

As advertised in the Oregonian

REQUEST FOR QUALIFICATIONS (RFQ) PROPOSALS

for

Contractor services for City Engineering Services

Address RFQs to:

City of Newberg, City Hall

Attention: Will Worthey, City Manager, 503-537-1256

Location: 414 E. First Street, Newberg, OR 97132, or PO Box 970, Newberg, OR 97132

Proposals shall be emailed to will.worthey@newbergoregon.gov, Subject: “**Contractor Services for City Engineering.**” The City of Newberg reserves the right to reject any or all proposals.

Emailed PDF proposals are greatly preferred to paper delivery.

TABLE OF CONTENTS

SECTION 1 - GENERAL INFORMATION	Page 2.
SECTION 2 - SCOPE OF WORK	Page 7.
SECTION 3 - PROPOSAL EVALUATION	Page 10.

SECTION 1 - GENERAL INFORMATION

1.A Proposal Request

Written proposals in response to this Request For Qualifications (RFQ) must be submitted via email to will.worthey@newbergoregon.gov no later than the proposal due date of **5:00p.m., Pacific Time, on Wednesday, May 1, 2024**, to Will Worthey, City Manager.

This correspondence and any additional correspondence must contain the following in the subject line of every email sent connected to this matter ***RE: Newberg City General Engineering RFQ 2024***. Emails without this clear marker will not be assessed as part of the RFQ or its responses.

1.B Proposal

Proposers responding to this proposal request must follow the directions stated within this RFQ. Adherence to these rules will ensure a fair and objective analysis of the proposals. Proposals should be prepared simply and economically. Special bindings, colored displays, promotional materials, etc., are not necessary. Emphasis should be on completeness, brevity, and clarity of content.

Provide a clear and concise description of your firm's capabilities to meet the RFQ requirements. **Proposers must demonstrate prior experience in this type of work within the last five (5) years.** Failure to comply with or complete any part of this request may result in the rejection of your proposal.

1.C Issuing Office

All general correspondence pertaining to this RFQ including RFQ questions should be directed specifically to will.worthey@newbergoregon.gov.

1.D Submitting Proposals & supplemental questions

Submittals that are late, incomplete, or misdirected will be considered non-responsive, **with no exceptions**. The City of Newberg relies on the City of Newberg's computer system's server clock to determine the correct time and is not responsible for any delays or difficulties experienced in the submittal of a Proposal. Please do not wait until the last minute to submit your proposal or questions.

THE LAST DAY FOR QUESTIONS IS FIVE (5) BUSINESS DAYS PRIOR TO THE PROPOSAL DUE DATE. This is April 24th 2024.

Questions may be asked and will be answered **ONLY** via this email address: will.worthey@newbergoregon.gov

The email asking supplemental questions must contain the following in the subject line ***RE: Newberg City General Engineering RFQ 2024***.

Emails without this clear subject marker will not be assessed as part of the RFQ or its responses. Only one (1) such email will be answered per submitting firm. Do not send more than one email with supplemental questions.

General questions not directly related to the RFQ itself can be forwarded by voice call to (971) 281-9350.

Each firm responding to this RFQ may ask a maximum of three (3) questions contained within the body of the one email cited above. Be advised that the City of Newberg will share both your question(s) and the answer(s) with the other firms responding to this RFQ.

1.E Rejection or Acceptance of Proposals

The City expressly reserves the following rights to:

- a. Disregard any or all irregularities in the RFQ proposals.
- b. Reject any or all of the RFQ proposals or portions thereof.
- c. Base award with due regard to quality of services, experience, compliance with the RFQ, and other factors as may be necessary under such circumstances.
- d. Reject all RFQ proposals and re-advertise at the City's sole discretion.

1.F Selection of Contractor

The City's Selection Committee composed of qualified staff and the City Manager will make the decision of award after independently ranking the responses that have been received. Critically, the City of Newberg is seeking to enter into a long-term relationship with the right engineering firm. This is the objective of this RFQ.

City Council approval may also be required prior to contract award.

The City's Selection Committee will follow the following steps to identify the best qualified proposer:

- (i) Evaluate and rank all qualified proposals according to the evaluation criteria (see section 3 below).
- (ii) Negotiate with the top ranked proposer for any additional scope and acceptable additional details for this ongoing work.
(Negotiate with the next ranked proposer if the first one does not lead to fruition.)
- (iii) Recommend to the City Manager and City Council that the contract award be made to the proposer that is, in the Committee's opinion, best qualified after the scope and other negotiation is complete.
- (iv) Enter into contract negotiations with the selected firm.

If any of these negotiations fail to reach an agreement, the City reserves the right to initiate negotiations with the next most highly qualified firm. The City of Newberg intends to offer an initial six-month contract to ensure that we can afford the listed services and that the

contractor is a “good fit” with our organizational culture. Once this six-month evaluation period concludes, the City will negotiate a five-year contract with the chosen firm.

1.G Requirement of Insurance

The successful proposer will be required to meet the City’s insurance coverage as described below. Insurance coverage includes the following categories of insurance:

a. Commercial general liability	\$2,000,000.00
b. Professional liability	\$2,000,000.00
c. Employer’s liability	\$1,000,000.00
d. Automobile liability	\$1,000,000.00

The successful proposer shall provide certification of all coverages and shall name the City of Newberg as “an additional insured” on all except workers’ compensation insurance policies prior to signing the contract. The City is defined as the entity named on the declarations page of the coverage agreement and its officers, employees, and agents including volunteers, authorized to act on behalf of the City.

1.H Execution of Contract

It is anticipated that the total cost for services may need to be approved by the City Council. The contract should be signed within a week of the Council’s award of the contract should this be required.

1.I Public Records

Any material submitted by the proposer shall become the property of the City unless otherwise specified. During the evaluation of proposals and the selection of the Contractor, the proposals shall be confidential. After the selection process has been completed, the proposals shall be open to public inspection. Proposals should not contain any information which the proposers do not wish to become public.

If it is necessary to submit confidential information to comply with the terms and conditions of this RFQ, each page containing confidential information should be clearly marked "**NOT FOR PUBLIC DISCLOSURE - CONFIDENTIAL TRADE SECRETS.**" The City accepts no liability for the inadvertent or unavoidable release of any confidential information submitted, and claims arising out of any public record request for such information shall be at the proposer's expense.

1.J Tax ID Number

Proposals must state the proposer’s Federal Taxpayer Identification Number.

1.K Recycled Products Statement

Proposers shall use recyclable products to the maximum extent economically feasible in the preparation of the proposals, and the selected proposer shall continue the same practice in the performance of the contract work in accordance with ORS 279B.270.

1.L Federal/State/Local Requirements

The selected proposer shall comply with all Federal, State, and local laws, regulations, executive orders, and ordinances applicable to the work under this contract, including, without limitation, the provisions of ORS 279B.220, 279B.230, 279B.235, and 279B.270. In addition, proposers agree to comply with:

- a. Title VI of the Civil Rights Act of 1964;
- b. Section V of the Rehabilitation Act of 1973;
- c. The American with Disabilities Act of 1990 and ORS 659.425;
- d. All regulations and administrative rules established pursuant to the foregoing laws; and
- e. All other applicable requirements of Federal and State civil rights and rehabilitation statutes, rules, and regulations.

The RFQ proposer is subject to the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires the provision of Workers' Compensation coverage for all employees working under this contract. The City's programs, services, employment opportunities and volunteer positions are open to all persons without regard to race, religion, color, national origin, sex, age, marital status, disability, or political affiliation.

1.M Payment

The contractor will be paid monthly and will invoice for the hours of general engineering consultant support. The invoice will be marked **General Engineering Support** so as to keep these hours separate from other billable hours dedicated to design work for specific capital improvement projects.

Invoicing for specific capital improvement projects will be clearly marked **Capital Improvement Project – Project Name** where the project names will be established with the contractor according to a set project list.

It is anticipated that the contractor will propose two separate billing rates for each of these two types of work.

*** END OF SECTION ONE ***

SECTION 2 - SCOPE OF WORK

2.A General

The City of Newberg is located approximately 24 miles southwest of Portland, on the northeast side of Yamhill County, Oregon. Four State routes, namely Highway 99W, OR-219, OR-18, and OR-240, weave through a network of City and County roads.

2.B Invitation / Scope of Work

The City of Newberg is seeking general engineering support services with at least 30 billable hours per week to supplement its in-house engineering team's capabilities. Of these hours, seven (7) must be in person in our offices in Newberg to facilitate close cooperation with our Community Development Department and senior staff.

These hours will be dedicated the following tasks:

- General land use engineering review work in concert with one of our Senior Engineers.
- Representing the City of Newberg by assuming the title and responsibilities as our City Engineer (per City Charter a named individual will assume this role).
- The City Engineer will be the in-person representative for the City for its overall engineering efforts.
- The City Engineer will occasionally attend City Council meetings, but these sessions can be conducted remotely.
- Providing the City Manager with a "second opinion" to engineering conclusions provided by external and internal stakeholders.
- Examining additional capital improvement engineering design work and taking on such work if the contractor has the capacity and desire to do so, see right of first refusal below.
- Providing the City Manager with suggestions for engineering process improvements connected to project management.

2.C City's Responsibility

The City of Newberg will perform the following tasks:

1. Provide Senior Engineers or project management staff who will be responsible for the day-to-day oversight of the overall project management and coordination of ongoing capital improvement projects.
2. Provide legal review of all contract documents, resolutions, and ordinances.
3. Provide any documents or record drawings upon request, including access where relevant to the City of Newberg's digital archiving systems.

4. Make available City policies, regulations, guidelines, and records, such as as-built information and geographically referenced GIS maps, as available.
5. Assemble and transfer all required information and data, both hard copy and electronic, at no charge to the contractor.
6. Coordinate communication among City staff and provide unified guidance/direction to the contractor.
7. Ensure that City staff members provide timely responses to questions and be available for any meetings requested by the contractor. Meetings between City staff and the Contractor will take place virtually by Teams or Zoom or at the Newberg City Hall Building, 414 E. First Street, Newberg, OR 97132 or other city offices. In-person meetings will be on Wednesdays at the offices of the City of Newberg.
8. Negotiate any contract amendments, as needed.
9. Perform other tasks as negotiated.
10. Provide supervision via the City Manager's office for Newberg employees to include the City's Senior Engineers; no supervision of Newberg city staff will be part of this scope of work.

2.D Right of First Refusal for Engineering Design Projects

The most qualified contractor will have the right of first refusal to take on any engineering design projects with separate billing and invoicing from the general engineering support services listed in the scope of work above. Note that this only applies to engineering design services not services in allied disciplines such as, by way of example, architectural design services.

It is anticipated that design work will be handled at a separate billing rate from the general engineering services rate.

To assist the contractor, the City of Newberg will ensure that the contractor is fully aware of all capital projects that are planned within a seven-to-eight-year planning window.

In every case these capital projects will be offered by the City Manager of Newberg or a designated officer. This written offer to accept the design work will trigger an offer period.

Offer Period: The contractor will notify the City Manager of Newberg within ten working days if they desire to undertake the offered design project or if it is beyond their current expertise or capacity.

If the contractor declines to undertake an offered project or fails to respond within the listed offer period, the City of Newberg will then be free to offer the project out to other firms via a standard RFQ or RFP process.

All work products, recommendations and information produced in this project shall comply with applicable Federal, State and City regulations and requirements.

2.E Scope of Work

The Contractor shall provide management and staffing sufficient to carry out the following aspects our ongoing engineering efforts:

- General land use engineering review work in concert with one of our Senior Engineers.
- Representing the City of Newberg by assuming the title and responsibilities as our City Engineer (per City Charter a *named individual* from your staff will assume this role).
- The City Engineer will be the in-person representative for the City for its overall engineering efforts.
- The City Engineer occasionally attend City Council meetings, but these sessions can be conducted remotely.
- Providing the City Manager with a “second opinion” to engineering conclusions provided by external and internal stakeholders.
- Examining additional capital improvement engineering design work and taking on such work if the contractor has the capacity and desire to do so, see right of first refusal above.
- Providing the City Manager with suggestions for process improvements connected to project management.

In addition, it is anticipated that the winning contractor will:

- Be willing to undertake engineering design services as their expertise and capacity allows.
- Stay current with all relevant State and Federal regulations and statutes connected to engineering services.
- Be a professional civil engineering firm with the ability to maintain their certified stamps for all engineering review purposes.

***** END OF SECTION TWO *****

SECTION 3 - PROPOSAL EVALUATION

3.A Proposal Submittal

To receive consideration, submit proposals in accordance with the following instructions:

Proposals should be prepared simply and economically, providing a straightforward, concise description of proposer's capabilities to satisfy the requirements of the RFQ. Emphasis should be on completeness and clarity of the content.

The City, at its sole discretion, has the right to negotiate with any or all proposers regarding their proposals. Additionally, the City may reject or accept any or all proposals or parts thereof, submitted in response to this RFQ.

The City recognizes that in the submittal of proposals, certain information is proprietary to the proposer and that the safeguarding of this information is necessary. Accordingly, the City will make every effort to prevent any disclosure of data supplied by any proposer where the proposer identifies those portions of its proposal that are proprietary. See **1.I Public Records** above.

The proposal is due by the date and time identified in Section 1.A. Proposals submitted after this time will not be accepted.

3.B Incurred Costs

The City is not liable for any costs incurred by proposers in the preparation and/or presentation of their proposals.

3.C Content of Proposals and Evaluation Criteria

All proposals shall include the information identified in the following table and be presented in the order as indicated. The total number of pages for the proposal shall not exceed twenty (20) pages, including supplemental information. The evaluation criteria and maximum possible points are noted for each item of information. An explanation of each item appears immediately in the following subsections.

Note we have requested a copy of your standard operating contract used when you enter into agreements with municipalities. This **does not** count towards your page count limit. We desire to utilize your standard operating contract as the starting point for later contract negotiations.

Evaluation Criteria:

CONTENT AND EVALUATION CRITERIA	SCORING RUBRIC
1. Introductory letter	0 points
2. Capabilities and Approach	10 – 50 points
3. Previous Experience	10 – 50 points
TOTAL	100

All information shall be presented in separate sections in the proposal and labeled to match the headings in the table above. Front and back covers, as well as section dividers are not counted in the page limit requirements.

Each page shall be 8-1/2” x 11”, unless otherwise noted. When using double-sided printing, each side of the page is counted as one page.

3.D Introductory Letter

The introductory letter shall include, but need not be limited to, the following information:

- The name of the firm, as well as the signature, printed name and title, telephone and fax number of the officer authorized to represent the Contractor in any correspondence, negotiations and sign any contracts that may result.
- The address of the office that will be providing the service, a key project manager’s name, telephone number, and email address.
- The Federal tax identification numbers, and the State of incorporation, if applicable, must also be included.

The proposer may use this section to introduce the proposal or to summarize the key provisions of the proposal.

3.E Capabilities & Approach

Proposers are encouraged to provide clear, concise proposals that contain only the information required to respond to the needs of this project. Points will be awarded by our panel based upon an assessment of these factors.

Identify and discuss:

- Services that may not have been mentioned and that should be considered for inclusion for the benefit of Newberg's engineering efforts.
- Standard approaches used by your firm to carry out general engineering services and engineering design services.
- Project management capabilities that set you apart from other firms who may respond to this RFQ.

3.F Previous Experience

Once again proposers are encouraged to provide clear, concise proposals that contain only the information required to respond to the needs of this project. Points will be awarded by our panel based upon an assessment of these factors.

Identify and discuss:

- Description of similar services that your firm has undertaken in Oregon or the Pacific Northwest.
- Identification of the Proposer's key personnel and staff who will be involved, and their professional experience.
- References from your existing municipal clients.

***** END OF SECTION THREE *****