

## IRFP No. WTR - A30

# PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

City of Portland, Oregon April 22, 2010

## INFORMAL REQUEST FOR PROPOSALS

for

# **Website Programmer**

PROPOSALS DUE: May 14, 2010 by 3:00 p.m.

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

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

City of Portland Water Bureau Attn: Corrina Rodriguez 1120 SW 5<sup>th</sup> Ave., Room 600 Portland, OR 97204

## Refer questions to:

Bonny Cushman

Phone: (503) 823-4074

E-mail: bonny.cushman@portlandoregon.gov

#### **GENERAL INSTRUCTIONS AND CONDITIONS**

#### **DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIRE-MENTS**

– The City of Portland seeks to extend contracting opportunities to Minority Business Enterprises, Women Business Enterprises and Emerging Small Businesses (MW/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 <a href="https://www.portlandonline.com">www.portlandonline.com</a> and navigate to "Charter, Code & Policies Documents".

**INVESTIGATION** – The Proposer shall make all investigations necessary to be informed regarding the service(s) to be performed under this request for proposal.

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

CLARIFICATION OF INFORMAL REQUEST FOR PROPOSAL (IRFP) – Proposers who request a clarification of the IRFP requirements must submit questions in writing to the person(s) shown in the REFER QUESTIONS TO section on the cover of this IRFP, 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 IRFP 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 IRFP 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 IRFP. 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 may be cause for proposal rejection, regardless of when that

litigation comes to the City's attention and regardless how the Proposer's proposal may have been scored. Proposals may also be rejected if they use subcontractors or subconsultants who are involved in litigation with the City. Proposers concerned about possible rejection on this basis should contact the City <u>before</u> submission of a proposal for a preliminary determination of whether its proposal will be rejected.

**CITY OF PORTLAND BUSINESS LICENSE –** Successful Proposer shall obtain a current City of Portland Business License prior to initiation of contract and commencement of the work.

**WORKERS' COMPENSATION INSURANCE** – Successful Proposer shall be covered by Workers' Compensation Insurance or shall provide evidence that State law does not require such coverage.

**CERTIFICATION AS AN EEO AFFIRMATIVE ACTION EMPLOYER –** Successful Proposers must be certified as Equal Employment Opportunity Affirmative Action Employers as prescribed by Chapter 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 request 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

#### 1. SCOPE OF WORK

The City of Portland Water Bureau (PWB), on behalf of the Regional Water Provider's Consortium, is seeking proposals from individuals, firms, teams, or consultants, hereafter called "Proposer(s)," with demonstrated experience in website programming.

The successful Proposer will provide ongoing programming and technical support to the Consortium's existing website (www.conserveh2o.org). Key projects will include: updating existing plant sideshow. Drupal updates, integrating audio/video elements, assisting Consortium staff with routine site maintenance, incorporating best practices for site optimization/site design, and developing some new programming elements.

The project will require that the successful Proposer have a demonstrated experience utilizing current web technologies including, but not limited to: Drupal, PHP, Flash animation, integration of audio/video elements, Java Script, Constant Contact (or similar email marketing Proposer's must have a comprehensive understanding of search engine solution). marketing, site analytics, best practices for web site design, and standards compliance.

The project will require approximately ten (10) hours per month. Services will occur for the entire 2010-2011fiscal year (July 1, 2010 – June 30, 2011). The contract may be extended to cover additional years based on performance.

The successful Proposer shall be expected to enter into a not-to-exceed Professional, Technical, and Expert Services Contract with the City. A sample of the City's standard contract can be viewed at: http://www.portlandonline.com/shared/cfm/image.cfm?id=27067.

#### 2. PROJECT FUNDING

The anticipated cost for the services described herein is \$10,000. 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.

# **SERVICES**

TECHNICAL OR REQUIRED 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. Develop, in collaboration with Consortium staff, a project work plan that accurately depicts all aspects of the project from concept to completion (e.g. hours, proposed product/end result, number of revisions, Proposer/Consortium communication strategy, site maintenance protocols, etc).
- b. Update existing plant sideshow (Summer 2010).
- c. Complete Drupal updates (as needed, monthly to quarterly).
- d. Integrate audio/video elements (as needed, Summer 2010).
- e. Assist Consortium staff with routine site maintenance as needed.
- f. Write "how-tos" or a short, description of how to accomplish some specific task for new tasks that Consortium staff will complete in-house which must be easily understood by a lay person.
- g. Ensure that the www.conserveh2o.org site funtions correctly and incorporate best practices and industry standards for site optimization, search engine marketing, site analytics, site design, and standards compliance.

The successful Proposer shall ensure all tasked project goals and timelines are met and communicate with the City's designated personnel in a timely manner.

# 4. 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 include:

- Providing specific project goals and timelines.
- Outlining specific communication expectations between successful Proposer and Project Manager or designated representatives.
- Reviewing projects and providing constructive feedback in a timely manner.
- Acting as a liaison between the successful Proposer and Consortium Conservation Committee.

The City will provide the successful Proposer with adequate background materials and information on the Consortium, customer base, and any other material as is necessary to complete the project.

# 5. DELIVERABLES AND SCHEDULE

All deliverables and resulting work products from this contract will become the property of the City of Portland. Upon fifteen (15) days of the expiration date of the contract the successful Proposer will submit all work products to the City including audio/video and electronic files.

# 6. PERIOD OF PERFORMANCE

The City anticipates having the successful Proposer begin work immediately upon contract execution with submittal of final deliverables to the City occurring by June 30, 2011.

#### 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 a 10-day 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 a 30-day cancellation clause a 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.

## **PART II**

## PROPOSAL PREPARATION AND SUBMITTAL

#### 1. IRFP CLARIFICATION

Questions and requests for clarification regarding this Informal Request for Proposal (IRFP) must be directed in writing, via email or fax, to the person listed below. The deadline for submitting such questions/clarifications is **May 7, 2010**. An addendum will be issued no later than 72 hours prior to the proposal due date, to all recorded holders of the IRFP if a substantive clarification is in order.

Bonny Cushman Portland Water Bureau / Regional Water Providers Consortium 1120 SW 5<sup>th</sup> Ave., Room 600 Portland, Oregon 97204 Phone : (503) 823-4074

E-mail: bonny.cushman@portlandoregon.gov

### **SECTION B**

#### PROPOSAL SUBMISSION

#### 1. PROPOSALS DUE

Proposals must be received no later than the date and time, and at the location, specified on the cover of this solicitation, and shall plainly identify the subject of the proposal 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. 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 to exceed five (5) pages along with up to five (5) pages of work samples. 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 <u>readily recyclable</u>. 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 RESPONSE

Proposers must provide all information as requested in this Informal Request for Proposal (IRFP). Responses must follow the format outlined in this IRFP. 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 that 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. Experience and Capabilities
- 4. Diversity in Employment and Contracting Requirements

- 5. Proposed Cost
- 6. Supporting Information

### **SECTION C**

### **EVALUATION CRITERIA**

#### 1. COVER LETTER

By submitting a response, the Proposer is accepting the General Instructions and Conditions of this Informal Request for Proposal (reference second page of the IRFP) and the Standard Contract Provisions of the Professional, Technical and Expert Services contract.

The Cover Letter must include the following:

- RFP title
- name(s) of the person(s) authorized to represent the Proposer in any negotiations
- name(s) of the person(s) authorized to sign any contract that may result
- contact person's name, mailing or street addresses, phone and fax numbers and email addresses

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

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

#### 2. PROJECT TEAM

a. Describe your project team, including any sub-consultants, if applicable. This section should also include the following information:

Names of key members who will be performing the work on this project, and:

- o their responsibilities on this project
- o directly related work experience
- their educational background
- o unique qualifications
- percentage of their time that will be devoted to the project
- o current assignments and location
- b. Describe or provide a detailed description of organization'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.

# 3. EXPERIENCE AND CAPABILITIES

The Proposer shall provide information relating to the firm's experience, capabilities and resources in relation to the project and should describe such things as:

- Experience with similar projects
- Key personnel's qualifications and relevant experience on similar or related projects
- Resources available
- Internal procedures and/or policies relating to work quality, cost control and organizational management

4. 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 (a copy of this letter does not affect the page-limit identified under Part II, Section B.2 of this document).
- 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.

#### 5. PROPOSED COST

The proposal shall include the Proposer's true estimated cost 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.

# 6. SUPPORTING INFORMATION

Supporting material must include a minimum of three 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.

Provide up to five samples of work in this section. Samples should include URLs of live sites accompanied with a short descriptor of who on the proposed team completed the project, when it was completed and the cost of the project. Include at least one example that includes each of the following Flash animation, integration of audio/video, PHP, SQL, email newsletter platforms

## 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:

**Maximum** 

	Criteria	Score
a.	Cover Letter	Required
b.	Project Team	20
C.	Experience and Capabilities	35
C.	Diversity in Employment and Contracting	15
d.	Proposed Cost	15
e.	Supporting Information	15
	Total Points Available	100

### 2. PROPOSAL REVIEW

An evaluation review committee will be appointed to evaluate the proposals received. For the purpose of scoring proposals, each committee member 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 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 on the cover of this solicitation. At the City's sole discretion, communications with members of the evaluation committee, other City staff or elected City officials for the purpose of unfairly influencing the outcome of this RFP may be cause for the Proposer's proposal to be rejected and disqualified from further consideration.

The City has the right to reject any or all proposals for good cause, in the public interest.

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

At any point during the evaluation process, the City is permitted, but not required, to seek clarification of a proposal. However, a request for clarification does not permit changes to a proposal.

### **SECTION B**

### **CONTRACT AWARD**

1. CONSULTANT SELECTION

The City will attempt to reach a final agreement with the highest scoring Proposer. However, the City may, in its sole discretion, terminate negotiations and reject the proposal if it appears agreement cannot be reached. The City may then attempt to reach a final agreement with the second highest scoring Proposer and may continue on, in the same manner, with remaining proposers until an agreement is reached. A consultant selection process will be carried out under Portland City Code Chapter 5.68.

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. 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.