o Project manager's experience with similar projects;
- Names of key members who will be performing the work on this project, and:
 - o Their responsibilities on this project
 - o Current assignments and location
 - o Experience on similar or related projects
 - o Unique qualifications
 - o Percentage of their time that will be devoted to the project
- Management Approach
 - o Describe or provide a detailed description of your 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.
- Key Personnel
 - o Describe the education background, directly related work experience, professional development, and demonstrated performance record of the proposed key personnel.

3. PROPOSER'S CAPABILITIES

Describe your capabilities and resources in relation to this project. At a minimum, include the following information:

- Similar projects performed within the last 5 years, which best characterize capabilities, work quality and cost control.
- Similar projects with other government agencies
- Resources available to perform the work for the duration of the project and other on-going projects.
- Internal procedures and/or policies associated or related to work quality and cost control
- Management and organizational capabilities

Provide at least 3 references for similar projects. References must include the contact person's name, company/agency name, address, telephone number, the name of the project, and when the work was done.

4. PROJECT APPROACH AND UNDERSTANDING

Describe your proposed approach to the project:

- Describe the tasks and activities, the methodology that will be used to accomplish them, and which team members will work on each task;
- Describe the products that would result from each task or activity;
- Identify points of input and review with staff; and
- The time frame estimated to complete each task.

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 with subcontracts greater than or equal to \$10,000.
 - 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 prior 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=119851>.

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.

BES Multiplier Policy

The multiplier applied to salaries shall not exceed 3.1. The multiplier shall include the following non-reimbursable expenses: fringe benefits, payroll bonuses, autos and other defined perquisites, telecommunications, facsimile services, overhead expenses including but not limited to local and long distance telephone, parking, delivery/courier, general business and professional liability insurance, advertising costs, postage, internal copying, lease of office equipment, mileage and other local travel costs, information technology (including computer time and CAD services and other related highly specialized equipment), all other direct costs not identified as reimbursable, other indirect costs and profit.

Standard Reimbursable Costs

The following costs will be reimbursed without mark-up.

- Out-of-Town Travel. Travel (transportation, lodging and per diem) of successful Proposer and/or experts when specified in the contract or requested by BES, directly attributed to specific tasks and when to a location outside a 100 mile radius of successful Proposer's project office. Travel costs will be reimbursed in accordance with the City's Travel Expense Guidelines (currently the Runzheimer Index).
- Photocopying/Reproduction Costs. Reproduction of required drawings, reports, specifications, bidding documents, in excess of the number required as part of the contract excluding the cost of reproduction for successful Proposer's or sub's own use.

Subconsultant Costs

Compensation for subconsultants shall be limited to the same restrictions imposed on the successful Proposer. The maximum markup on subconsultant services shall not exceed 5%. Successful Proposers are not guaranteed the maximum mark-up will be allowed, it may be less or none at all. The actual rate will be determined during contract negotiations.

Adjustment of Labor Rates

Each year the contract is in force, hourly rates may be adjusted annually to an amount not to exceed the average inflation rate for the Portland Metropolitan Area as determined from the US Department of Labor statistics and certified by the City of Portland Auditor. Other than the impact of inflation as described above, compensation rates may not be increased.

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.	Cover Letter	0
b.	Project Team	20
c.	Proposer's Capabilities	20
d.	Project Approach and Understanding	30
e.	Diversity in Employment and Contracting	15
f.	Proposed Cost	15
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 will require a minimum of 20 working days to evaluate and score the written proposals.
- d. A short list of Proposers, based on the highest scores, may be selected for oral interviews if deemed necessary. The City reserves the right to increase or decrease the number of Proposers on the short list depending on the scoring and whether the Proposers have a reasonable chance of being awarded a contract.
- e. If oral interviews are determined to be necessary, the scores from the written proposals will be considered preliminary. Final scores, based on the same evaluation criteria, will be determined following the interviews.

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.

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 negotiate and, if successful, award a contract to the highest scoring Proposer. Should the City not reach a favorable agreement with the highest scoring Proposer, at the City's sole discretion, the City shall terminate negotiations and commence negotiations with the second highest scoring Proposer and so on until a favorable agreement is reached. 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 OF CONTRACT AWARDS:

Protests may be submitted to the Purchasing Agent only for contracts in excess of the formal limit established by the City Auditor (reference <http://www.portlandonline.com/omf/index.cfm?a=74585&c=27353>), 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 contractor, 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

**CITY OF PORTLAND
PTE FIRST TIER SUBCONSULTANT DISCLOSURE FORM
(FORM 1)**

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 that subconsultant.

Proposer Name: _____ **Proposed Cost:** _____

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

SUBCONSULTANT INFORMATION (Please Print)	M/W/ESB	SCOPE/TYPE OF WORK	SUBCONTRACT AMOUNT
Firm Name: Phone #: Fax #:			\$
Firm Name: Phone #: Fax #:			\$
Firm Name: Phone #: Fax #:			\$
Firm Name: Phone #: Fax #:			\$
Firm Name: Phone #: Fax #:			\$
Firm Name: Phone #: Fax #:			\$

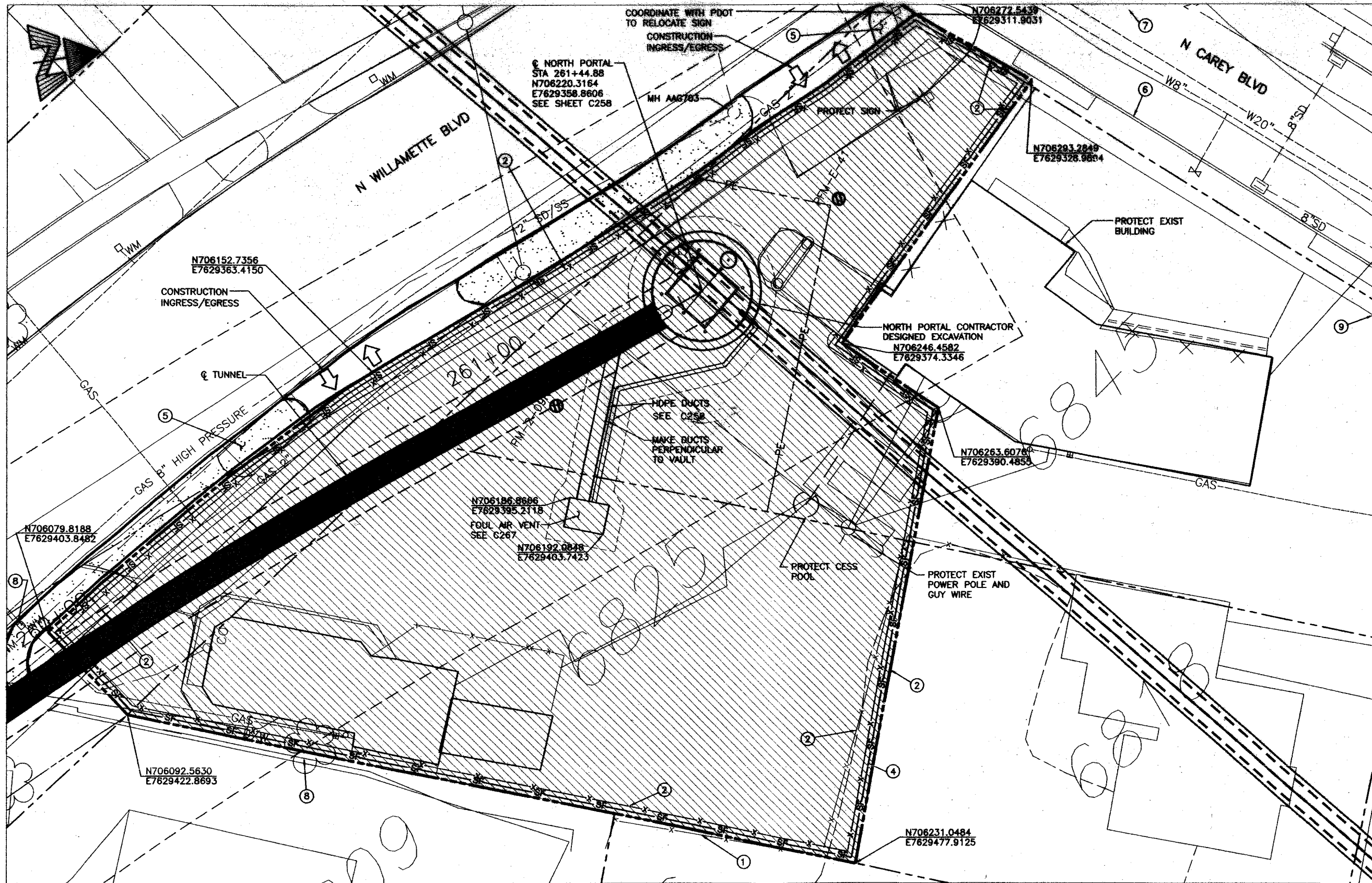
NOTE:

- 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) All subconsultants with contracts \$10,000 or over must be listed on this form. 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>.

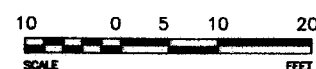
EXHIBIT B

**CONSTRUCTION PLANS
PORTSMOUTH FORCE MAIN, SEGMENT 2
NORTH SHAFT**

Sheets C256, C257, C258, C267



- KEY NOTES**
- 1 PROTECT EXISTING FENCING.
 - 2 INSTALL SECURITY FENCING VISUAL GREEN BARRIER.
 - 3 NOT USED
 - 4 PROVIDE SEDIMENT FENCING SURROUNDING SITE EXCEPT AT ACCESS POINTS.
 - 5 MAINTAIN ACCESS TO TEMPORARY SIDEWALK
 - 6 MAINTAIN DRIVEWAY ACCESS TO BUSINESS AT ALL TIMES.
 - 7 PROTECT SURVEY CONTROL POINT AT INTERSECTION OF N CAREY BLVD AND N WILLAMETTE BLVD, SEE SHEET C204 FOR LOCATION
 - 8 WATER METER FOR EXISTING BUILDING AVAILABLE FOR CONSTRUCTION.
 - 9 FIRE HYDRANT LOCATED AT SE CORNER OF CAREY AND AMHERST.



PLAN
SCALE: 1"=10'

LOCAL DATUM PLANE (LDP)

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USER: hprado
JOB: ForMainDesign

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CITY OF PORTLAND
ENVIRONMENTAL SERVICES

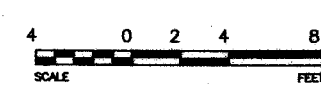


BROWN & CALDWELL
JACOBS ASSOCIATES
Engineers/Consultants

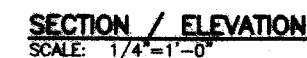
**PORTSMOUTH FORCE MAIN
SEGMENT 2
NORTH SHAFT**
CONSTRUCTION SITE PLAN

1/4 SECTION	2223
JOB NO.	9039
SHEET NO.	C256
21 of 47	

- a. EXCAVATE SHAFT TO EXPOSE TOP OF EXISTING TUNNEL.
- b. EXCAVATE AND SUPPORT AROUND EXISTING TUNNEL.
- c. CONSTRUCT BYPASS FOR FLOW INSIDE EXISTING TUNNEL.
- d. DEMO EXISTING TUNNEL STRUCTURE.
- e. COMPLETE SHAFT EXCAVATION.
- f. CONSTRUCT TUNNEL BREAK-IN.
- g. RETRIEVE TUNNEL SHIELD OR TBM.
- h. CONSTRUCT SHAFT LINING.

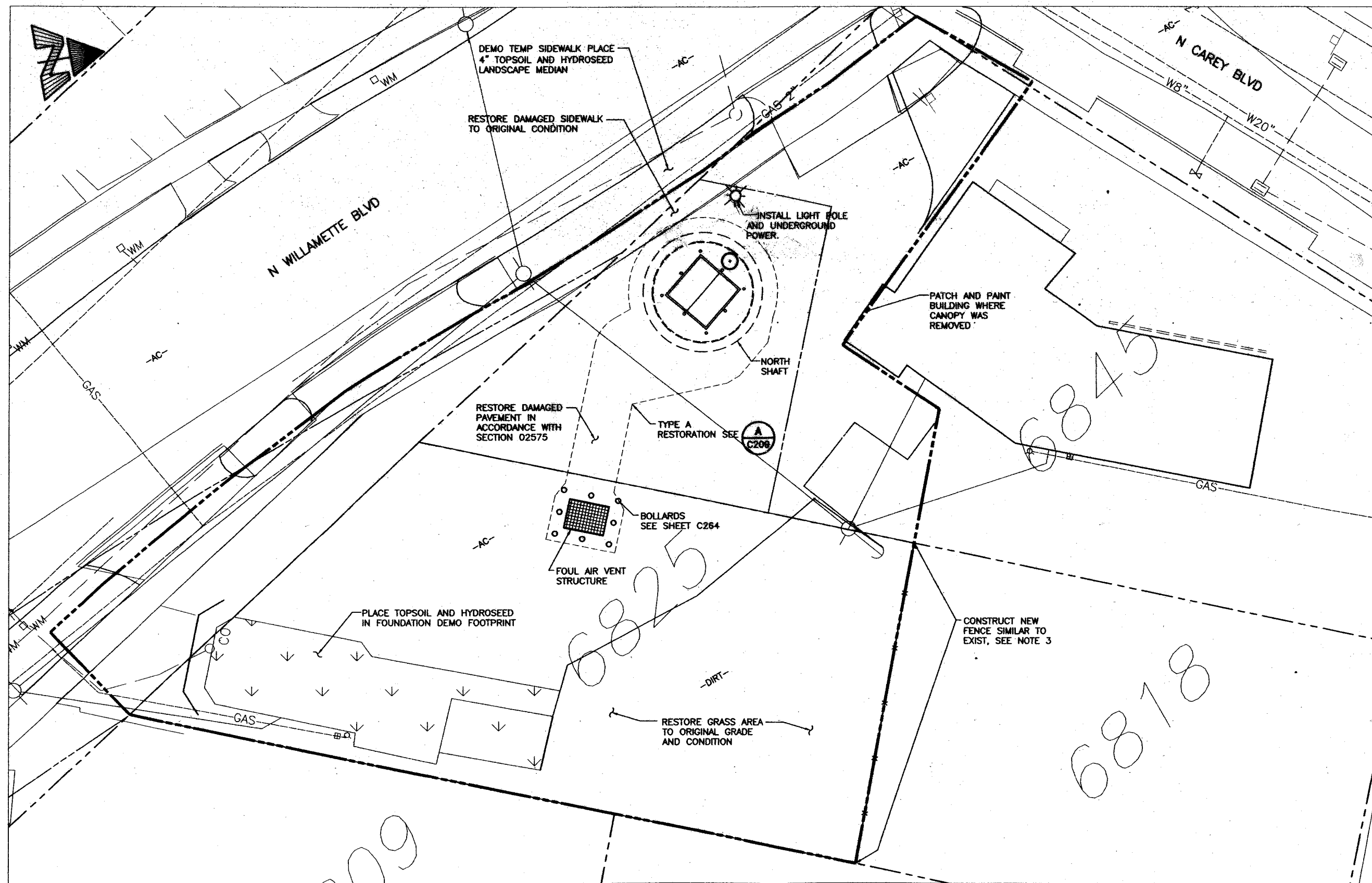


1. ROUTE 10" HDPE DUCT TO 30" HDPE DUCT TRENCH AND CONTINUE DUCTS TO VENT STRUCTURE IN COMMON EXCAVATION.
2. REMOVE TOP 5 FEET OF INITIAL SUPPORT SYSTEM.
3. DUCT MATERIAL TRANSITION 2 FEET MIN FROM OUTSIDE SHAFT WALL.
4. PIPE SUPPORT DETAIL SIMILAR FOR 10" DUCT EXCEPT PIPE @ 12" FROM WALL.

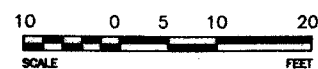


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4 SECTION	2223
B NO.	9039
NET NO.	C258
	3 of 47



- NOTES:**
1. PAVE FLUSH TO NORTH SHAFT TOP SLAB AND FOUL AIR VENT TOP. SLOPE AC AWAY FROM STRUCTURES.
 2. REMOVE ALL TEMPORARY FENCING, GATES AND SEDIMENT FENCING.
 3. USE NEW CEDAR MATERIALS FOR FENCE CONNECT TO EXISTING FENCE POSTS



PLAN
SCALE: 1"=10'



LOCAL DATUM PLANE (LDP)

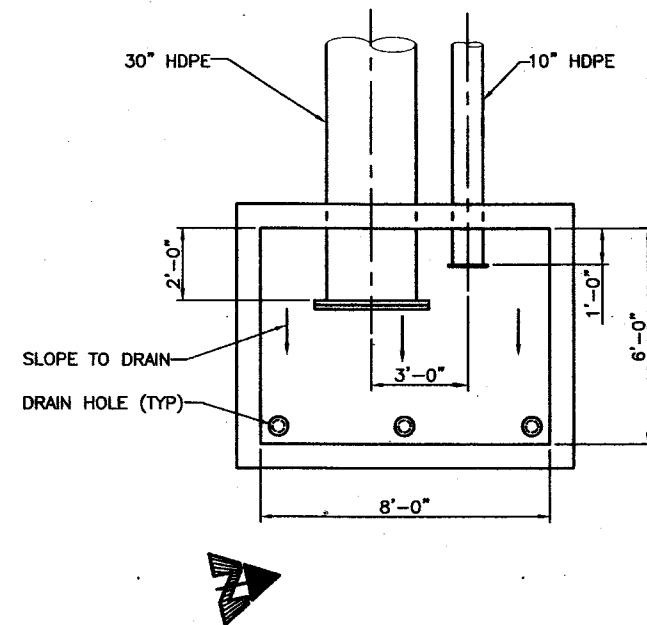
CITY OF PORTLAND
ENVIRONMENTAL SERVICES



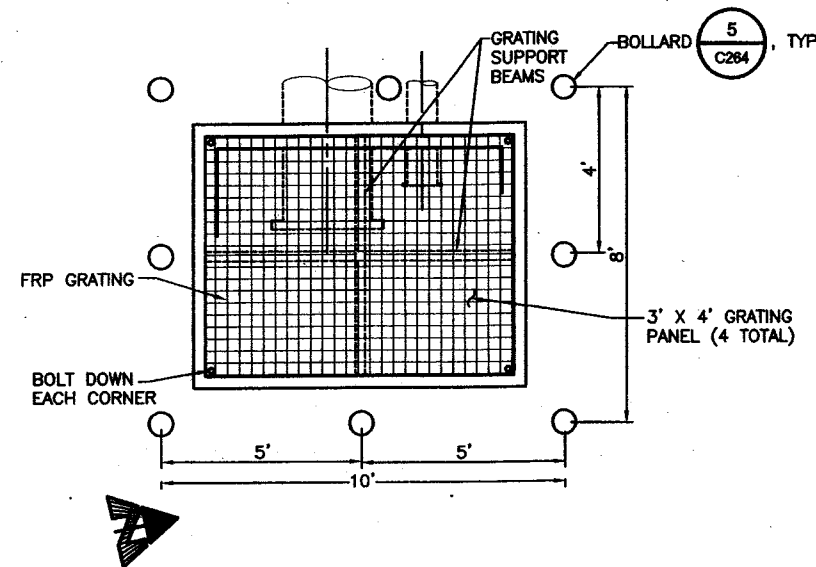
**PORTSMOUTH FORCE MAIN
SEGMENT 2
NORTH SHAFT
RESTORATION SITE PLAN**

1/4 SECTION	2223
JOB NO.	9039
SHEET NO.	C257
22 of 47	

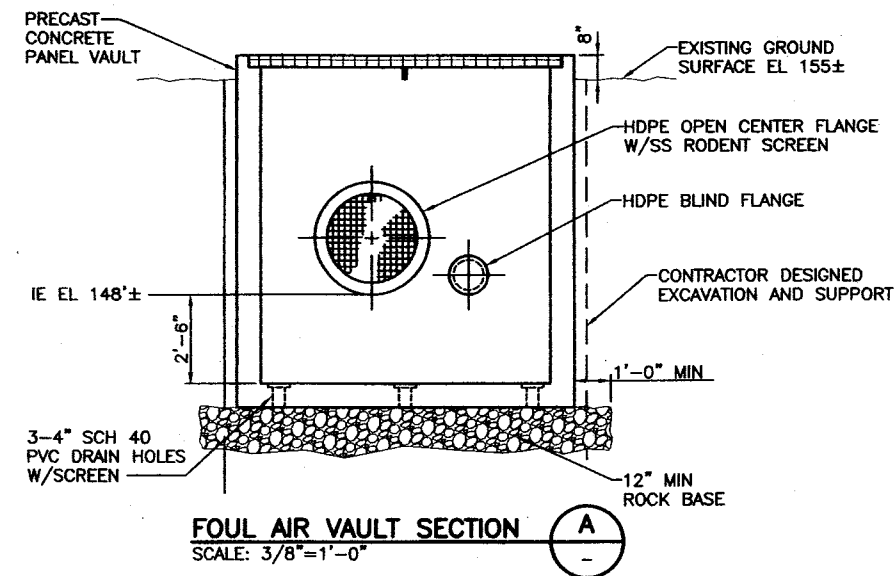
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REVISION				6602C257.dwg Oct/02/2008 at 13:55		ACM	28



FOUL AIR VAULT PLAN
SCALE: 3/8"=1'-0"



FOUL AIR VAULT TOP PLAN
SCALE: 3/8"=1'-0"



FOUL AIR VAULT SECTION
SCALE: 3/8"=1'-0"

DATE: Oct 02, 2008 - 2:43
USER: lrpado
FILE: P:\129133-Clayton\9902C267.dwg

DATE: Oct 02, 2008 - 2:43
USER: lrpado
FILE: P:\129133-Clayton\9902C267.dwg

NO.	DATE	DESCRIPTION	APPD.
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CITY OF PORTLAND
ENVIRONMENTAL SERVICES



BROWN AND
CALDWELL

JACOBS ASSOCIATES
Engineers/Consultants

LOCAL DATUM PLANE (LDP)

PORTSMOUTH FORCE MAIN
SEGMENT 2
NORTH SHAFT STRUCTURE

PIPING/MECHANICAL DETAILS



1/4 SECTION
2627
JOB NO.
9039
SHEET NO.
C267
32 of 47