RFP # 33269

Request for Proposals:
Transportation and Land Use Planning ("TLUP")

Price Agreement for A&E Related Services

Oregon Department of Transportation

PROPOSAL DUE DATE: July 30, 2018 by 2:00 p.m.
Issuing Office / Single Point of Contact:

<table>
<thead>
<tr>
<th>Procurement Specialist:</th>
<th>Jody K. Owens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing/Physical Address:</td>
<td>For Proposals submitted by mail or courier service: ODOT Procurement Office, MS# 2-2 3930 Fairview Industrial Drive SE Salem, OR 97302-1166</td>
</tr>
<tr>
<td>Time Stamp:</td>
<td>For Proposals submitted in person at the above address there are two options for submittal:</td>
</tr>
<tr>
<td></td>
<td>• Bid box located in the lobby on the first floor - Proposer must time stamp the package or envelope with the provided time-stamping device and place into bid box per the provided instructions.</td>
</tr>
<tr>
<td></td>
<td>• In-person delivery at OPO office on the second floor - It is Proposer’s responsibility to ensure the Proposal is time-stamped by an OPO staff member at time of submittal.</td>
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<tr>
<td></td>
<td>The first floor lobby and OPO office is open from 8:00am to 5:00pm on weekdays. Delivery of proposals will not be accepted on State observed holidays or during non-working hours.</td>
</tr>
<tr>
<td>E-mail:</td>
<td><a href="mailto:Jody.k.owens@odot.state.or.us">Jody.k.owens@odot.state.or.us</a></td>
</tr>
<tr>
<td>FAX:</td>
<td>(503) 986-5790</td>
</tr>
</tbody>
</table>

Proposals must be submitted to the above mailing or physical address. Driving directions and a map are provided at the following link: http://www.oregon.gov/ODOT/Business/Procurement/Documents/OPOmap.pdf

Agency will conduct a Pre-Proposal conference for this RFP. Agency has scheduled a pre-Proposal conference on June 29, 2018, at 10:00 am, to be held at Bldg X, 455 Airport Road, Salem, OR. Attendance is not mandatory but highly encouraged. The purpose of the conference is to provide additional information regarding this solicitation and to answer any questions Proposers may have. Proposers are cautioned that the official RFP requirements will change only by written addenda issued by Agency.
Electronic Files Linked or Attached to RFP. This RFP document must be viewed electronically to access files, forms, provisions or other documents that are attached electronically (shown as icons) or provided via hyperlinks from the Internet in this RFP. All files, forms, provisions or other documents attached electronically or linked from the Internet are incorporated in this RFP with the same force and effect as though fully set forth in this RFP.
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SOLICITATION SCHEDULE

<table>
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<tr>
<th>Schedule Item</th>
<th>Date</th>
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<tbody>
<tr>
<td>Pre-Proposal Conference, and Proposal Submittal Deadline</td>
<td>Stated on front page</td>
</tr>
<tr>
<td>Deadline for Proposer Questions</td>
<td>All questions must be received not later than 10 calendar days prior to the Proposal submittal deadline.</td>
</tr>
<tr>
<td>Deadline for RFP Protests</td>
<td>Not later than 7 calendar days prior to the Proposal submittal deadline.</td>
</tr>
<tr>
<td>Proposal Evaluation (and interviews if conducted)</td>
<td>Approximately 30 calendar days after RFP closing</td>
</tr>
<tr>
<td>Notice of Intent to Award (“ITA”) / Selection Notice</td>
<td>Estimated 5 calendar days after Selection Meeting</td>
</tr>
<tr>
<td>Award Protest</td>
<td>7 calendar days after the date of the ITA / Selection Notice</td>
</tr>
<tr>
<td>Negotiations</td>
<td>Estimated to take approximately 10 calendar days.</td>
</tr>
<tr>
<td>Price Agreement Execution</td>
<td>To be determined.</td>
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</tbody>
</table>
Section 1.0 SOLICITATION INFORMATION AND REQUIREMENTS

1.1 DEFINITIONS, SUMMARY OVERVIEW and PROCUREMENT AUTHORITY/METHOD

1.1.1 DEFINITIONS

For purposes of this RFP:

“Agency” or “ODOT” means Oregon Department of Transportation.

“business days” means calendar days, excluding Saturdays, Sundays and all State recognized holidays; “calendar days” means any day appearing on the calendar, whether a weekday, weekend day, national holiday, State holiday or other day.

“Certified Firm” or “Certified Small Business” means a small business certified under ORS 200.055 by the Oregon Certification Office for Business Inclusion and Diversity as “disadvantaged business enterprise”, “minority-owned business”, “woman-owned business”, “emerging small business” or “a business that a service-disabled veteran owns”.

“COBID” means Certification Office for Business Inclusion and Diversity.

“Discipline” means one of the following: Transportation System Planning, Transit Planning, Bicycle and Pedestrian Planning, and Land Use Planning. The term discipline and subject area is used interchangeably in this document.

“days” means calendar days.

“Mini-solicitation” means the process that projects are solicited for among PA holders.

“Price Agreement” or “PA” means the written document of understanding with no guarantee of a minimum or maximum purchase, negotiated between Agency and a consultant for the provision of services, which contains contract clauses and pricing information that will apply to potential future contracts during its term to be established through Work Order Contracts that will incorporate the required and applicable provisions of the Price Agreement.

“Professional Services” means architectural, engineering, photogrammetric mapping, transportation planning or land surveying services that must be procured using qualifications-based selection procedures [see ORS 279C.100 and ORS 279C.110].

"Proposal" means a written response to a Request for Proposals.

“Proposers” - All firms submitting Proposals are referred to as Proposers in this document; after negotiations, an awarded Proposer will be designated as “Consultant”.

“Qualification Based Selection” or “QBS” means evaluation and scoring of Proposals based on qualifications, experience and project approach, without considering cost.

“Related Services” has the meaning provided in ORS 279C.100.

“RFP” means Request for Proposal.
“Scope of Services” means the general character and range of Services and supplies needed, the work’s purpose and objectives, and an overview of the performance outcomes expected by Agency.

“Services” means the services to be performed under an executed Work Order Contract.

“State” means State of Oregon.

“Statement of Work” or “SOW” means the specific provisions in the final Work Order Contract which set forth and defines in detail (within the identified Scope of Services) the agreed-upon objectives, expectations, performance standards, Services, deliverables, schedule for delivery and other obligations.

“Subconsultant” and “subcontractor” means a person or firm hired by a prime consultant to perform specific tasks of project. These terms are used interchangeably in this document.

“Subject Area or subject area” means one of the following: Transportation System Planning, Transit Planning, Bicycle and Pedestrian Planning, and Land Use Planning. The term discipline and subject area is used interchangeably in this document.

“Work Order Contract” or “WOC” means the contract formed between Consultant and Agency by an executed work order. The executed WOC includes the SOW for a specific project, method of compensation, not-to-exceed dollar amount, and incorporates required and applicable provisions of the PA. A sample WOC form (as may be revised from time to time by Agency) is available at the following link: http://www.oregon.gov/ODOT/Business/Procurement/DocsPSK/WOC.pdf.

1.1.2 SUMMARY OVERVIEW
The Oregon Department of Transportation (“ODOT” or “Agency”) is seeking Proposals from firms to provide Transportation and Land Use Planning Services through WOCs issued under a PA with the Consultant(s) for those Services. Proposers responding to the RFP do so solely at their expense, and Agency is not responsible for any Proposer expenses associated with the RFP.

PAs resulting from this solicitation may be for a single discipline or any combination of disciplines or subject areas listed below. Proposers are encouraged to submit Proposals for the disciplines that best align with their abilities. Proposer shall select the desired discipline(s) on the required Cover Sheet.

The Disciplines or Subject Areas for Professional and Related Services for this RFP are as follows:

- Transportation System Planning;
- Public Transportation Planning;
- Bicycle and Pedestrian Planning; and
- Land Use Planning.

General Background Information:
Consultant shall provide Professional and Related Services, as assigned in a Work Order Contract, within the Scope of Services identified in the Price Agreement and as proposed on by the Proposer. Projects may be located throughout the State and may be focused on: either the State, local, or both facilities and the services that comprise the transportation system, or on local land uses.

The State of Oregon supports, through the 19 Statewide Planning Goals - http://www.oregon.gov/LCD/Pages/goals.aspx - a strong linkage between transportation planning and land use, natural resources, economic development, and other public interests. Projects will provide long-term direction for the planning and management of an integrated transportation system through
consideration of how transportation systems move people and goods as well as how they affect community character, the natural and human environment, and economic development. Projects will advance the goals and policies of the Oregon Transportation Plan, including but not limited to its modal and topic plans http://www.oregon.gov/ODOT/Planning/Pages/Plans.aspx. Under a WOC the Project purpose and the level and type of related analyses will vary but Projects will support a transportation planning decision. The goals of environmental justice will be considered throughout these transportation planning projects.

These Agency Projects may be conducted in cooperation with various counties, cities, or other public agencies in the State. Consultant participation may involve comprehensive Project management and providing of specific Services to support one or more task activities associated with projects that are principally managed and staffed by Agency.

A typical Project included under this solicitation may:
- Require comprehensive Project management;
- Require professional Services:
- Require specific Services to support one or more task activities associated with Projects that are principally managed and staffed by Agency;
- Require specific Services that utilize subconsultants or subcontractors, that will be assembled and managed by a Prime consultant for each individual WOC.
- Require specific related to the technical analysis and mapping, development and evaluation of alternatives, plan development and adoption, public involvement, and Project coordination;
- Have initial WOC amounts of between $100,000 and $750,000; and
- Have a duration of 18 to 36 months.

The Services that may be assigned under WOCs are further described in Exhibit A, Scope of Services of the sample PA (RFP Attachment A).

**Future Work Limitations** (For these purposes, “Affiliate” or “Affiliates” of a consultant means any Person or entity that controls, is controlled by or is under common ownership or control with that consultant.):
- If a consultant or any Associate of consultant enters into personal services contract(s) with Agency for the purpose of advising or assisting in developing specifications, a scope or statement of work, an invitation to bid, a request for proposals or other solicitation documents and materials related to a given procurement, the consultant may not be eligible to propose/bid on the prospective procurement (based on a case-by-case assessment by Agency).

**Quantity of PAs Awarded:** It is anticipated that the following number of PA’s will be issued as a result of this RFP:

<table>
<thead>
<tr>
<th>Price Agreement Discipline / Series</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation System Planning</td>
<td>4-7 PA’s</td>
</tr>
<tr>
<td>Public Transportation Planning</td>
<td>3-5 PA’s</td>
</tr>
<tr>
<td>Bicycle and Pedestrian Planning</td>
<td>3-5 PA’s</td>
</tr>
<tr>
<td>Land Use Planning</td>
<td>3-5 PA’s</td>
</tr>
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_Agency, in its sole discretion, may select more or fewer number of PA’s based on the Proposals submitted, the results of the evaluation, and Agency’s need for the Services._
**Offer Period**: A Proposer's Proposal is a firm offer, irrevocable, valid and binding on the Proposer for not less than 180 days following the closing date for this RFP. Agency may request, either orally or in writing, that Proposer extend the offer period in writing.

Contingent upon Agency need and available funding, Agency may (for up to 9 months following the close of this solicitation), in Agency’s sole discretion, make additional award(s) from this RFP. Agency may select the next ranked responsible Proposer who has submitted a responsive proposal (provided Proposer agrees to an extended offer period, which would cover the balance of the 9 months, if at that time the offer period stated in the paragraph above has expired or soon will expire), issue an intent to award and begin a new award protest period. If agreement with that Proposer is not reached, Agency may offer award to the next ranked Proposer and so on until agreement is reached or until Agency terminates the process. Agency reserves the right to require confirmation of the qualifications of any Proposer.

**WOC Assignments**: Specific projects will be assigned as needed by Agency via WOCs. The WOC Assignment method is described in Exhibit F of the sample PA (RFP Attachment A). There is no guarantee that any specific amount of Services will be assigned or any overall dollar amount will be expended through the duration of the PA. Any WOC SOWs must be within the scope of Services described in this RFP. Assigned WOCs will identify a schedule for delivery, costs, and include or incorporate by reference an SOW with clearly defined tasks and deliverables.

*Agency, in its sole discretion, will determine the appropriate PA series that a mini-solicitation will be issued to.* Agency will consider the Services to be provided as it relates to the Scope of Services of a PA series.

Agency reserves the right to conduct a separate solicitation for any project (or bundled projects), and to make assignments to firms under other contracts or PAs.

**PA Duration**: PAs are anticipated to be effective by September 2018. PAs will have a limited WOC assignment period but will not expire until the later of: a) the end of the WOC Assignment Period, including any extensions, or b) when all WOCs assigned under the PA are completed, have expired, or have been terminated in accordance with their terms.

**WOC Assignment Period**: WOCs may be assigned for an initial period of 2 years from the execution date of the PA. The WOC assignment period may be extended for up to 3 additional years based on Agency’s need, availability of funding, and Consultant’s performance. Any WOCs assigned may be amended (including before and after expiration of the WOC assignment period), within the scope of the assigned WOC, as reasonably necessary to complete the needed Services or subsequent phases of phased development WOCs. A WOC is considered assigned when Agency has issued notice of WOC assignment to the selected firm. All WOC assignments are tentative until negotiations are successfully completed, all required signatures have been obtained on the WOC, and ODOT has issued a Notice to Proceed to Consultant.

**Performance Evaluation**: Agency intends to conduct performance evaluations on each assigned WOC and may conduct evaluations on each phase of a WOC (see Performance Evaluation - Exhibit G of the attached Sample PA). Poor performance on assigned WOCs may result in withholding of retainage and negatively impact a Consultant’s eligibility for any or all of the following: i) amendments to extend the WOC assignment period if applicable, ii) WOC assignments under this or other PAs and iii) selection under other Agency solicitations. Agency may conduct a separate solicitation near the end of the initial WOC assignment period to replace Consultants that do not receive an extension of the WOC assignment period.
Funding Source(s) for WOCs:
- Federal - FHWA and FTA
- State
- Other

PA Not-to-Exceed ("NTE") Amounts:
The individual PAs will not have their own separate NTEs. Instead, the anticipated collective maximum NTE amount for all of the PAs derived from this RFP is estimated to be $20,000,000. Agency will use this collective maximum NTE amount for assignment of WOCs under all of the PAs.

Contract Payment: Payment will be made for completion of, or acceptable monthly progress on, tasks and deliverables in conformance with WOC/PA requirements and all applicable standards. The method of compensation will be determined by Agency for each WOC and may be based on any of the following methods (may include more than one method – "Mixed"):
- Cost Plus Fixed-fee, up to a maximum NTE WOC amount;
- Fixed Price for all Services; Fixed Price per Deliverable; Fixed Price per Milestone;
- Time and Materials, up to a maximum NTE WOC amount;
- Price Per Unit.

(See RFP Attachment A, Exhibit B - Compensation, for further information.)

Aspirational Targets: For state-funded WOCs that exceed $100,000 (including as may be amended), a Certified Small Business Aspirational Target of 12% will be assigned to ensure that contractors take reasonable steps to provide opportunities to Certified Firms. Refer to Exhibit K of the Sample PA (RFP Attachment A) for further explanation and description of these non-binding Aspirational Targets.

ODOT’s Disadvantaged Business Enterprise ("DBE") Policy Statement is posted at the following Internet address: [http://www.oregon.gov/ODOT/Business/OCR/Pages/Disadvantaged-Business-Enterprise.aspx](http://www.oregon.gov/ODOT/Business/OCR/Pages/Disadvantaged-Business-Enterprise.aspx)

The DBE Policy Statement is incorporated in this RFP with the same force and effect as though fully set forth in this RFP.

DBE Participation Goals: For USDOT-assisted WOCs (contracts that utilize FHWA, FTA, or FAA funds), the Federal DBE program requirements under 49 CFR Part 26 will apply.

Proposers shall demonstrate ability to meet DBE goals that may be assigned to WOCs. Proposers should not assume that a minority-owned business enterprise ("MBE"), a woman-owned business enterprise ("WBE"), a business owned by a service-disabled veteran ("SDV") or an emerging small business ("ESB") is currently certified by the Oregon Certification Office for Business Inclusion and Diversity ("COBID") as a DBE firm. Proposers are encouraged to verify the DBE firms’ certification by:
1) requesting a copy of the DBE certification letter from the committed DBE firm; or
2) contacting COBID at (503) 986-0075. Proposers may also access the updated certification list by accessing COBID’s Internet Web Page address at: [https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp](https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp)

See RFP Attachment A, Sample PA:
• Exhibit E for DBE provisions and reporting requirements applicable to WOCs with race conscious
  DBE goals assigned, and
• Exhibit E.1 for DBE provisions and reporting requirements applicable to Federally funded WOCs
  with no DBE goal assigned.

1.1.3 PROCUREMENT AUTHORITY AND METHOD

Procurement Authority. Agency is conducting this RFP according to its authority under ORS
279A.050(3).

Procurement Method. Agency is conducting this RFP in conformance with ORS 279C.110 and OAR
137-048-0220 – Formal Selection Procedure, OAR 137-048-0270 – Price Agreements and ORS 279C.125
and OAR 137-048-0260.

1.2 QUESTIONS AND CLARIFICATIONS

1.2.1 PROPOSER QUESTIONS

All inquiries, whether relating to the RFP process, administration, deadline or award, Scope of Services,
or to the intent or technical aspects of the services must be submitted in writing to the Procurement
Specialist/Single Point of Contact identified on page 1 of this RFP (mail, fax or e-mail are acceptable).
Failing to follow the foregoing requirements regarding the Single Point of Contact for inquiries
may result in Proposal rejection by Agency. All questions must be received not later than 10
calendar days prior to the Proposal submittal deadline.

Answers to questions Agency receives and that Agency, in its sole discretion, determines are substantive,
will be issued as official addenda to this RFP (or as Question and Answer documents - see section 1.2.3)
to ensure that all Proposers base their Proposals on the same information. When appropriate, as
determined by Agency in its sole discretion, revisions, substitutions, or clarifications of the RFP or
attached terms and conditions will be issued as official addenda to this RFP. Changes or modifications
to this RFP shall be binding on Agency only if in the form of written addenda issued by Agency.

1.2.2 ADDENDA

Agency shall advertise addenda only on the “Oregon Procurement Information Network” or (“ORPIN”).
ORPIN is the current State Automated Procurement System used by the Oregon Department of
Anyone who has downloaded or received a copy of this RFP will only be alerted to the existence of any
addenda by checking on ORPIN, or with the Procurement Specialist. Proposers are responsible for
checking the on-line source or with the Procurement Specialist for this RFP to determine whether an
addendum has been issued, and then must either download the addendum or request a copy. Agency is
not responsible for sending addenda to any potential Proposers, whether requested or not.

1.2.3 QUESTION AND ANSWER DOCUMENTS

Agency may post Question and Answer document(s) on ORPIN to respond to inquiries that Agency
determines, in its sole discretion, do not effect changes to the RFP. Question and Answer documents
provide clarifications and interpretations but do not change RFP requirements.

1.3 PROTESTS

1.3.1 SOLICITATION (“RFP”) PROTEST REQUIREMENTS
Potential Proposers may submit a written protest of anything contained in the RFP and may request a change to any provision, specification or PA term contained in the RFP. Potential Proposers must submit protests concerning the RFP and requests for change to any particular provisions, specifications, or PA terms contained in the RFP, to the Procurement Specialist/Single Point of Contact identified on page 1. Protests and requests for change must be submitted in writing (mail, fax or e-mail are acceptable) not later than 7 calendar days prior to the Proposal submittal deadline. Agency will not consider any protest to the RFP or request for change submitted after this deadline. Each protest and request for change must include the reasons for the protest or request (supported by factual documentation) and any proposed changes to the RFP provisions, specifications or PA terms. Agency will resolve all timely submitted protests in accordance with OAR 137-048-0240(3). Agency will address all timely submitted requests for change within a reasonable time following Agency’s receipt of the request and once addressed, will promptly issue a written decision on the request to the Proposer who submitted the request. The foregoing procedures and deadline shall also apply to protests and requests for change respecting the contents of addenda to the RFP, unless the addenda specify a different deadline.

1.3.2 AWARD PROTEST REQUIREMENTS
Following Agency’s evaluation process, every Proposer who submits a Proposal shall be notified by Agency of its selection status. Any Proposer who claims to have been adversely affected or aggrieved by the selection of (the highest ranked/the higher ranked) Proposer(s) must submit a written protest of the selection to the Procurement Specialist identified on page 1 of this RFP within 7 calendar days after the date of the selection notice (mail or e-mail are acceptable). Agency will not consider any protest submitted after this submittal deadline. Agency will not consider award protests based on terms or requirements contained in the RFP – solicitation protests must be submitted during the solicitation protest period described in section 1.3.1. The protesting Proposer must claim that protesting Proposer is the highest ranked Proposer or is within the class of higher ranked Proposers with whom Agency will negotiate PAs because the Proposals of all higher ranked Proposers failed to meet the requirements of the RFP or because the higher ranked Proposers otherwise are not qualified to perform the Services. Agency will resolve all timely submitted protests in accordance with OAR 137-048-0240(3). Proposers who have been notified that they were not selected may contact the Procurement Specialist/Single Point of Contact (identified on page 1) to make an appointment to view the RFP files, request copies of the evaluation documentation, or request a debriefing at the ODOT Procurement Office.

1.3.3 COSTS AND DAMAGES
All costs of a protest shall be the responsibility of the protestor and undertaken at the protestor's expense. The State and ODOT shall not be liable for the Proposer's damages or costs for filing the protest or to any participant in the protest, on any basis, express or implied.

1.4 “PASS/FAIL” PROPOSAL SUBMITTAL REQUIREMENTS
Proposals must comply with all of the following Pass/Fail criteria to be considered for further evaluation. Proposals with items in this Section 1.4 marked as “PASS/FAIL” that are incomplete (except for minor informalities), not submitted by Proposal due date and time, or are otherwise not in substantial conformance with the requirement, will be rejected as non-responsive.

1.4.1 PROPOSAL SUBMITTAL DEADLINE (PASS/FAIL)
Proposals must be received by the submittal deadline (per official clock of Issuing Office) and at the address of the issuing office indicated on page 1 of this RFP. Agency will not accept Proposals submitted by facsimile or electronic mail, nor will Agency accept Proposals submitted after the Proposal submittal deadline (except as Agency may permit for REQUIRED items under section 1.5). Agency is not responsible for and will not accept late or mis-delivered Proposals.
1.4.2 TERMS AND CONDITIONS (PASS/FAIL)

Unless an official addendum has modified or reserved the right to negotiate any terms and conditions contained in the PA or exhibits thereto, Agency will not negotiate any term or condition after the solicitation protest deadline, except SOW and pricing information with the selected Proposer(s) per section 2.4. By Proposal submittal, the selected Proposer(s) agree(s) to be bound by the Oregon Department of Transportation Terms and Conditions as set out in RFP Attachment A – Sample Price Agreement, and as they may have been modified or reserved by Agency for negotiation. Any Proposal that is received conditioned on Agency’s acceptance of any other terms and conditions or rights to negotiate will be rejected. Any subsequent negotiated changes may be subject to prior approval by the Department of Justice.

Government bodies subject to ORS Chapter 190 do not bid or compete on the same basis as private-sector Proposers, however, Agency will initially review Proposals from government bodies according to the same evaluation criteria described in this RFP. Government bodies submitting a Proposal must comply with all applicable Proposal requirements described in this RFP. In addition to any other Proposer selection, Agency may enter into an ORS Chapter 190 agreement with any government body for the Services. Alternatively, Agency may cancel this RFP if it would be in the public interest as determined by Agency, and enter into an ORS Chapter 190 agreement with a government body.

1.4.3 SUBMIT THE PROPOSAL PROPERLY (PASS/FAIL)

Submit all submittal items in a sealed envelope/package. On the outside of the sealed envelope/package, indicate the following:

- Name of Proposing firm,
- RFP # and Title,
- RFP close date and time, and
- Name of Procurement Specialist/Single Point of Contact identified on page 1 of RFP.

1.5 “REQUIRED” PROPOSAL SUBMITTAL ITEMS & SCORING DEDUCTIONS

Scoring Deductions:

- Proposals will receive a 2% scoring deduction, based upon the total available points, for each item in this section 1.5 marked as “REQUIRED” that is incomplete (except for minor informalities) or that is not submitted with the Proposal in substantial conformance of the requirement. Incomplete or missing items must be completed and submitted within 2 business days of e-mail request by Agency (this does not apply to “PASS/FAIL” items which must be submitted by Proposal due date and time). Missing or incomplete items must be submitted on a USB memory stick to Agency at the physical address shown on page 1. Failure to complete and deliver missing or incomplete “REQUIRED” items within 2 business days of request by Agency shall result in Proposal rejection. Time limitations will be based upon the time of the e-mail sent by Agency and the time of Agency’s receipt of the missing or incomplete items.
- Only one scoring deduction will be applied per deficiency. For example, if a minimum qualification is not listed on the Cover Sheet, one 2% deduction will be applied (rather than a 2% deduction for a missing minimum qualification and another 2% for an incomplete Cover Sheet).
- Scoring deductions are on an average score per Proposal basis and not a deduction per evaluator. For example, if a Proposer received an average score of 92 points from the evaluation committee, a 2% scoring deduction would result in a Proposal score of 90. (Percentage will be rounded to either the lower number if under .5% or to the higher number if .5% or over.)
1.5.1 COVER SHEET (REQUIRED)

The Proposal must include a completed Cover Sheet in the form as set forth in RFP Attachment C, signed by a duly authorized representative empowered to bind the Proposer (showing at least one signature of an authorized representative of Proposer). Any cover letters submitted in addition to the required Cover Sheet will not be forwarded to the evaluation committee.

On the Cover Sheet (or a separate sheet attached to the Cover Sheet):

- Identify the sections of the Proposal, if any, Proposer claims to be exempt from disclosure pursuant to Oregon Public Records Law, ORS 192.311 through 192.478. List sections, paragraphs, pages, etc., and the specific ORS citation(s) that Proposer claims provides for exemption of each listed section (See RFP section 1.6.).

1.5.2 MINIMUM QUALIFICATIONS (REQUIRED)

Please include responses to the following Minimum Qualifications in the space provided on the Proposal Cover Sheet (RFP Attachment C):

- REGISTERED PROFESSIONAL ENGINEER – Required for Transportation System Planning Discipline/Subject Area only.

Firms proposing on Transportation System Planning: Consultant may not provide engineering Services unless the Services are performed or provided under the full authority and responsible charge of an Oregon Registered Professional Engineer as defined in ORS 672.002(2). The Professional Engineer must be currently registered in active status with the Oregon State Board of Examiners for Engineering and Land Surveying, and must supervise and direct the Services proposed under WOCs. As required by Oregon law, Consultants shall place their official Oregon Registered Professional Engineer certified seal and signature on all reports delivered under WOCs.

In the space provided on the Proposal Cover Sheet (RFP Attachment C), list the name and registration number of at least one Oregon Registered Civil Engineer in active status intending to perform engineering services under the PA.

Licenses Outside of Oregon

If the Proposer is an “individual, firm, partnership or corporation offering to practice engineering or land surveying” and “holds a certificate of registration to engage in the practice of professional engineering or land surveying (as applicable) issued by the proper authority of any other state, a territory or possession of the United States, or a foreign country”, the Proposer shall:

Include a written statement that the Proposer is not registered to practice engineering or land surveying (as applicable) in the State, but will comply with ORS 672.002 to 672.325 by having an individual holding a valid certificate of registration in the State in responsible charge of the work prior to performing any engineering or land surveying (as applicable) work within the State. [ORS 672.060(9)(a) and (b)]

Proposer shall provide, on the Proposal Cover Sheet (RFP Attachment C), the following information:

- The name of the individual employed by Proposer who currently holds a valid certification of registration to practice engineering or land surveying (as applicable), the jurisdiction of the registration and the registration number; and one or both of the following:
The name of the individual not employed by Proposer who currently holds a valid certificate of registration to practice engineering or land surveying (as applicable) in the State who Proposer has engaged to be in responsible charge of the work; or

The name of the individual employed by Proposer who will be in responsible charge of the work and will obtain a valid certificate of registration to practice engineering or land surveying (as applicable) in the State prior to performance of engineering or land surveying (as applicable) services under any assigned WOCs.

1.5.3 FORMAT FOR PROPOSAL SUBMITTALS; PAGE LENGTH LIMITATION

a. (REQUIRED) Proposers shall submit Proposals on recycled white paper. The Proposal must not exceed the following:

- **1 discipline:**
  - 2 page response plus 1 Key Staff Resume for Evaluation & Scoring Criteria 2.2.1.
  - 4 page response plus 2 Key Staff Resumes for Evaluation & Scoring Criteria 2.2.3, 2.2.4, 2.2.5 & 2.2.6.

- **2 disciplines:**
  - 2 page response plus 1 Key Staff Resume for Evaluation & Scoring Criteria 2.2.1.
  - 8 page response plus 4 Key Staff Resumes for Evaluation & Scoring Criteria 2.2.3, 2.2.4, 2.2.5 & 2.2.6.

- **3 disciplines:**
  - 2 page response plus 1 Key Staff Resume for Evaluation & Scoring Criteria 2.2.1.
  - 12 page response plus 6 Key Staff Resumes for Evaluation & Scoring Criteria 2.2.3, 2.2.4, 2.2.5 & 2.2.6.

- **4 disciplines:**
  - 2 page response plus 1 Key Staff Resume for Evaluation & Scoring Criteria 2.2.1.
  - 16 page response plus 8 Key Staff Resumes for Evaluation & Scoring Criteria 2.2.3, 2.2.4, 2.2.5 & 2.2.6.

The above page counts exclude the following:

- cover Sheet (RFP Attachment C);
- any tabs or indexes;
- references;
- Subcontractor Solicitation and Utilization Report
- Conflict of Interest form(s);
- Request for Tax ID Number form; and

Any pages submitted beyond the limit will be discarded by Agency and will not be included in the evaluation.

One (1) page is defined as: one side of a single 8-1/2" x 11" page. Any page over this size will be counted as 2 pages. Any page, partial page, tabs, indexes or table of contents with substantive text, tables, graphics, charts, resumes, etc., will be counted as 1 page. The fields on the Key Staff Resumes form may
be expanded, but may not exceed 1 page per resume. Key Staff Resumes are available at: http://www.oregon.gov/ODOT/CS/OPO/pages/AE.aspx (under Misc. Procurement Related Forms)

If a Proposer submits a Proposal exceeding this limit, Agency will consider the pages up to that allowable number and delete all subsequent pages. The Proposer may choose how to allocate pages between any sections, within the overall page limit.

1.5.4 QUANTITY OF PROPOSALS & ELECTRONIC COPIES

Proposer must complete and submit the following items to Agency at the mailing or physical address shown on page 1:

a. RESERVED

b. One USB memory stick (labeled Master) that includes:
   1) PDF file(s) of the Proposal
      i. Signed Proposal Cover Sheet (RFP Attachment C).
      ii. Single file in response to section 2.2.1.
      iii. Single file in response to section 2.2.3 through 2.2.6 per discipline being proposed on (4 maximum).
   3) A completed TIN Request form.
   4) COI Disclosure Forms (if any must be submitted per section 1.5.5).
   5) 3 references per discipline for relevant projects using the form linked in section 2.1.3. Reference Section 1.5.6.

Items 1 through 5 must be submitted as a separate file on the USB and named appropriately.

c. One USB memory stick (labeled Copy) that includes:
   1) PDF file(s) of the Proposal
      i. Signed Proposal Cover Sheet (RFP Attachment C).
      ii. Single file in response to section 2.2.1.
      ii. Single file in response to section 2.2.3 through 2.2.6 per discipline being proposed on (4 maximum).
   2) 3 references per discipline for relevant projects using the form linked in section 2.1.3. Reference Section 1.5.6.

Items 1 through 2 must be submitted as a separate file on the USB and named appropriately.

1.5.5 CONFLICT OF INTEREST (COI) DISCLOSURE (REQUIRED)

Proposer must be in compliance with the ODOT COI Guidelines:

- (REQUIRED) All Proposers must indicate on RFP Attachment C - Proposal Cover Sheet (by checking the appropriate checkbox in the signature certification section) that the Proposer, its subcontractors and all other “Associates” (as that term is defined in the ODOT COI Guidelines) are in compliance with all COI disclosure guidelines.
- If there are no COI disclosures required for Proposer, its subcontractors or other Associates, per the ODOT Conflict of Interest Guidelines, then submittal of COI Disclosure form(s) is not required.
• **If there are any disclosures required** per the ODOT COI Guidelines, for Proposer (including subcontractors, or any other of the Proposer’s Associates, Proposer must submit a signed COI Disclosure Form with the Proposal (hard copy separate from the Proposal). The Proposer shall incorporate in each required COI Disclosure Form any COI disclosure information provided by its staff, and attach COI Disclosure Forms from each of its subcontractors and any other Associates that have required disclosures per the ODOT COI Guidelines.

The ODOT COI Guidelines and COI Disclosure Form are available at the following Internet site: [http://www.oregon.gov/ODOT/Business/Procurement/Pages/PSK.aspx](http://www.oregon.gov/ODOT/Business/Procurement/Pages/PSK.aspx) under “Miscellaneous Forms”.

1.5.6 REFERENCES (REQUIRED)
Provide 3 different references per discipline for relevant projects using the form linked in section 2.1.3. Reference forms must be submitted with the Proposal but are not included in the Proposal page count. References must be from different projects. Only one reference per project is acceptable.

1.5.7 REQUEST for TAX IDENTIFICATION NUMBER (“TIN Request”) (REQUIRED)
Submittal of a completed [TIN Request form](#) is required under this solicitation.

1.6 PUBLIC RECORDS
This RFP, and one copy of every Proposal received in response to it, together with copies of all documents pertaining to the award of the PA(s), shall be kept by Agency and made a part of Agency’s records. Proposals shall be open to public inspection in accordance with ORS 279C.107 and OAR 137-048-0130(7). If a Proposal contains any information that may be considered exempt from disclosure as a trade secret under either ORS 192.345(2) or ORS 646.461(4), or under other grounds specified in Oregon Public Records Law, ORS 192.311 through 192.478, the Proposer must clearly designate on or with the Proposal the portions of its Proposal which Proposer claims are exempt from disclosure, along with a justification and citation to the authority relied upon. **Identifying the Proposal in whole as trade secret, confidential or otherwise exempt from disclosure is not acceptable. In such circumstances Agency will require Proposer to submit a memorandum citing the statutory justification for each specific area of the Proposal that Proposer claims to be exempt.**

If Proposer fails to identify, on or with the Proposal, the portions of the Proposal Proposer claims are exempt from disclosure and the authority used to substantiate that claim, Proposer is deemed to have waived any later claim of an exemption or request for nondisclosure of that information.

Any Proposer that does not comply with these requirements may have its Proposal rejected.

Application of the Oregon Public Records Law or other applicable law shall determine whether any information is actually exempt from disclosure. Agency will not be held liable for any disclosure of information which Proposer considers to be exempt from disclosure if required by a Public Records Order. Notwithstanding any rights under 17 USC 101 et seq., (the United States Copyright Act), when Agency is required to provide copies of the non-exempt portion of the Proposal pursuant to a Public Records Order, Proposer hereby grants a license to Agency to copy those portions of the Proposal that are subject to disclosure.

By submitting a response to this RFP, Proposer grants the State a non-exclusive, perpetual, irrevocable, royalty-free, worldwide license for the rights to copy, distribute, display, prepare derivative works and transmit the response for the purpose of conducting this procurement and to fulfill obligations under Oregon Public Records Laws.
1.7 NON-DISCRIMINATION
Agency, in accordance with the Title VI of the Civil Rights Act of 1964, 78 Stat. 252. 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all Proposers that it will affirmatively ensure that all business enterprises will be afforded full opportunity to submit proposals in response to this solicitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

Section 2.0 EVALUATION PROCESS & CONSULTANT SELECTION

2.1 EVALUATION PROCESS

2.1.1 PROPOSAL EVALUATION
Agency will evaluate Proposals in accordance with the evaluation procedures set forth in OAR 137-048-0220 and this RFP. Agency will review Proposals for conformance with the Pass/Fail and REQUIRED criteria identified in sections 1.4 and 1.5. Proposals meeting all Pass/Fail criteria (including submittal of all REQUIRED items in the time allowed) will be forwarded to an evaluation committee of at least 3 members that will independently review, score and rank Proposals according to the Scoring Criteria set forth in section 2.2. Evaluators will independently judge the merits of the Proposals by comparing the requirements and criteria stated in the RFP with the responsiveness and the relevance of experience and qualifications presented in the Proposal. Agency will not evaluate any proposed prices for Services as part of the evaluation process.

The outcome of the Evaluation process may, in Agency’s sole discretion, result in:
(a) notice to Proposer(s) of selection or rejection for PA negotiation and possible award;
(b) further steps to gather additional information for evaluation, (e.g. checking references, notice of placement on an interview list, requesting clarification); or
(c) cancellation of the RFP and either re-issuance of the RFP in the same or revised form or no further action by Agency with respect to the RFP.

Agency may reject any or all Proposals and may cancel this RFP at any time if doing either would be in the public interest as determined by Agency. Agency is not liable for any costs a Proposer incurs while preparing or presenting the Proposal or during further evaluation stages. All unreturned Proposals submitted in response to this RFP will become property of Agency and part of the public file.

2.1.2 INTERVIEWS/FOLLOW-UP QUESTIONS
Interviews/follow-up questions may be conducted and scored at the discretion of Agency. Evaluation of the optional interview or other requested information will be within the parameters of the following criteria:

- Understanding of Requested Services
- Technical Approach
- Project Management/Cost Effectiveness
- Proposer’s General Qualifications
- Proposer’s Capabilities and Supporting Resources
- Proposer’s Relevant Experience
- Project Team and Qualifications
If interviews/follow-up questions are conducted, the following will apply:

- A minimum of 3 evaluators shall score the interviews/follow-up questions (the evaluation committee for interview/follow-up questions may or may not include the same evaluators from the scoring of the written Proposals).
- The interviews/follow-up questions will have a maximum score of 100 points.
- Agency will, to the greatest extent practicable, select at least the 3 highest ranked Proposers for interviews/follow-up questions Per Discipline / Subject Area. Agency, in its sole discretion, may increase or decrease the number of Proposers selected for interviews/follow-up questions if there is a natural break in the scores.
- Follow-up questions will typically be sent via e-mail to Proposer(s) as an alternative to face-to-face interviews. Proposers’ responses to the follow-up questions must be received by the Agency at the physical address shown on page 1 on a USB memory stick by the deadline set forth in the Agency’s e-mail to Proposers. However, Agency may conduct face-to-face interviews if determined necessary after conducting written follow-up questions.
- Interviews normally require physical attendance at Agency’s offices; however, Agency may elect to conduct interviews via teleconference or video conference. Further details will be included with notification of time and date of interviews, if conducted.

2.1.3 REFERENCES
Proposers must provide 3 different references per discipline (using the form hyperlinked below) for projects relevant to the project(s) contemplated in this RFP. References must be from different projects. Only one reference per project is acceptable. Agency does not intend to score references but may contact references to verify information provided in Proposals. If the contact and alternate contact for a reference are both members of the evaluation committee for this RFP, Agency will request a different project reference from the Proposer.

The Reference Form is available at: http://www.oregon.gov/ODOT/Business/Procurement/Pages/PSK.aspx (under Miscellaneous Procurement Forms).

2.1.4 CLARIFICATIONS
Agency may require any clarification it needs to understand the Proposer’s Proposal. Any necessary clarifications or modifications which are in the best interest of Agency may be made before the Proposer is awarded a PA, and some or all of the clarifications or modifications may become part of the final PA. Clarifications cannot be used to rehabilitate a non-responsive Proposal.

2.2 SCORING CRITERIA
Evaluation & Scoring will be based on the categories described below. The Proposer must demonstrate or describe how Proposer meets the requirements that are specified in this RFP for the disciplines that they are proposing on. Be clear and concise. Proposer must indicate in their proposal which discipline or subject area and evaluation factor is being addressed.

<table>
<thead>
<tr>
<th>Evaluation &amp; Scoring Criteria</th>
<th>Max Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL SCORING CRITERIA</td>
<td></td>
</tr>
<tr>
<td>2.2.1 Proposer’s Project Management (10 points) Identify unique qualifications that set the Proposer apart from other</td>
<td>50 Points</td>
</tr>
</tbody>
</table>
firms in their field.

**(20 points)** Describe the Proposer’s management and organizational structure, and how that structure aids in the delivery of Project Services and the closeout of Contracts. Demonstrate the Proposer’s capacity, competence, knowledge and expertise to manage a Price Agreement or multiple simultaneous Contracts. Clearly demonstrate the firm’s chain of command and who will be Proposer’s Project Manager and PA Administrator. A maximum of 1 Key Staff Resume must be submitted for the Proposer’s Project Manager.

**(20 points)** Describe how subcontractors will be selected, utilized and managed to complete the projects issued as a result of an awarded PA. Describe Proposer’s extent of involvement in the performance of services if awarded a PA as a result of this RFP. Include an overall description of your firm’s methods to complete the elements of a Work Order Contract from solicitation to Contract closeout.

### 2.2.2 Clarity of Proposal and Conformity with Requirements

<table>
<thead>
<tr>
<th>Proportion</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.2.2</td>
<td>30</td>
</tr>
</tbody>
</table>

Proposers do not need to provide a written response to this criterion.

The Proposal must be organized in accordance with the list of Scoring Criteria categories in section 2.2. Proposals will be scored by evaluators on the following factors: legible text and graphics, appropriate use of tables and graphics; ease of finding clear, concise responses that correlate with the order of evaluation criteria in this RFP; errors, including misspellings, grammatical, and typographic; and Proposers ability to follow instructions.

### DISCIPLINE / SUBJECT AREA SPECIFIC CRITERIA

<table>
<thead>
<tr>
<th>Provide a separate proposal for each discipline proposed on.</th>
<th>Transportation System Planning</th>
<th>Transit Planning</th>
<th>Bicycle and Pedestrian Planning</th>
<th>Land Use Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.2.3 Understanding of Requested Services</strong>&lt;br&gt;Demonstrate a clear and concise understanding of the Scope of Services being requested in this RFP and discipline(s) being proposed on.</td>
<td>20 points</td>
<td>20 points</td>
<td>20 points</td>
<td>20 points</td>
</tr>
<tr>
<td><strong>2.2.4 Philosophy and Approach</strong>&lt;br&gt;Describe Proposer’s philosophy and approach to the discipline’s types of Services described in the RFP and discipline(s) being proposed on.</td>
<td>30 points</td>
<td>30 points</td>
<td>30 points</td>
<td>30 points</td>
</tr>
<tr>
<td><strong>2.2.5 Firm Qualifications</strong>&lt;br&gt;<strong>(20 points)</strong> Describe experience of likely project manager(s) on interdisciplinary teams.&lt;br&gt;<strong>(10 points)</strong> Using the “Key Staff Resumes” form available at: <a href="http://www.oregon.gov/ODOT/CS/OP">http://www.oregon.gov/ODOT/CS/OP</a></td>
<td>30 points</td>
<td>30 points</td>
<td>30 points</td>
<td>30 points</td>
</tr>
</tbody>
</table>
O/pages/AE.aspx (under Misc. Procurement Related Forms) and describe their experience and qualifications as it relates to delivering services as a result of an awarded PA. Include in the “Experience on relevant project” distinctions, specialties and any certifications that would benefit the Agency as it relates to the services being proposed on.

Maximum Resumes allowed:
2 Key Staff Resume per discipline proposed on.

<table>
<thead>
<tr>
<th>2.2.6 Relevant Qualifications (20 points)</th>
<th>40 points</th>
<th>40 points</th>
<th>40 points</th>
<th>40 points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide up to 3 Price Agreements (or similar contract type) performed within the last 5 years that are most comparable to the requested Services requested in this RFP that have been performed by the Proposer. Include a brief and general description of the Agreement or contract type, the maximum order amount, general location of services, duration, and objective and indicate if your firm was a prime or subcontractor. Indicate how many orders or contracts were issued to the Proposer as a result of the PA. (20 points) Provide up to 3 work orders or contracts. Include a brief description of the projects and specify the final term and amount and general location of the services that were provided. Include who the services were provided and when they were provided. Indicate whether the services delivered were accomplished within the original estimated budget and schedule, or needed to be revised. Briefly explain the reason for any revisions. Demonstrate how these services are similar to those that may be awarded under the discipline(s) that is being proposed on.</td>
<td></td>
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</tbody>
</table>
2.3 METHOD OF AWARD
The scores for Proposer ranking and tentative award is as follows:

- **Total Proposal Score** = Total of all evaluator scores for a given Proposal, divided by the number of evaluators, minus any **SCORING DEDUCTIONS** received per section 1.5.

- **Total Interview or Follow-up Questions Score** (if conducted) = Total of all evaluator scores for a given Proposer, divided by the number of evaluators.

- **Final Score** = Total Proposal Score plus Total Interview or Follow-up Questions Score (if conducted).

2.4 NEGOTIATIONS
Agency will negotiate the PA in the best interest of the State, including pricing information and any other provision(s) Agency has indicated in the RFP or any Addenda it will negotiate with the top ranked Proposer(s). Agency will, either orally or in writing, formally terminate negotiations with the highest ranked Proposer if Agency and Proposer are unable for any reason to reach agreement on a PA within a reasonable amount of time. Agency may thereafter negotiate with the second ranked Proposer, and if necessary, with the third ranked Proposer, and so on until negotiations result in one or more PAs, as determined by Agency. If negotiations with any Proposer do not result in a PA within a reasonable amount of time (as determined in the sole discretion of Agency), Agency may end this solicitation. Agency, in its sole discretion, may proceed with a new solicitation for the same Services or consider any other options available under the applicable rules, laws, and policies.

Section 3.0 PRICE AGREEMENT AWARD REQUIREMENTS
The requirements in this section 3 apply only to any Proposer that receives an intent to award notice following Agency’s evaluation and scoring of Proposals (and interviews, if conducted).

3.1 COST INFORMATION
All forms and cost schedules referenced in this section are available at: http://www.oregon.gov/ODOT/Business/Procurement/Pages/PSK.aspx (under Cost & Compensation Related).

Labor rate and cost data for any Proposer selected for PA negotiation must be submitted electronically in conformance with any format and Agency form requirements below, **no later than 5 business days after request from Agency**. **Firms that have current rate data on file with Agency will normally not be required to resubmit.** Submittal of rates higher than Agency has on file must be approved by Agency.

**Conformance with Federal Cost Principles.** Direct and indirect costs as applied to cost estimates and invoices under federally funded Agency contracts and subcontracts must be in conformance with Federal Cost Principles (48CFR Part 31). It is discriminatory against Agency if employee (or owner/sole proprietor) compensation (in whatever form or name) is in excess of that being paid for similar non-Agency work/services under comparable circumstances. Any cost data submitted by Proposer pursuant to this solicitation may be shared with FHWA and Oregon Secretary of State as necessary for audit purposes.
3.1.1 BILLING RATE INFORMATION

Rate information must include either “Direct Salary and Overhead Information” or “Negotiated Billing Rate Schedule” described below, as applicable to your firm’s (and subconsultants’) accounting method:

A. Direct Salary and Overhead Information if applicable for your type of accounting: (subconsultants may submit this directly to Agency):
   (i) **Direct Salary Rate Schedule (“DSR”)**. This schedule includes the name, classification and actual direct salary rate for each employee that may be used under the PA. The DSR will not be included in the PA but will be used by Agency to develop the Escalated Salary Rate Schedule for the PA.
   (ii) **Calculation of Overhead Rate**. Submit current overhead information (in Excel format) using the standard format for overhead accounting (no ODOT template available). Firms shall condense or expand categories as applicable to the firm’s method of accounting. Firms that have not established an overhead rate, based upon their particular financial reporting methodology, shall be reviewed by Agency to determine whether an overhead rate schedule will be required or a negotiated non-provisional billing rate will be used. If a firm does calculate overhead, the information must be submitted to Agency and updates must be provided annually.
   (iii) **Overhead Certification** - Submit a signed Overhead Certification Form with the overhead accounting information.
   (iv) **Cognizant Audit** – If an audit for the most recent fiscal year has been completed for your firm or any subconsultants by the appropriate federal cognizant agency, this must be submitted with the billing rate information (either hard copy or electronic scanned copy).
   (v) **Independent Audit** – If an audit for the most recent fiscal year has been completed for your firm (or any subconsultants) by an independent, third party accounting firm, this must be submitted with the billing rate information (either hard copy or electronic scanned copy).

B. **Negotiated Billing Rate Schedule (“NBR”)**: This schedule is used by firms that do not calculate overhead as part of their normal accounting practice and Agency determines it is in the best interest of the State to negotiate specific billing rates. The NBR includes rates that are fully loaded with direct salary, indirect expenses and profit. Provide name, classification (project role) and fully loaded rate for each employee. Use of an NBR may be required by Agency for Consultants or subconsultants that do not have audited overhead rates or that, upon cursory review, appear not to be calculating overhead correctly and in conformance with Federal Cost Principles.

3.1.2 COST DISCLOSURE QUESTIONNAIRE or FINANCIAL QUESTIONNAIRE

Each selected Proposer and all subconsultants (if any) that do not have a current Cost Disclosure Questionnaire (“CDQ”) on file with Agency shall complete and submit a CDQ within 5 business days of receipt of Intent to Award notice (see below for exceptions and Financial Questionnaire requirements that may apply to sole proprietors or small firms). A CDQ is considered current if it has been submitted within the last 12 months and there are no changes since the prior submittal. If unable to complete and submit the CDQ form on-line using the above link, contact the Procurement Specialist identified on the cover page of this RFP to receive the form via e-mail along with instructions for submittal.

For **Sole Proprietors or small firms** that do not have audited O/H rates and use negotiated reasonable and customary rates, the CDQ is not required but a **Financial Questionnaire** must be prepared and submitted along with a completed DSR. Throughout the duration of the PA, the CDQ or Financial Questionnaire (as applicable) must be revised and resubmitted to Agency within 30 calendar days of any changes to Consultant or subconsultant information provided on the form.
3.2 CERTIFICATES OF INSURANCE
Selected Proposer(s) shall provide (hard copy or electronically via e-mail or fax) Certificates of Insurance to Agency for levels of Insurance coverage shown in Exhibit C of the Sample PA (RFP Attachment A) prior to PA execution. Selected Proposers that have current Certificates of Insurance (with all required coverages and not project-specific) on file with Agency will not be required to resubmit these. Agency may determine that project-specific insurance coverage is required on a WOC-by-WOC basis.

3.3 MISCELLANEOUS FORMS
3.3.1 COI DISCLOSURE
If any disclosures are required per the ODOT COI Guidelines that were not disclosed with Proposal submittal (or that occurred or were discovered since the Proposal submittal), the selected Proposer shall complete and submit a signed COI Disclosure Form within 5 business days of receipt of Intent To Award notice. The selected Proposer shall incorporate in each required COI Disclosure Form any COI disclosure information provided by its staff and attach COI Disclosure Forms from each of its Subcontractors (that have required disclosures per the ODOT COI Guidelines), prior to such Firm performing any services under a WOC.

The ODOT COI Guidelines and COI Disclosure Form are available at: http://www.oregon.gov/ODOT/Business/Procurement/Pages/PSK.aspx (under “Miscellaneous Procurement Forms”). COI Disclosure Form(s) may be submitted as hard copy or electronically via e-mail or fax.

If, following review of a Proposer’s COI Disclosure form(s), a Proposer selected for tentative award is determined to have a conflict of interest that cannot reasonably be mitigated to Agency’s satisfaction; the tentative award to that Proposer may be withdrawn. At Agency’s discretion, tentative award may then be made to the next Proposer in the Proposal rankings.

As provided in the sample PA, submittal of a COI Disclosure Form will be required during each WOC assignment process if there are any actual or potential conflicts of interest.

3.3.2 LIST of SUBCONSULTANTS - Reserved.

3.3.3 CERTIFIED SMALL BUSINESS OUTREACH PLAN Selected Proposer(s) shall submit, within 5 business days of receipt of Intent To Award notice, a completed Certified Small Business Outreach Plan using the form provided in Attachment B to this RFP. Selected Consultants will be required to conduct the outreach, subcontracting and assistance efforts included in their Certified Small Business Outreach Plan for WOCs that do not include any federal funding.

3.4 CONSULTANT RESPONSIBILITY
Selected Proposer(s) shall submit a completed, accurate and signed Responsibility Inquiry form within 5 business days of receipt of Intent to Award notice (see form for additional information regarding Agency’s responsibility review). The Responsibility Inquiry form is available at: http://www.oregon.gov/ODOT/Business/Procurement/Pages/PSK.aspx (under Miscellaneous Procurement Forms) and may be submitted as hard copy or electronically via e-mail or fax.

Consultant is responsible for any and all contractual matters, including performance of Services and the required deliverables finalized in every WOC, whether Consultant, a representative of Consultant, or subconsultant/subcontractor of Consultant produces them.
3.5 BUSINESS REGISTRY NUMBER/REGISTERED AGENT
If selected for PA award, Proposer must be duly authorized by the State to transact business in the State before executing the PA. Firms that contract with ODOT are responsible for compliance at all times with all applicable legal requirements regarding business organization, authorization and registration. The selected Proposer (unless you are an individual operating as your real and true name or otherwise exempt under applicable laws) shall submit a current Oregon Secretary of State business registry number. See process for obtaining a business registry number. All Corporations and other business entities (domestic and foreign) must have a Registered Agent in Oregon. See requirements and exceptions regarding Registered Agents. For more information, see Starting a Business and Laws and Rules. The titles in this subsection are available at the following Internet site: http://www.filinginoregon.com/index.htm.

3.6 TAX ID NUMBER
Proposers are required to submit TIN information with their proposal. In the event the selected Proposer(s) TIN information changes, Proposer shall provide their Taxpayer Identification Number (“TIN”) and backup withholding status on a completed W-9 form if either of the following apply:
- When requested by Agency, or
- When the backup withholding status or any other information of Proposer has changed since the last submitted W-9 form, if any.

No payment can be made until a properly completed W-9 is on file with Agency.

3.7 USE OF RECYCLED PRODUCTS
Consultants/contractors shall use recyclable products to the maximum extent economically feasible in the performance of the Services.

3.8 QUALITY PLAN
Quality Plans are required and must be submitted for A&E Consultants that perform disciplines related to preliminary engineering and design Services.

A Quality Plan (“QP”) must be on file with Agency before any WOCs may be assigned under the PA. The QP must be developed consistent with requirements of Agency’s “Guidance/Template for Consultants” available online at: www.oregon.gov/ODOT/Business/Documents/Consultant_Quality_Plan_Model.doc

If an approved QP for the needed Services is not on file with Agency, the selected Proposer(s) shall provide a QP for Agency’s review and approval. If an existing, approved QP on file with Agency is not in conformance with the requirements of the current template linked above, or if the QP is over 3 years old, an updated QP must be submitted based on the current template. Submit the QP electronically in MS Word or PDF format within 14 calendar days of receipt of Intent to Award notice. Agency may rescind the award for any selected Proposer that does not submit the QP in the time requested and may select the next highest ranked firm for award. The QP will be placed on file and used by Agency as a reference for future WOC assignments under the PA.

3.9 JOINT VENTURE/PARTNERSHIP INFORMATION
An apparent successful Proposer, if a Joint Venture/Partnership shall, within 14 calendar days of Intent to Award notice, provide a copy of the joint venture agreement or partnership agreement evidencing authority to propose and to enter into the resulting PA that may be awarded, together with corporate resolutions (if applicable) evidencing corporate authority to participate as a joint venturer or partner.
contact person must also be designated for purposes of receiving all notices and communications under the PA. All partners and joint venturers will be required to sign the PA awarded.

**Section 4.0 RFP ATTACHMENTS**

The following attachments are not physically attached but incorporated into this RFP with the same force and effect as though fully set forth herein. The attachments are available for download from the advertisement for this RFP on the ORPIN Web site at: [http://orpin.oregon.gov/open.dll/welcome](http://orpin.oregon.gov/open.dll/welcome)

ATTACHMENT A – Sample Price Agreement (including its terms, conditions and Exhibits)

ATTACHMENT B – Certified Small Business Outreach Plan

ATTACHMENT C – Proposal Coversheet

ATTACHMENT D – Reserved