



RFP No. OMF058

PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

City of Portland, Oregon
June 16, 2010

REQUEST FOR PROPOSALS

for

Child Care and Development Services

PROPOSALS DUE: 7/14/2010 by 4:00 p.m.

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

Submit one (1) original and ten (10) complete copies of the Proposal to:

City of Portland
Bureau Human Resources
1120 SW 5th Ave. Rm 404
Portland, OR 97204

Refer questions to:

Tom Schneider
Phone: (503) 823-7138
Fax: (503) 823-4156
Email: Tom.Schneider@portlandoregon.gov

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 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 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 meeting, 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 City bureaus, 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 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 who

are 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 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 – Successful 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.

LOCAL CONTRACTING – If the final evaluation scores are otherwise equal, the City prefers goods or services that have been manufactured or produced by a Local Business. The City desires to employ local businesses in the purchase, lease, or sale of any personal property, public improvements or services; and the City wants the residents of the State of Oregon and SW Washington to benefit from optimizing local commerce and services, and the local employment opportunities they generate. [[Resolution #36260](#)]

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

SECTION A

GENERAL INFORMATION

1. INTRODUCTION

The City of Portland (City), Bureau of Human Resources (BHR) Mission is: To provide leadership and expertise in attracting, developing, and sustaining a diverse workforce committed to quality public service. The City of Portland employs parents who are in need of daycare services on a full-time and part time basis in the downtown area. The daycare center is currently managed by an independent contractor whose contract will expire at the end of 2010.

2. BACKGROUND

The City's Childcare Center, (CityKids), opened in September 2000 in order to provide affordable and easily accessible child care for City employees. An assessment of the feasibility of providing childcare to City employees began in November 1998. Employee childcare needs and interests were surveyed, the availability of childcare in the downtown corridor was assessed, and the options for childcare delivery were evaluated. A childcare committee was established in the Fall of 1999 to coordinate the feasibility assessment and related supporting activities. The program was sponsored by the Mayor's Office and supported by the City bureau directors. CityKids is currently operated by Joyful Noise, a non-profit dedicated to child care and development. This current contract will expire at the end of 2010. CityKids provides child care for children between 6 weeks and 5 years of age. CityKids operates between 6:30 AM and 6:00 PM, Monday through Friday, excluding legal City holidays. Holidays observed by the City are New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day.

Currently, under the allowable student to teacher ratio, a maximum number of 62 full time students may be enrolled. The percentage of children from City employees enrolled in CityKids has averaged slightly above 67%. Although wait list preference is provided to children of City employees, children of the general public are accepted into CityKids in order to provide revenue smoothing for childcare seats that might otherwise be unfilled.

3. SCOPE OF WORK

The City of Portland, Bureau of Human Resources (BHR) is seeking proposals from firms, teams or consultants hereafter called "Proposer(s)," with demonstrated experience in fulltime child care and development services, as well as child care center operation, and proposes to engage the successful Proposer for the following services: to operate a childcare center in the Portland Building (1120 SW 5th Ave, Portland, Oregon 97204) for children of City employees and others. The successful Proposer will be expected to enter into a not-to-exceed Professional, Technical, and Expert Services Contract with the City.

4. PROJECT FUNDING

Revenue from enrollment is intended to fund the operating cost of CityKids.

5. TIMELINE FOR SELECTION

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

Written proposals due at 4:00 p.m.	July 14, 2010
Announcement of short list Proposers	July 26, 2010
Interviews, if deemed necessary	Aug. 2, 2010
Selection committee recommendation	Aug. 13, 2010
Contract negotiation with successful Proposer	Aug. 16, 2010
Notice to proceed – work begins	Oct. 1, 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:

The selected successful Proposer will be responsible for performing all tasks necessary for the operation of a quality child development/care center, consistent with the scope of services outlined in this RFP. The successful Proposer shall be responsible for obtaining certification as an acceptable childcare facility through the State of Oregon, Employment Department, Child Care Division (CCD). The successful Proposer shall operate CityKids consistent with the guidelines set forth by the State and the National Association for the Education of Young Children (NAEYC). The successful Proposer shall either be NAEYC certified prior to operating CityKids or, shall become accredited by NAEYC within 18 months of starting operation of CityKids.

The services provided will be for full-time and part-time care. The successful Proposer will provide childcare services, in accordance with ORS 657A. Rules for the Certification of Child Care Centers are available from the State of Oregon Child Care Division. For a copy of these rules, please call the

Child Care Division at 1-800-556-6616.

The successful Proposer shall:

- a. Provide all staffing and staff training.
- b. Complete criminal history background checks as required by CCD, and other checks as requested by the City of Portland.
- c. Provide a qualified, full-time, on site Director.
- d. Be responsible for the complete management and operation of CityKids, including but not limited to, all aspects of child care, teaching, staff selection and training, curriculum development, parent relations, fee collection, record keeping, financial reporting and budget preparation and submission.
- e. Provide all equipment necessary for the operation of CityKids, which is not identified as being provided by the City (Exhibit B).
- f. Process applications and maintain a waiting list for admission to CityKids.
- g. Establish, implement and maintain health, safety and security procedures for children, parents and staff during operating hours. At a minimum, the successful Proposer shall provide an emergency evacuation plan for children and staff at CityKids and shall conduct regular fire drills.
- h. Work with parents to promote and encourage parent involvement in CityKids operation.
- i. Provide all program supplies, including consumable manipulatives, office supplies, first aid supplies, and other equipment/supplies necessary in the on-going program.
- j. Have all staff certified by the State of Oregon ("State Certified"), in accordance with the "Rules for the Certification of Child Care Centers" published by the State of Oregon, Employment Department, Child Care Division.

- k. Provide childcare on a full- and part-time basis.
- l. Provide supplies, snacks, lunch, etc. for daily operations (as required by the Child Care Division). On-site kitchen will be provided by the City. Successful Proposer shall provide a cook and prepare meals on-site.
- m. Sign a five-year contract for the operations of CityKids and abide by the lease agreement with the City of Portland for the CityKids facility (attached as Exhibit D), the current lease and an example of what the successful proposer will need to abide by).
- n. Pay for all costs associated with the operation of CityKids.
- o. Provide and maintain base pay rates for all employees equal to or greater than \$9.50 per hour and a benefit allotment of \$1.70 per hour for a total compensation of \$11.26 per hour. The "total compensation" includes wages and employer's benefits, costs of health insurance, holiday pay and vacation leave. The total compensation shall be adjusted annually based on local year-to-year percentage increases in the Portland/Salem Consumer Price Index (CPI) as published by the Bureau of Labor Statistics in February of each year and consistent with Portland City Code (PCC 3.99) and Ordinance 174839. The total compensation does not include mandated employer costs such as FICA, state unemployment insurance or other payroll taxes.
- p. Provide all laundry service needs of CityKids. Washer and Dryer to be provided by the City within CityKids Facility.
- q. Provide medical benefits to employees.
- r. Provide paid holidays to employees for City-recognized holidays when CityKids is closed.
- s. Arrange for telephone and internet service as required. Pay all long distance and internet service charges.
- t. Purchase and maintain computers and peripherals in support of center operations
- u. Promptly inform the City of any problems with City Kids operation and staff.

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:

Bureau staff shall make available sufficient hours of staff personnel to meet with consultant and provide such information as required. The Bureau of Human Resources has assigned a project manager who will oversee the work and provide support as needed.

The City will provide the successful Proposer with

- **the childcare facility on the first floor of the Portland Building (floor plan is attached as Exhibit C)**
- maintenance and repairs to the facility
- janitorial services
- building renovations as deemed necessary by City
- basic utilities (including basic telephone service, water/sewer, natural gas, garbage, and recycling hauling services).

Long distance telephone and internet services will be the responsibility of the successful Proposer

The City will approve all tuition rates and tuition increases proposed by the successful Proposer prior to such rates or rate increases becoming effective.

Equipment listed in Exhibit B is furnished by the City for use by the successful Proposer but will remain the property of the City.

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. Successful Proposer shall submit quarterly financial statements to the City for review. An annual independent financial review shall be completed and paid for by the successful Proposer and presented to the City. Completion of a second independent financial review may be done at the discretion of the City. The successful Proposer shall make records available for such a review upon request.
- b. Proposed annual operating budgets shall also be submitted to the City for review and approval. Development of annual report format will be formalized during contract negotiations.
- c. Submit a Monthly Subconsultant Payment and Utilization Report by the 15th of each month.
- d. Arrange for bookkeeping and accounting functions.
- e. Provide Parent Handbooks to all parents of children enrolled in CityKids.

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

4. PLACE OF PERFORMANCE

The City will provide a child care facility with 4,750 square feet on the first floor of the Portland Building at no charge to the successful Proposer. A design of CityKids has been included in the proposal as Exhibit C for reference. The space includes an office, teacher's lounge, storage room, kitchen, multi-purpose room, and four classrooms. An additional 1,100 square feet of covered play area is also part of the facility. The successful Proposer will agree to abide by the provisions of the lease as made applicable to the successful Proposer by references in the lease provision. (Example attached as Exhibit D)

5. PERIOD OF PERFORMANCE

The City anticipates having the successful Proposer begins a transition period on October 1, 2010 in order to be in operation by January 2, 2011. The contract that is awarded will be for a period of five (5) years, with the option of renewing annually for an additional five (5) year period.

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 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 \$2,000,000 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. Plus a special endorsement for Child Molestation, Child Abuse and Sexual Molestation, Incidental Medical Malpractice Liability, Discrimination, and Personal Injury (advertising Liability, false arrest, wrongful detention, libel and slander) or as separate policies and coverage, with combined single or general aggregate limits for each claim, incident or occurrence, in amounts acceptable to the City's Risk Manager and City Attorney's Office and no less than \$1,000,000 each claim, incident, or occurrence.

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, successful Proposer 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 and 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.

SECTION C

1. INDEX

ATTACHMENTS

Exhibit A	First Tier Subconsultant Disclosure (submit with proposal)
Exhibit B	City Equipment available for Child care use
Exhibit C	Floor Plan for City Kids (Current center floor plan in the Portland Building)
Exhibit D	The Portland Building-Child Care Center Lease 2000

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

PROPOSAL SUBMISSION

1. PRE-SUBMITTAL MEETING

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

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 June 30, 2010** 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.

Child Care and Development Services

Tom Schneider
Bureau of Human Resources
1120 SW 5th Ave. Rm 404
Portland, Oregon 97204

E-mail: Tom.Schneider@portlandoregon.gov
Phone: (503) 823-7138
Fax: (503) 823-4156

3. 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.

4. PROPOSAL

Proposals must be clear, succinct and not exceed 20 pages excluding attachment materials. 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.

5. 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 Subconsultant Disclosure Form (refer to Part II.C.5)

SECTION B

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 this 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 from which to select. 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 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

The Proposal should provide information regarding the assigned project team for the Portland Building site and must also include the management structure of your overall organization, (i.e.) Board of Directors, Regional Manager, Owner/Operator, or Other (please explain).

- 1) Management Approach: Describe your overall approach to 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. Include the following in your response.
 - a) Describe your method for resolving conflicts and complaints.
 - b) Describe your decision-making process regarding policy issues.
 - c) Describe your organizations' mission and philosophy.
 - d) How will you meet the administrative needs of CityKids?
 - e) What is your philosophy towards discipline and guidance of children?
 - f) What is your policy for dealing with sick children? Include examples of forms or health records that are maintained. (*Examples submitted may be attached in an appendix and will not be included in the page count in the evaluation criteria.*)
 - g) How do you encourage responsible health and safety practices?
 - h) What emergency procedures do you practice and how frequently?
- 2) Key Personnel: Describe the education background, directly related work

experience, professional development, and demonstrated performance record of the proposed key personnel.

- a) Please submit the resumes of key individuals who would be responsible at each site. Key individuals include all administrative, supervisory and lead teaching personnel. *(Resumes will not be included as part of the page-count in this evaluation criteria. Please include them in an appendix to the proposal)*
- b) What are your written policies regarding personnel administration (i.e. selection criteria, conditions of employment, screening procedures)? Please submit copies of the job descriptions for each position in your center and include an organizational chart showing reporting/responsibilities. Identify which employees are full-time and which are part-time. Define how many hours they must work to be considered full time. Identify the educational/experience level your firm requires for filling the identified staff positions
- c) What training and/or in-service education do you provide for your staff? How frequently is this training made available? Describe your training plan, both for new employees and for existing employees.
- d) How do you provide for consistent staffing levels with dependable people

3. PROPOSER'S CAPABILITIES

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

- 1) Similar projects performed within the last five years, which best characterize the organizations capabilities, work quality and cost control.
 - a) Similar projects with other government agencies
 - b) Resources available to perform the work for the duration of the project and other on-going projects.
 - c) Internal procedures and/or policies associated or related to work quality and cost control
 - d) Management and organizational capabilities.
- 2) Describe your experience in operating an employee sponsored, on-site child care center. Describe the unique issues which these types of centers present and how you have dealt with them.
- 3) Describe your experience in the successful operation of high quality childcare centers on an on-going basis. How many centers do you now manage, own and/or operate? How many children are served in each center? What are the age groups served? How long has each center been in operation and how have you operated CityKids? Identify staff providing care at the referenced centers and specify how long they have been employed there.

4. PROJECT APPROACH AND UNDERSTANDING

Proposer's approach and understanding of this project is an important aspect of the RFP process. Proposers should establish that they have a clear and concise understanding of the project and clarify any major issues based upon existing information. For each phase, the approach should:

- 1) Describe your center's curriculum and philosophy. What, if any extracurricular

activities will you provide to the children (music, dance, etc)? Explain whether or not these would be offered for an additional fee or if they are included in the cost proposal.

- 2) Describe how you ensure staff implementation of program/curriculum (e.g. work plans). Provide examples if appropriate. (Any examples submitted may be attached in an appendix and will not be included as part of the page-count in this evaluation criteria.)
- 3) Describe the criteria you use when deciding to move children from one age group to another.
- 4) How would you propose to accept children on a part-time basis, if it was necessary?
- 5) Submit your proposed time schedule from the notice of contract award to the time you would be ready to begin operation of CityKids. The schedule should take into account the time and tasks needed to obtain insurance, licenses, and certifications. Please list the major activities which need to be accomplished and who would be accountable for each activity.
- 6) Identify the benefit package(s) offered to employees. Specify at what point employees qualify for the various benefits (vacation, sick leave, health, dental, etc.)
- 7) What salaries will staff be paid and what type of promotional opportunities do you provide? When does staff receive salary increases and what methodology is used to determine when and how salary increases are awarded? As an example: does staff receive annual cost of living increases, are increases tied to their performance reviews?
- 8) Describe your organization's method for involving parents in the program. Include in your response the following: Describe your policy regarding parent visitation. Describe your method for on-going communication with parents in the program. What are your policies regarding parent and nursing mother visitation, and releasing children into the care of an adult?

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. 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. The City has assigned at least 15% of the total points available on this solicitation to determine the award of this contract.

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. In addition, **all Proposers must submit Exhibit A - First Tier Subconsultant Disclosure Form 1** with 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 Chief Procurement Officer. 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

It is the intent of the City of Portland, that CityKids be self sustaining in terms of financial operations and in compliance with all State and Federal child care regulations. In addition, the City also desires CityKids to be accredited by the National Association for the Education of Young Children (NAEYC). The funds needed to operate CityKids should come from tuition fees. The cost proposal section shall include the fee schedule which will be charged users by each age grouping, including separate part-time fee schedules, on a monthly basis. A detailed operating budget, including all operating expenses and projected income will need to be included. This statement shall specify the number of hours each staff member will work on each task. The proposal shall include the consultant's true estimated cost to perform the work irrespective of the City's anticipated cost.

The following questions must be addressed in this section of the proposal:

- 1) What are your policies regarding payments when children miss days because of vacation or illness?
- 2) What alternative payment schedule do you offer parents?
- 3) What salaries and benefits do you provide for your staff?
- 4) Describe your philosophy and/or policy regarding fund raising. What kind of fund raising do you anticipate and where would the money go?
- 5) Does your organization operate as a for-profit or not-for-profit organization?
- 6) If you are a for-profit organization, provide a breakdown of your overhead fees including your profit margin.

7. SUPPORTING INFORMATION

Supporting material must include a minimum of 3 references with first hand knowledge of your ability to successfully operate child care centers such as we have described, 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	20
c.	Proposer's Capabilities	25
d.	Project Approach and Understanding	25
e.	Diversity in Employment and Contracting	15
f.	Proposed Cost	15
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 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 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 **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 oral 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 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 who are 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.

4. EVALUATION OF COST

The evaluation of Proposers' costs will be performed objectively using a point method. Points are determined by applying the following:

(maximum points available for cost = 15 points):

PROPOSED COST	POINTS AWARDED
Tuition rates competitive with Portland Area Centers.	5 points
Most Advantages to City. (budget + tuition)	5 points
All budget items are thoroughly covered.	2.5 points
Budget balances and is error free and transparent.	2.5 points

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. 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 formal contracts (reference <http://www.portlandonline.com/omf/index.cfm?c=44169&a=74585>), and only from those Proposers who would receive the contract if their protest was successful.

Protests must be in writing and 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.

Protests must be timely and 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 effect 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.

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://www4.cbs.state.or.us/ex/dir/omwesb/>)
- 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://www4.cbs.state.or.us/ex/dir/omwesb/>.