



RFP No. BES092
PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

City of Portland, Oregon
March 24, 2009

REQUEST FOR PROPOSALS

for

Modeling Support Services

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

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

Submit one (1) original and five (5) complete copies of the Proposal to:

Ning Mao, P.E.
City of Portland
Bureau of Environmental Services
1120 SW 5th Ave, Room 1000
Portland, OR 97204

Refer questions to:

Ning Mao, P.E.
Phone: (503) 823-7857
Fax: (503) 823-7110
Email: ningm@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 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 City of Portland, Bureau of Environmental Services (BES or Bureau) provides Portland residents with water quality protection, watershed planning, wastewater collection and treatment, sewer installation and stormwater management. BES has more than 400 employees. Five work groups operate under the Office of the Director - Watershed Services, Pollution Prevention Services, Engineering Services, Wastewater, and Business Services.

BES is currently implementing the final portion of its Combined Sewer Overflow (CSO) Program to reduce or eliminate discharges from combined sewer outfalls into the Willamette River. This work also includes support for a number of programs spanning various collection and watershed systems throughout Portland. These include sanitary and stormwater systems in addition to the combined sewer system.

2. BACKGROUND

BES is currently updating its System Plan, which is comprised of a Combined Sewer System Plan, a Sanitary Sewer System Plan, a Sewer Rehabilitation Plan, and a Stormwater System Plan. While the first three plans are concluding this year, the Stormwater System Plan update will be in full development for the next few years, with periodic updates occurring for the other three plans. The Bureau's System Analysis team currently provides major support on these plans' development, which includes extensive usage of models and monitoring data for system characterization studies, alternative analysis, and solution recommendations. This plan will be updated on a regular basis with work occurring yearly as part of the update process. Incorporation and development of advanced asset management techniques are also an important part of these updates. These plans will be used to help develop the BES Capital Improvement Program, which is updated yearly, and improves operating procedures. These plans will also be part of Citywide system plans.

Other work will be in support of modeling and analysis activities related to various planning, design, construction and maintenance work by the Bureau. This includes, but is not limited to, sewer rehabilitation; Inflow and Infiltration (I/I) analysis and remediation; the City's addressing of EPA's Capacity, Management, Operation and Maintenance (CMOM) requirements; the City's work for on-going NPDES (National Pollutant Discharge Elimination System) permitting; the City's work in UIC (Underground Injection Control) compliance with Oregon DEQ (Department of Environmental Quality); MS4 (Municipal Separate Stormwater Sewer System) and other permit compliance; watershed planning; stormwater BMP (Best Management Practices) and LID (Low Impact Development)/green infrastructure alternatives analysis and pre-design; and other activities affecting collection and watershed systems as required.

BES in-house resources are insufficient to meet the demand for modeling analysis and technical support covering the aforementioned work. Therefore, BES is seeking proposals for contract modeling assistance to support service areas on an as-needed basis. The City may award contracts to multiple Proposers. The number of contracts awarded will be at the sole discretion of the City. Successful Proposers will enter into a three (3) year flexible services contract. The total contract amount will not exceed the maximum amount stated in the table below for the three (3) year term of the contract. Services are expected to be transient and of shorter duration than most modeling projects, and will be assigned on an as-needed basis to address critical timelines and resource limitations in the project, therefore there is no guarantee that the total dollar limit of any contract will be reached. The cumulative total of all contracts awarded as a result of this RFP will not exceed

\$2,400,000.

Proposer(s) may, but are not required, to submit separate proposals for each of the two (2) Service Areas below. Each proposal will be evaluated independently. Proposers who submit proposals for multiple service areas may be awarded a contract in both service areas.

No.	Service Area Description	Maximum Number of Contracts to be Awarded	Maximum Amount for all Contracts for the 3-Year Period
1	Modeling Support	2	\$ 1,350,000
2	Database and GIS Tool Support	2	\$ 600,000

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 performing hydrologic and hydraulic modeling and analysis for work related to large combined sewer, sanitary, stormwater, and watershed systems and proposes to engage the successful Proposer for the following services: Modeling Support. Individual modeling and other support staff will be located within BES offices and supervised by BES management to facilitate communication with City staff and to accommodate special technical requirements for the work performed (see Part I, Section B.4). Their work will support the Bureau's various infrastructure and stormwater planning and management programs.

The services for these projects required by the City are normally of short duration and specific in nature. The successful Proposer(s) will be required to enter into a not-to-exceed Professional, Technical, and Expert Services Contract with the City. There will be no guarantee of any expenditure of these contracts, as services will be billed as provided and approved by BES.

4. PROJECT FUNDING

The anticipated cost for the services described herein is \$650,000 per year for all resulting contracts for up to 3 years, with possible two-year extension, for a total of \$1,950,000. 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.

5. TASK ORDERS

Contract services provided will be authorized via Task Orders (sample attached as Exhibit B) issued by the On-Call Contracts Manager for the Asset Systems Management Division.

Individual projects will be assigned to contracted successful Proposers on a rotational basis within each service area as project needs are identified under these on-call contracts. The scope of work, schedule, deliverables and compensation for each project will be established in writing via a Task Order prior to commencement of the work. Any changes to the, scope of work, deliverables, schedule and compensation must be agreed to by the contracted Proposer and the City in writing as an amendment to the Task Order.

A two-week notice will be provided to the contracted Proposer describing the period and effort in which the part-time support would be needed. This two-week window will be for task commencement and completion, whenever possible.

Following the Notice to Proceed (issued by the On-Call Contracts Manager), the Project Manager will work directly with contracted Proposer(s) for the duration of the project unless otherwise noted in the Task Order. All work progress reports and invoices will be submitted to the Project Manager.

6. TIMELINE FOR SELECTION

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

Written proposals due at <u>4:00</u> p.m.	April 20, 2009
Interviews, if deemed necessary	Week of May 3 - May 7, 2009
Notice to proceed – work begins	May 29, 2009

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

SECTION B

WORK REQUIREMENTS

1. TECHNICAL OR REQUIRED SERVICES

The successful Proposer(s) shall perform any combination of the tasks listed below for each specified service area, and is expected to provide these services within the timeframes needed to complete the project. The contracted successful Proposer will develop and negotiate the specific scope of work, compensation, and schedule in writing. If accepted, BES will instruct the contracted successful Proposer to proceed by issuing an executed Task Order. The contracted successful Proposer shall be expected to work closely with designated bureau personnel to accomplish these goals. Due to the special technical needs of the BES Systems Analysis team, the Proposer is expected to work on-site for some service areas(see Part I, Section B.4).

Project team members are expected to be available for the modeling support within two weeks notice of the City.

Service Area 1: Modeling Support (most tasks require Professional Engineer certification)

- a. Characterize collection system and watershed problems using hydrologic and hydraulic analysis software and computational methods, including spatial analysis using GIS software.
- b. Plan traditional and green infrastructure facilities for solving sewer capacity and structural issues, including devising multiple alternatives for review by BES stakeholders.
- c. Develop detailed cost estimates for multiple infrastructure alternatives.
- d. Develop monitoring plans for calibrating models and assessing infrastructure and natural system/urban drainage problems
- e. Apply asset management principles in devising solutions
- f. Provide expertise and assistance in handling and reviewing complex hydraulics situations and hydrologic/hydraulic modeling issues, including but not limited to piped flow, open channel flow, stream morphology, and sediment transportation analyses.
- g. Develop and conduct presentations (including maps, technical memorandums, and reports, and workshops) for presenting problems and solutions discovered in the planning process
- h. Use data and systems developed by BES and through past and upcoming Database and GIS tool support (Service Area 3) in developing solutions
- i. Use US EPA SWMM; XP Software XP-SWMM; DHI MOUSE, MIKE SHE, MIKE 11; US Army Corps of Engineers HEC-HMS and HEC-RAS modeling software in analyses

Service Area 2: Database, GIS Tool, and Documentation Support

- a. Design and construct software tools for database and GIS access, targeting specific modeling tasks such as model building, model analysis, data management, and results presentation. These tools must be compatible with methods and standards of the BES Systems Analysis team for sustainability (including usage of object-oriented programming and client-server programming; .NET 2.0-3.5 programming, Microsoft Access and SQL Server 2000/2005 experience, and MapInfo MapBasic programming experience)
- b. Design databases (tabular and spatial) for supporting BES Systems Analysis data management, modeling, and publication/reporting tasks
- c. Design processes for automation of data flow to support BES Systems Analysis

data analysis tasks

- d. Assist development of technical documents, reports, and presentations related to modeling processes, tasks, results and analysis; databases, GIS, and developed software tools.

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:

- The leadership of BES Asset Systems Management Division housing the Systems Analysis team will issue Task Orders, monitor project progress and review deliverables.
- Providing personnel and resources to assist with work
- Providing technical and policy support
- Training for in-house software and processes
- Approving invoices and change orders

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 are as follows:

- Successful Proposer(s) will perform services as assigned by BES project manager via the mutually approved Task Order. Specific dates for completion will be determined on a case-by-case basis. Generally services will require preparation of a typical modeling report to demonstrate modeling results and related technical issues.
- Deliverables and schedule for each specific project or task shall be agreed upon prior to a Task Order being issued.
- Contractor will submit a Monthly Subconsultant Payment and Utilization Report by the 15th of each month (see Part II, Section C.5).

All deliverables and resulting work products from this contract will become the property of the City of Portland.

4. PLACE OF PERFORMANCE

For Service Areas 1, due to the special communication and technical requirements of BES' modeling processes and standards, the successful Proposer(s) will be located within the BES offices, located at 1120 SW 5th Ave. Room 1100, in a location near the BES Systems Analysis team. BES will provide workspaces, computers, network access, and required modeling software. Standard BES information services such as e-mail, internet access, and City and team standard software will also be provided.

BES' modeling processes use an in-house software that is designed to target databases and servers within the City's private network. It is currently not a priority to open this network to outside agencies, and is considered accessible only through machines legally connected to the network. These modeling processes standardize the development and usage of models and are deemed essential to the work and maintenance of the models for future work. Time constraints on projects require quicker turnaround on communications (including meetings and display of materials and results) than can be handled with off-site personnel.

For Service Area 2, some development can occur off-site as practical, but it is expected that any integration tasks and acceptance testing must occur on-site.

5. PERIOD OF PERFORMANCE

The City anticipates having the successful Proposer(s) begin work immediately upon contract execution with submittal of final deliverables to the City occurring by May 11, 2009, through May 11, 2012.

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

ATTACHMENTS

1. INDEX

Exhibit A	First Tier Subconsultant Disclosure Form (submit with proposal)
Exhibit B	Task Order Template

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
2. RFP CLARIFICATION

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

Questions and requests for clarification regarding this Request for Proposal must be directed in writing, via email or fax, to the person listed below. **The deadline for submitting such questions/clarifications is seven (7) days prior to 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.

Ning Mao, P.E.
Bureau of Environmental Services
City of Portland
1120 SW Fifth Ave. Room 1000
Portland, OR 97204

Email : ningm@bes.ci.portland.or.us
Phone: (503) 823-7857
Fax: (503) 823-7110

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

A separate submission is required for each of the two (2) service areas (Modeling Support and Database/GIS Tool Support), with the individual service area clearly identified on the outside of the envelope and in the Cover Letter. Proposers who submit proposals for multiple service areas must submit separate proposals in separate envelopes for each service area. Each Proposer may submit only one proposal for each service area, or a total of two (2) proposals if submitting a proposal for both areas. T

Proposals must be clear, succinct and not exceed **15** pages. First Tier Disclosure Form, up to 3 pages of reference information, 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. Project Team
3. Proposer's Capabilities
4. Project Approach and Understanding
5. Diversity in Employment and Contracting Requirements
6. Proposed Cost
7. Supporting Information
8. A completed First Tier 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

Identify the name, training and experience of each individual performing and/or supervising on-call work, including those of subconsultants.

This section of the proposal might include organizational charts, a statement regarding lines of authority and responsibility, and a statement regarding how the Proposer is prepared to respond promptly to problems and any changes to scope of work.

Service Area 1: Modeling Support

Staff should include the following levels of experience and capabilities:

- **Lead Modeler:** 5 to 10 years experience in the use of EPA SWMM and XP Software's XP-SWMM for sanitary and CSO modeling. Experience in stormwater modeling and analysis is also required. Experience in planning traditional and green infrastructure facilities for solving sewer capacity and structural issues. Experience in working independently and handling complex modeling and hydraulics issues; experience in model review, troubleshooting, and quality control; written and oral communication skills for documenting and presenting model development, application, and results; strong database manipulation and querying skills; programming skills for developing modeling-related tools for data manipulation; and experience in using Army Corps of

Engineers HEC-HMS, HEC-RAS, DHI's MOUSE, MIKE/SHE and/or MIKE/11 as well as MapInfo GIS and ESRI's ArcGIS software is also requested.

- Support Modeler: 3 to 5 years experience in the use of EPA SWMM and XP Software's XP-SWMM for sanitary and CSO modeling. Experience in planning traditional and green infrastructure facilities for solving sewer capacity and structural issues. Experience in stormwater modeling and analysis is also required. Experience and extensive knowledge in stream morphology and sediment transport is desired. Experience in working independently on intermediate to complex modeling tasks. Written and oral communication skills for documenting and presenting model development, application, and results; experience in using HEC-HMS, HEC-RAS, MapInfo GIS and ESRI's ArcGIS tools is also requested.
- On-Call Backup Support Modeler: 3 to 5 years experience in the use of EPA SWMM and XP Software's XP-SWMM for sanitary, CSO, and stormwater modeling. Experience in watershed modeling and analysis is also preferred. Experience in working independently on intermediate to complex modeling tasks. Written and oral communication skills for documenting and presenting model development, application, and results.

Successful Proposers for these service areas should demonstrate the knowledge and experience listed below:

- Extensive training and experience in hydrologic and hydraulic analysis
- Experience using EPA SWMM, XP Software XP-SWMM, and similar SWMM-based tools, and other modeling software
- Experience in CSO, sanitary, and stormwater modeling support for planning and design projects
- Experience in applying databases (Microsoft Access or SQL Server) and GIS (MapInfo and ArcGIS) for computer modeling support
- Experience in analyzing and simulating Portland's combined sewer system
- Familiarity and experience with Portland's watersheds and watershed management objectives.
- Experience and extensive knowledge in stream morphology and sediment transport.
- Familiarity and experience on Portland's green infrastructure and stormwater BMP approach
- Experience in database and GIS tool design and construction for supporting complex modeling and analytical tasks.
- Excellent communication skills in both public presentation and technical report development.
- Proven ability to work with multiple professionals as a team member on large engineering and planning projects.

Service Area 2: Database and GIS Tool Support

- Database and GIS tool support: 5 to 10 years experience in the use and design of databases (including desktop-based databases such as Microsoft Access and client-server based databases such as Microsoft SQL Server) and GIS tools for hydraulic and hydrologic modeling support targeting modeling software such as EPA SWMM, XP Software XP-SWMM, DHI MOUSE and MIKE, and Army Corps of Engineers HEC-HMS, HEC-RAS. Microsoft Access and SQL Server 2000/2005 experience for databases and ESRI 9.x and MapInfo Professional MapBasic programming experience are preferred. Interfacing to such databases using Microsoft C# and .NET Framework 2.0 and 3.5 is also preferred. Amount of time varies, depending on need and schedule.
- Technical report and documentation support: 5 to 10 years experience in the development of technical documents, reports, and presentations related to modeling processes, tasks, results and analysis; databases, GIS, and developed software tools.

3. PROPOSER'S CAPABILITIES

Identify your firm's capabilities and resources in relation to this project. This section should describe such things as:

- Similar projects performed within the last three 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.

4. PROJECT APPROACH AND UNDERSTANDING

Statement of Project Approach and Understanding must illustrate Proposer's understanding of the services to be provided by demonstrating how individual experience relates to the proposed support work for the City's combined sewer, sanitary, stormwater, and watersheds systems and demonstrates the ability to perform these services

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

Submit a rate and fee schedule for the services described in this RFP. The fee schedule shall include a personnel loading chart outlining the hourly rates and the number of hours of the individuals assigned by task and reimbursable costs. The proposed hourly rates shall be the Proposer's true hourly costs for the proposed project approach irrespective of the City's anticipated cost.

7. SUPPORTING INFORMATION

Supporting material must include a minimum of three (3) references, and may include other information pertinent to the project or work to be performed. References must include the contact person's name, agency, address, phone number, their role in the project (e.g., project manager, etc.), name of the project, and when the work was done.

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	40
c.	Proposer's Capabilities	15
d.	Project Approach and Understanding	10
e.	Diversity in Employment and Contracting	15
f.	Proposed Cost	15
g.	Supporting Information	5
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 ten (10) 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(s). Should the City not reach a favorable agreement with one of the highest scoring Proposer, at the City's sole discretion, the City shall terminate negotiations and commence negotiations with the next 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(s) 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>.

Task Order

The City of Portland, Bureau of Environmental Services (BES), authorizes *Contract Firm* to perform the Scope of Services as described herein. Refer to the Contract indicated below for Terms and Conditions.

Task Name [Click **here** and type task name]

Task Order # [Click **here** and type task order #]

Contract Firm Project # [Click **here** and type contract firm project #]

BES Contract # [Click **here** and type BES contract #]

Scope. The following Scope of Work has been requested by BES:

[Click **here** and type scope description, including schedule, breakdown of tasks, deliverables, and budget]

Costs. Estimated cost to complete task.

Staff Hours [Click **here** and type staff hours]

Total Labor Cost [Click **here** and type total labor cost]

Total Expenses [Click **here** and type total additional expenses]

Total Task Cost [Click **here** and type task cost]

Total Task Cost is not to be exceeded without authorization by BES.

BES Authorization		<i>Contract Firm</i> Authorization	
By	_____	By	_____
Title	_____	Title	_____
Date	_____	Date	_____