



**RFP No. BPS005  
PROFESSIONAL, TECHNICAL AND EXPERT SERVICES**

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**City of Portland, Oregon  
March 4, 2010**

**REQUEST FOR PROPOSALS**

**for**

**Bureau of Planning and Sustainability Business Programs Evaluation**

**PROPOSALS DUE: March 31, 2010 by 4:00 p.m.**

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

**Submit one (1) original and two (2) complete copies of the Proposal to:**

City of Portland  
Bureau of Planning and Sustainability  
721 NW 9<sup>th</sup> Ave. Suite 350  
Portland, OR 97209

**Refer questions to:**

Pam Neild  
Phone: (503) 823-0231  
Fax: (503) 823-5311  
Email: [Pam.Neild@ci.portland.or.us](mailto:Pam.Neild@ci.portland.or.us)

**A PRE-SUBMITTAL MEETING has been scheduled for March 18, 9:30 a.m., at 721 NW 9<sup>th</sup> Ave. Portland, OR 97209; third floor 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 and 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](http://www.portlandonline.com) and navigate to "Charter, Code & Policies Documents".

**INVESTIGATION** – The proposer shall make all investigations necessary to inform itself 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 Procurement Services, 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 Procurement Services, 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, ORS 192.502 and/or ORS 646.461 et seq. 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 Chief Procurement Officer has the authority to waive minor irregularities and discrepancies that will not affect the competitiveness or fairness of the solicitation and selection process.

**These Professional, Technical and Expert Services Request for Proposal "General 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 Portland Bureau of Planning and Sustainability (BPS) promotes integrated land use planning and development based on sustainability principles and practices. BPS also develops and implements policies and programs that provide environmental, economic and social benefits to residents, businesses and government, which strengthen Portland's position as an international model of sustainable practices and commerce.

### 2. BACKGROUND

BPS Training and Outreach Department administers three programs targeted at the business community operating within the City of Portland. Although the business audience is the same for all programs, each operates independently with unique staff, branding, educational and marketing materials, goals and funding sources. The programs include:

**Recycle at Work** – The Recycle at Work program has been administered by the City of Portland BPS for 9 years. The City provides technical assistance, training and educational materials and recognition for meeting recycling requirements adopted by Portland City Council as part of the Portland Recycles! Plan. The program also provides assistance with waste prevention and sustainable purchasing advice. A new initiative was launched in May 2009 to enhance participation in the program. Letters are being sent to 25,000 businesses through May 2010 to inform businesses of new recycling requirements, offer assistance to set up or improve recycling and waste prevention systems, and to request submission of required Progress Reports indicating participation in the program. BPS has been directed to report back to Council in 2011 on the success of the business recycling requirements in increasing the recycling performance within the business community.

See [www.RecycleAtWork.com/Portland](http://www.RecycleAtWork.com/Portland)

**BEST Business Center** – The Businesses for an Environmentally Sustainable Tomorrow (BEST) Business Center is a "one-stop shop" for businesses in Portland that want to become greener and more profitable. Staff provides a free evaluation of a business' operations in the areas of energy, water, waste and recycling, purchasing, green building and transportation. A business receives a customized report that guides them on specific ways that they can improve the sustainability of their operations. The BEST Business Center and its partners then offer technical and financial assistance to help the business implement recommendations and develop long term sustainability goals.

See [www.bestbusinesscenter.org](http://www.bestbusinesscenter.org)

**Portland Composts!** – The Portland Composts! program currently has over 450 Portland businesses that voluntarily collect food scraps and food-soiled papers for commercial composting. Examples of participating businesses include food-manufacturers, grocery stores, restaurants, and professional offices. The program provides free technical assistance, logistical support and resources to businesses on how to implement and maintain effective food-scrap collection systems.

See <http://www.portlandonline.com/bps/portlandcomposts>

The project identified within this RFP requests an in-depth evaluation of the existing Recycle at Work and BEST Business Center program models along with their educational

resources; a review of the Portland Composts! program for background knowledge; and specific recommendations to integrate all three programs in the future.

Guiding principles and goals for these programs can be found online at:

Climate Action Plan - <http://www.portlandonline.com/bps/index.cfm?c=49989>

Portland Recycles! Plan - <http://www.portlandonline.com/bps/index.cfm?c=43052>

Commercial Administrative Rules

<http://www.portlandonline.com/bps/index.cfm?c=41472>

Business Administrative Rules - <http://www.portlandonline.com/bps/index.cfm?c=41472>

### 3. SCOPE OF WORK

BPS is seeking proposals from individuals, firms, teams or consultants, hereafter called "Proposer(s)," with demonstrated experience in resource conservation program development and evaluation; communications and branding knowledge; and an understanding of current business expectations relating to sustainability assistance programs. The City proposes to engage the successful Proposer for the following services:

1. program model review and evaluation;
2. educational/resource tools review and improvement recommendations;
3. and strategic recommendations for integrating these programs.

The overarching goals of this project are to determine:

1. If current program messaging and offer of assistance is clear and engaging to the business community at large.
2. How to successfully integrate the programs so that existing program goals can be delivered.
3. How the proposed integrated model compares to similar government-funded sustainability programs offered throughout the country.
4. How to develop trackable goals and collect data to measure program success.

### 4. PROJECT FUNDING

The anticipated cost for the services described herein is \$65,000. 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. TIMELINE FOR SELECTION

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

Pre-submittal conference at 9:30 a.m.	March 18, 2010
Written proposals due at 4:00 p.m.	March 31, 2010
Announcement of short list Proposers	April 20, 2010
Interviews, if deemed necessary	April 27, 2010
Selection committee recommendation	May 3, 2010
Contract negotiation with successful Proposer	May 5, 2010
Notice to proceed – work begins	May 10, 2010

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

#### a. Kick-Off Meeting –

Proposer shall begin work by attending an orientation meeting to take place within 4 days following execution of the contract. The successful Proposer shall then develop and maintain a comprehensive schedule for all elements of the project.

#### b. Program review –

Proposer will review background materials provided by the City and take steps necessary to understand the administration and supporting resource materials used by the Recycle at Work, BEST, and Portland Composts! programs.

#### c. Recycle at Work program evaluation --

Proposer will evaluate the Recycle at Work program delivery model, goals and desired outcomes. Results should address whether businesses have the tools they need and are motivated to participate based on what the program provides. Results need not be statistically valid for Portland's business community but should represent its diversity of culture and type. Sample size should be extensive enough to provide meaningful results. The current program delivery model has two distinct components. The Proposer will evaluate each component and make recommendations on how to effectively deliver both to Portland's business community. The components are:

1. **Compliance.** Program staff and literature ask businesses to comply with recycling requirements mandated through administrative rules. Recycling requirements are delivered via letter, and various direct and indirect follow-ups. Once the business responds via a Progress Report, recognition window decals and web icons are provided for completing required best recycling practices (referred to as "The Five Easy Steps"). This program has been operating since May 2009.

Questions to consider may include:

Is the current process used to communicate recycling requirements effective?

What changes are recommended to the model, recognition and resource materials, tone and messaging?

Inspecting and verifying whether businesses are actually completing "The Five Easy Steps" are currently not included in the program delivery model. In order to maintain a friendly, assistance-lead program, where is the best fit for inspection and verification in the program model?

The remainder of the Recycle at Work program is assistance driven. How can the compliance and assistance components fit together to most effectively achieve program goals and provide a good experience for business customers?

2. **Assistance.** Staff offers assistance to businesses who contact the program with an interest in improving recycling and waste prevention activities.

Questions to consider may include:

Is the current method of delivering assistance effective?

How can the program model change to maximize repeated interaction with the business, create enthusiasm so the business continues to improve, and promote lasting behavior change?

Are there elements of a visit to the business (“site visit”) that are more effective than other elements?

Do resource materials (website, brochures) engage businesses effectively?

How is interest turned into active participation?

What are the most compelling messages we can provide to inspire businesses to participate?

**d. BEST Business Center program evaluation –**

Proposer will evaluate the BEST Business Center’s program’s outreach, delivery model, and tracking system. Results should address whether our outreach strategy and key messages effectively motivate businesses to engage our services. Proposer should also evaluate how effectively our program model gives businesses the resources and support to implement resource conservation activities, and provide suggestions on how we can track this progress. Results need not be statistically valid for Portland’s business community.

1. **Outreach and Messaging.** The BEST Business Center relies on its website ([www.bestbusinesscenter.org](http://www.bestbusinesscenter.org)) and printed brochure to inform businesses about our services. Key messages include: one-stop-shop, assistance to go green, be more profitable and get recognition. Our primary connection to new businesses includes outreach through business associations (e.g. Mississippi Business Association, AIA Portland chapter), sponsoring or presenting at events (e.g. Go Green, Postal Customers Conference) and business to business referrals.

General questions to consider include:

- Do our outreach materials (brochures, website, table displays, business cards) and key messages engage businesses effectively?
- Should we be doing more targeted outreach/marketing to specific business sectors?

2. **Program Model and Tracking.** The BEST Business Center’s service model includes an onsite assessment by a Sustainability Advisor who completes a sustainability survey and baseline report. The advisor then creates a Sustainability Guide which includes customized recommendations for improving a business’s internal operations and policies. Finally, advisors refer businesses to our partner agencies (e.g. Water Bureau, PGE, PDC) for in depth assistance implementing these recommendations.

Program goals focus on the number of businesses served and the number of conservation measures implemented by businesses. Our current tracking of measures implemented relies on anecdotal information collected through a phone survey of selected businesses six months after assistance. We have no formal tracking system for key performance metrics such as kilowatt hours, tons of waste, gallons of water, and miles travelled for a variety of reasons. Our primary challenge is that many of the businesses we work with (about 60%) are operating in a leased space where the electricity, water, gas and waste disposal numbers are only available for the entire building (and must be requested through the property management firm). For businesses that do own their space it is still a logistical challenge to gather such a large amount of baseline and follow-up data from each business.

General questions to consider include:

- Is the current service delivery model effective at helping business become more sustainable in their operations?
- Are there other service offerings that would improve the program?
- Is the partner referral process valuable to businesses and our partners?
- What systems can we implement to cost-effectively track metrics and goals?

**e. Program integration --**

Administration of the Recycle at Work, BEST Business Center and Portland Composts! programs is currently being integrated. Proposer will understand the proposed integrated service model and provide recommendations for improvement. Recommendations will be from the business perspective and will be specific to the constraints, needs and goals of the programs in their existing operating environment. Analysis and support for recommendations should be provided.

General questions to consider include:

- Are there recommended improvements to the proposed integration model?
- How should the combined program be branded? How should key messages for each program change, if at all?
- Program awareness and leads are currently generated via advertising, presentations, tabling and networking at local events. Where should we target future outreach efforts to be most efficient?
- Based on existing capabilities and requirements, what interim goals and tracking activities should be developed?
- Three forms of recognition are currently offered to motivate and reward businesses. Are these awards correctly calibrated to motivate a wide spectrum of the business community? If not, what adjustments should be made? Are there other incentives that could motivate behavior change (excluding monetary awards)?
- Where will compliance with recycling and composting requirements intersect with an integrated model?

**f. Results and recommendations**

Each draft of deliverables for sections c, d and e (above) will be provided to City Staff. City Staff will need at least one week to review each report.

Once evaluation is complete and challenges have been identified, Proposer will find and share successful components of leading-edge sustainability programs offered nationwide that could be used effectively in Portland.

Final presentations will be delivered in person with adequate time for questions and follow-up.

**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:

- Provide meeting space and meeting coordination.
- Provide copies of resource materials.
- Coordinate staff or business interviews.
- Provide contacts for businesses who have participated in the program.
- Provide contacts for businesses who have not participated in the program.
- Coordinate visits to businesses with staff to observe program delivery.

- Program data is tracked using Access and Salesforce. Various reports will be provided.

### 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. **Kick-Off meeting** – meeting summary, project timeline, project understanding summary, examples of reports and/or findings from other relevant projects.

Complete on or before: five days following kick-off meeting

- b. **Program review** – confirm that program materials and provided data are understood. Submit any identified gaps.

Complete on or before: week of May 24, 2010

- c. **Recycle at Work program evaluation report** - Evaluation of service delivery model including compliance and assistance components. Recommendations for changes to the model given evaluation results. Critical review of specified resource materials, key messages and tone. Recommendations for where within the model is most effective to place inspection and verification of recycling requirements (i.e., compliance verification). Recommendations for how to spark business interest, transform interest into active participation, and build businesses' commitment to long term behavior change. Draft report submitted for review.

Complete on or before: week of July 5, 2010

- d. **BEST Business Center program evaluation report** - Evaluation of and recommended improvements for program model, partner referral process, outreach strategy and tracking system. Critical review of specified resource materials, key messages and tone. Draft report submitted for review

Complete on or before: week of July 5, 2010

- e. **Program integration report–**

**Program Model & Branding**

Recommend improvements to the model based on evaluation results.

Provide a risk/benefit analysis for using one program name vs. keeping existing program names.

Evaluation of, and recommended improvements to, current recognition offerings.

Provide comparison to similar government funded sustainability programs offered throughout the country and recommend best practices.

**Outreach and Marketing**

Based on existing outreach strategies, identify top priorities and gaps.

Suggest additional key messages or changes to existing ones.



Metrics

Given existing tracking capabilities and barriers/limitations to in-depth program evaluation, identify interim goals and tracking activities that can be supported by staff and communicated to the public. Develop a report template for internal use.

Draft report submitted for review

Complete on or before: week of July 26, 2010

**f. Results and recommendations –**

Final reports for sections c., d., and e.

Recommendations from other select programs.

Two final presentations for City staff. Each presentation should allow time for questions and last up to one hour.

Complete on or before: week of August 16, 2010

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 October 31, 2010. Proposals containing earlier completion of the deliverables are acceptable and encouraged.

**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, or ten (10) days written notice for non-payment 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 and 10-day non-payment 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

### 3. PROJECT DATA

## ATTACHMENTS

NA

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> .

Guiding documents referenced in the Background Section include:

Climate Action Plan - <http://www.portlandonline.com/bps/index.cfm?c=49989>

Portland Recycles! Plan - <http://www.portlandonline.com/bps/index.cfm?c=43052>

Commercial Administrative Rules  
<http://www.portlandonline.com/bps/index.cfm?c=41472>

Business Administrative Rules - <http://www.portlandonline.com/bps/index.cfm?c=41472>

## 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 18 at 9:30 a.m. at 721 NW 9<sup>th</sup> Ave., Portland, OR 97209 (third floor 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 Wednesday, March 24.** 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.

*Pam Neild*

**Bureau of Planning and Sustainability**

721 NW 9<sup>th</sup> Ave. Suite 350

Portland, Oregon 97209

E-mail: **pam.neild@ci.portland.or.us**

Phone: (503) **823-0231**

Fax: (503) 823-5311

### 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 **20** pages. 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

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

##### **Certification as an EEO Affirmative Action Employer**

The successful Proposer(s) must be certified as Equal Employment Opportunity Employers as prescribed by Chapter 3.100 of the Code of the City of Portland prior to contract award. Details of certification requirements are available from Procurement Services, 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 Procurement Services 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 ranging 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 Procurement Services.
- The Form provides the City with 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**

The successful Proposer(s) 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 prior to contract award. 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**

Provide a detailed description of firm’s approach to overall management and integration of all activities required by the scope of work, including the management objectives and techniques that demonstrate how the work requirements will be met.

Describe the education background, directly related work experience, professional development, and demonstrated performance record of the proposed key personnel: project principal, project manager and key project team members, including any subconsultants.

Provide key personnel’s resumes that demonstrate that the individual(s) meets the qualification and experience requirements for performing the work outlined in Part I, Section B.

**3. PROPOSER’S CAPABILITIES**

Describe similar projects performed, which best characterize firm’s capabilities, work quality and cost control.

Describe firm’s resources available to perform the work for the duration of the project and other on-going projects.

**4. PROJECT APPROACH AND UNDERSTANDING**

Describe the proposed work tasks and activities, the methodology that will be used to accomplish them, and identify the team members who will work on each task.

Describe the proposed work products that will result from each task or activity.

Identify 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. The City 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). Provide a copy of the State of Oregon certification letter confirming receipt of application or copy of the approval letter certifying your firm.
- 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 State of Oregon 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 State of Oregon certified M/W/ESB firms on this project, please list those firms and detail their role within your proposal.

The City expects thoughtful consideration of all of the above Diversity in Employment and Contracting criteria in the preparation of proposals, and will enforce all diversity in workforce and M/W/ESB commitments submitted by the successful Proposer.

## **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.

## **7. SUPPORTING INFORMATION**

Supporting material must include a minimum of **2** 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:

	<b>Criteria</b>	<b>Maximum Score</b>
a.	Cover Letter	0
b.	Project Team	15
c.	Proposer's Capabilities	20
d.	Project Approach and Understanding	40
e.	Diversity in Employment and Contracting	15
f.	Proposed Cost	10
g.	Supporting Information	0
	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 the evaluation process.

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 **14** 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 it needs in order to understand the Proposer's view and approach to the project and scope of the work. While clarification is being requested, no other changes or substitutions will be allowed to proposals.

**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 or confidential and meeting the requirements of ORS 192.501, 192.502 and/or ORS 646.461 et seq., will not be disclosed unless the Multnomah County District Attorney determines that disclosure is required. At this time, Proposers not awarded the contract may seek additional clarification or debriefing, request time to review the selection procedures or discuss the scoring methods utilized by the evaluation committee.

PROTESTS OF CONTRACT AWARDS:  
Protests may be submitted to the Chief Procurement Officer 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 Chief Procurement Officer within seven (7) calendar days UNLESS OTHERWISE NOTED following the date 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. No contract will be awarded 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 Chief Procurement Officer 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 Chief Procurement Officer shall issue a notice canceling the Notice of Intent to Award.

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

#### **4. KICK-OFF MEETING**

If requested by the City, the successful Proposer shall begin work by attending an orientation meeting to take place within 4 days following execution of the contract. The successful Proposer shall then develop and maintain a comprehensive schedule for all elements of the project.