



RFP No. TRN024

PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

**City of Portland, Oregon
July 18, 2006**

REQUEST FOR PROPOSALS

for

Independent Ropeway Engineer for the Portland Aerial Tram

PROPOSALS DUE: August 18th, 2006 by 4:00 p.m.

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

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

Art Pearce
City of Portland Office of Transportation
Bureau of Transportation Engineering Development
1120 SW 5th Ave, Suite 900
Portland, OR 97204

Refer questions to:

Art Pearce
Phone: (503) 823-7791
Fax : (503) 823-7371
Email : art.pearce@pdxtrans.org

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 Strategy, it is the policy of the City of Portland to encourage the use of products or services that help to minimize the 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 inform it regarding the service(s) to be performed under this request for proposal.

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

CLARIFICATION OF REQUEST FOR PROPOSAL- Proposers who request a clarification of the RFP requirements must submit questions in writing to the person(s) shown in the REFER QUESTIONS TO section on the cover of this RFP, or present them verbally at a scheduled pre-submittal conference, if one has been scheduled. The City must receive written questions no later than the date stated herein. The City will issue a response in the form of an addendum to the RFP if a substantive clarification is in order.

Oral instructions or information concerning the request for proposal given out by Bureau or Office managers, employees or agents to prospective proposers shall not bind the City.

ADDENDUM – Any change to this RFP shall be made by written addendum issued no later than 72 hours prior to the proposal due date. The City is not responsible for any explanation, clarification or approval made or given in any manner except by addendum.

COST OF PROPOSAL- This Request for Proposal does not commit the City to pay any costs incurred by any proposer in the submission of a proposal or in making necessary studies or designs for the preparation thereof, or for procuring or contracting for the services to be furnished under the request for proposal.

CANCELLATION – The City reserves the right to modify, revise or cancel this RFP. Receipt and evaluation of proposals or the completion of interviews do not obligate the City to award a contract.

LATE PROPOSALS- Proposals received after the scheduled closing time for filing will be returned to the proposer unopened.

REJECTION OF PROPOSALS- The City reserves the right to reject any or all responses to the Request for Proposal if found in the City's best interest to do so. In the City's discretion, litigation between the City and a proposer shall be cause for proposal rejection, regardless of when that litigation comes to the City's attention and regardless how the consultant's proposal may have been scored. Proposals may also be rejected if they use subcontractors or subconsultants who are involved in litigation with the City. Proposers concerned about possible rejection on this basis should contact the City before submission of a proposal for a preliminary determination of whether its proposal will be rejected.

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

WORKERS COMPENSATION INSURANCE – the successful consultant shall be covered by Workers Compensation Insurance or shall provide evidence that State law does not require such coverage.

CERTIFICATION AS AN EEO AFFIRMATIVE ACTION EMPLOYER- Proposers must be certified as Equal Employment Opportunity Affirmative Action Employers as prescribed by Chapter 3.100 of the Code of the City of Portland. The required documentation must be filed with the Bureau of Purchases, City of Portland, prior to contract execution.

CONFLICT OF INTEREST - A proposer filing a proposal thereby certifies that no officer, agent or employee of the City who has a pecuniary interest in this request for proposal has participated in the contract negotiations on the part of the City, that the proposal is made in good faith without fraud, collusion or connection of any kind with any other proposer of the same call for proposals, and that the proposer is competing solely in its own behalf without connection with or obligation to, any undisclosed person or firm.

CONFIDENTIALITY – All information submitted by proposers shall be public record and subject to disclosure pursuant to the Oregon Public Records Act (ORS 192.410 et seq.), except such portions of the proposals for which proposer requests exception from disclosure consistent with Oregon Law. Any portion of a proposal that the proposer claims constitutes a "trade secret" or is "confidential" must meet the requirements of ORS 192.501(2) and ORS 192.502(4).

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 Purchasing Agent 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 Office of Transportation (PDOT) is the steward of the City's transportation system, and a community partner in shaping a livable city. PDOT plans, builds, manages, maintains and advocates for an effective and safe transportation system that provides access and mobility. Through a partnership with the Portland Development Commission, Oregon Health and Sciences University (OHSU) and South Waterfront property owners, PDOT is constructing an aerial tramway to connect the South Waterfront to the OHSU campus on Marquam Hill.

2. BACKGROUND

In June 2002 PDOT completed an analysis of various alternatives to provide a transportation connection between the South Waterfront and OHSU's Marquam Hill campus. Based on this analysis and the necessity of providing a quick and highly reliable connection, the City Council approved the construction of an aerial tramway. The tramway is an essential element allowing for the expansion of OHSU in South Waterfront as envisioned in the South Waterfront Development Agreement.

The tramway will have a base station in SW Gibbs Street between SW Moody and Bond Avenues and an upper station directly east of the new Peter Kohler Pavilion on Marquam Hill. The tramway spans a distance of 3,400 feet within the public rights of way of SW Gibbs Street. Incorporating a 197 foot tall line-tower immediately east of SW Macadam Avenue, the tramway has a total elevation gain of 498 feet.

The tramway is designed as a bi-cable aerial tram operating in "double reversible" mode. There are two passenger cabins with a capacity of seventy-eight passengers plus one cabin attendant. Top speed for the tramway is approximately 22 miles per hour with a travel time of 200 seconds. Optimum capacity is 720 passengers/hour with a maximum capacity of 1,014 passengers/hour in each direction. Detailed specification for the tramway may be found in the attached Exhibit 'B' to this request for proposals.

Public operation of the tramway is scheduled to commence December 2006.

The City of Portland is the Authority Having Jurisdiction for the tramway as described in ANSI B77.1-2006.

ANSI B77.1 Section 2.3.4.1 further states that the owner or Authority Having Jurisdiction must facilitate an annual General Inspection that is described as follows:

"Each aerial tramway shall be inspected annually by an aerial tramway specialist independent of the owner. The inspection shall verify preservation of original design integrity and cover the requirements of this standard for maintenance, operation, required self-inspections, and record keeping."

While the requirements of ANSI B77.1 require a single annual inspection, the City of Portland intends to exceed its obligations as owner by contracting with an Independent Ropeway Engineer to perform two annual inspections per year – one announced and one unannounced. The purpose of the dual inspections is to exceed the requirements set forth by ANSI B77.1-2006 for annual inspection, as well as to maximize the assurance that the tramway is also being operated and maintained in a manner compliant with ANSI B77.1-2006.

3. SCOPE OF WORK

The City of Portland, Office of Transportation is seeking proposals from qualified individuals or firms with demonstrated experience and expertise in aerial passenger ropeway operations, including design, operations, maintenance, inspection, and safety.

The Office of Transportation proposes to engage an individual or firm to assume the role of Independent Ropeway Engineer and perform annual independent audits of the Portland Aerial Tram, hereinafter referred to as "IRE."

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

The City has not determined the anticipated cost for the requested services. The IRE's proposal shall include the IRE's true estimated cost to perform the work irrespective of the City's budgeted funds for this work.

5. TIMELINE FOR SELECTION The following dates are proposed as a timeline for this project:

Written proposals due at 4:00 p.m.
Friday, August 18th, 2006

Announcement of short list Proposers
Friday, August 25th, 2006

Interviews, if deemed necessary
Friday, September 1, 2006

Selection committee recommendation
Friday, September 15th, 2006

Contract negotiation with successful Proposer
Monday, September 18th, 2006

Notice to proceed – work begins
Monday, October 16th, 2006

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 selected IRE will perform the tasks listed below:

Pre-Operational Service

1) IRE will develop an Inspection Procedures Manual using the guidelines set forth in ANSI B77.1-2006. The manual shall outline the requirements and procedures for the annual audits of the Portland Aerial Tram. IRE will ensure that the manual and guidelines for inspection provide a consistent and thorough review of all tram components. The framework should include, but not be limited to, inspection forms and/or checklists that will be submitted with each written audit report. The Inspection Procedures Manual shall be developed and submitted to the Director of the Office of Transportation for approval prior to the official load-testing period for the Portland Aerial Tram, tentatively scheduled for November 20, 2006.

2) IRE will coordinate with the owner and operator of the Portland Aerial Tram to assist in the development and review of a plan for rescue procedures.

3) IRE will provide initial inspection services (including participating in acceptance testing) during the official load-testing period and commissioning of the Portland Aerial Tram,

tentatively scheduled for November 2006. Results of the official load testing will be submitted in a written report to the Director of the Office of Transportation and the City Project Manager for the Portland Aerial Tram.

Operational Services

- 1) IRE will perform two annual inspections of the Portland Aerial Tram - one announced and one unannounced. The inspections shall verify preservation of original design integrity and cover the requirements of maintenance, operation, self-inspections, and record keeping standards as set forth by ANSI B77.1-2006.

The announced inspection will be conducted in conjunction with the annual brake test procedures involving loaded carriers (as required by the manufacturer) so that the IRE may observe brake test procedures and results. The IRE will coordinate with the operator of the Portland Aerial Tram at least 10 working days in advance regarding any time in which the inspection will render the tram temporarily unavailable for public operation, pursuant to the closure guidelines specified in the Operator's "Standard Operating Procedure Manual."

- 2) IRE will submit the findings from each inspection in a draft written report that identifies the current condition of the tram (referring to the Inspections Procedure Manual and applicable ANSI standards, as necessary) to the Director of the Office of Transportation and the City Project Manager for the Portland Aerial Tram. IRE will provide ten copies of the draft report to be dispersed to appropriate parties for review.

Items found either deficient, in noncompliance, or posing an immediate threat to the life and safety of the public shall be both noted in the report and immediately brought to the attention of the Director of the Office of Transportation and the City Project Manager for the Portland Aerial Tram.

The IRE shall respond to any comments or questions regarding the draft report that are brought forward by the City.

Once reviewed, the IRE shall prepare and submit the final written report (and ten copies) to the above named City representatives within 10 working days of receiving comments.

- 3) The IRE shall verify the records of daily operations, inspections, and maintenance on the part of the Tram operator. The IRE shall perform this task in conjunction with each audit of the Portland Aerial Tram. The IRE shall examine the Operator's records and logs including, but not limited to, daily operational logs, wire rope/strand/chain logs, maintenance logs, and other testing reports. The IRE shall also confirm that the testing and emergency drills are being performed and coordinated in a manner set forth by ANSI B77.1-2006. The IRE shall further witness an emergency rescue drill that includes use of the standby drive, rescue drive, and cabin rope down systems. Any recorded anomalies of the equipment or any deficiencies in record keeping or performance testing shall be reported to the Director of the Office of Transportation and the Project Manager for the Portland Aerial Tram via a written signed report by the IRE.
- 4) The IRE will also investigate any concerns forwarded by employees of the operator or owner regarding the safety of tram operations, maintenance or other procedures. The IRE will file a separate written report and recommendation for resolution with the Director of the Office of Transportation and the Project Manager for the Portland Aerial Tram. Work performed under this task will be reimbursed on a cost plus basis

2. WORK PERFORMED BY THE CITY

The City has assigned a Project Manager to oversee the successful IRE work and provide support as needed.

The Portland Office of Transportation will provide the following in support of the IRE:

- Coordinate the availability of all parties required to complete the inspection process.
- Will coordinate with Operator to ensure that all operational logs, maintenance records, and reports are made available to IRE upon request.
- Will notify OHSU and the Tram Operator of any corrective actions noted in the IRE's report(s) within a period of thirty calendar days unless otherwise noted by the IRE.
- In the case of recommendations constituting routine or non-routine maintenance of the **Civil Elements**, observed by the IRE while inspecting the Tram, the City shall cause the recommendations to be investigated and implemented.
- For longer-term corrective actions, a status report will be filed with the IRE every ninety (90) calendar days.
- When this cycle of inspection and correction is completed the Director of Transportation will file a complete report for City Council acceptance summarizing the results of the inspection, corrective actions taken, and final concurrence of the specialist.
- The Office of Transportation will submit an annual report to City Council that summarizes the findings from each IRE inspection. The report shall note any corrective actions taken and verify that the required testing, emergency drills, and record keeping are in compliance with both ANSI B77.1-2006 and the Tram Manufacturer's Standard Operating Procedures Manual.

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:

- 1) Two inspections performed annually, covering all required items outlined in Part I, Section B.1 of this RFP, and as required by ANSI B77.1-2006.
- 2) Draft and final written reports of the findings from each inspection, submitted to the Director of the Office of Transportation and the Project Manager for the Portland Aerial Tram. The reports shall include verification that all components listed in the Inspection Procedures Manual have been fully inspected. The report should also include any and all items found to be in noncompliance with ANSI B77.1-2006 standards and/or the tram manufacturer's Standard Operating Procedures Manual. The report will, at a minimum include:
 - A review of the items listed in the previous report and update on their status, if required.
 - A numbered list of items found not in compliance with ANSI B77.1 and/or the manufacturer's maintenance and operations manual.
 - For each numbered item, a reference to the particular section of ANSI B77.1 or manufacturer's documents that apply to the item not in compliance.
 - A recommended time frame for correction of the item not in compliance.
 - Additional observations or recommendations relating to tram operations, maintenance, and inspection procedures.
- 3) Copies of all notes resulting from an inspection of the Portland Aerial Tram, to be

submitted with each written report to the Director.

- 4) Certifications, additional reports, or other such documents may be required if any concerns or problems arise regarding the safe operations of the tram, whereby additional inspections or services will have been requested of the IRE.

The City invites the IRE to provide any additional ideas, observations, or recommendations for how to improve operations and/or annual inspections. Any additional information should be included in the written report.

All deliverables and resulting work products from this contract will become the property of the City of Portland. Deliverables shall be in both paper and electronic (PDF) format.

4. PLACE OF PERFORMANCE

5. PERIOD OF PERFORMANCE

The Portland Aerial Tram, Portland Oregon

The City anticipates entering into a contract with the IRE no later than 10/01/2006 and issuing a Notice to Proceed (NTP) for Pre-Operational Services at the time that the Contract is finalized. Pre-Operational Services shall commence upon receipt by IRE of the NTP and shall continue as appropriate through startup of tramway operation open to the general public in January 2007. A soft opening for selected OHSU users is scheduled for December 15th, 2006.

The manufacturer's operating and maintenance manuals will be available for the IRE's use in preparing the Inspection Framework for the Portland Aerial Tram and for the acceptance testing and commissioning during the official load testing period.

The contract period shall be subject to negotiation, however the City currently anticipates that a contract duration of five (5) years from the actual date of final contract execution. It is anticipated that the contract may be automatically renewed for an additional five (5) year period unless either the IRE or City provide notice of termination in writing at least six (6) months prior to the end of the initial five (5) year term. The City will reserve the right at its sole discretion to assign and transfer the contract to another public entity, including but not limited to a public corporation organized under the laws of the State of Oregon. The IRE will not be permitted to assign the contract without the express written permission of the City.

The IRE shall be on-site for the official load testing and commissioning of the tramway equipment, tentatively scheduled for November 2006.

6. PUBLIC SAFETY

Public safety in the operation and maintenance of the Portland Aerial Tram is of paramount importance. The IRE shall coordinate with the Tram operator and OHSU's Department of Public Safety to ensure that the highest level of safety is maintained during inspections.

The successful IRE (including all 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.

Public safety personnel may require limiting access to public work sites, public facilities, and public offices, sometimes without advance notice.

7. INSURANCE

The successful IRE 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 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 \$500,000 each occurrence for Bodily Injury and Property Damage. It shall include contractual liability coverage for the indemnity provided under this contract, and shall provide that the City of Portland, and its agents, officers, and employees are Additional Insureds but only with respect to the successful Proposer's services to be provided under this Contract.

Automobile Liability Insurance with a combined single limit of not less than \$500,000 each 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 each claim, incident, or occurrence is required. This is to cover damages caused by negligent acts, errors or omissions related to the professional services to be provided under this contract. Respondents not currently insured for the required amount shall coordinate with their insurance provider and determine the cost of obtaining a rider for this particular project (for the duration of the contract). Respondents shall include the cost of additional insurance, if applicable, in their cost proposal as a separate line item.

Certificates of Insurance: As evidence of the insurance coverages, the successful Proposer shall furnish acceptable insurance certificates to the City at the time signed contracts are returned to the City. The certificate will specify all of the parties who are Additional Insureds and will include the 30-day cancellation clause 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 Form (submit with proposal)
Exhibit B	Cost Proposal Example
Exhibit C	Final Technical Specifications - Technical Main Data
Exhibit D	Portland Aerial Tram – Longitudinal Profile

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>.

3. PROJECT DATA

In addition to general specifications, attached hereto as Exhibit C, respondents may review complete specifications, drawings, construction documents, and the Tram Manufacturer's Standard Operating Procedures Manual, at the Portland Office of Transportation, 120 SW 5th Avenue Room 800, Portland, OR 97204.

Copies of the Tram specifications and the Manufacturer's Standard Operating Procedures Manual will also be available upon request.

To arrange for a specific time and room to review these documents, to conduct a site visit, or request copies of tram related manuals, contact the Assistant Project Manager for the Portland Aerial Tram:

Art Pearce

Office of Transportation
1120 SW 5th Avenue, Room 800

E-mail: art.pearce@pdxtrans.org
Phone: (503) 823-7791

PART II

PROPOSAL PREPARATION AND SUBMITTAL

SECTION A

PRE-SUBMITTAL MEETING/CLARIFICATION

1. PRE-SUBMITTAL MEETING
2. PROPOSAL CLARIFICATION

There is no pre-submittal meeting scheduled for this RFP.

Any individual or firm considering submitting a Proposal that has questions or wishes clarification on any point in the RFP document (or process) may submit them in writing via email to the Issuing Office no later than **August 10th, 2006 by 4:00pm PT**. Requests for Clarification will clearly indicate that they pertain to pre-proposal questions for **RFP No. 105651**

The Portland Office of Transportation (PDOT) will respond to requests for clarification in writing via email to all parties who have received a copy of the RFP, unless they have advised the Issuing Office they will not be responding to the RFP. PDOT or the City of Portland will not be responsible for any other explanations or interpretations of the RFP documents. In case of any doubt or difference of opinion as to the true intent of the RFP, and in case of any dispute between the parties regarding the contract to be entered into hereunder, the decision of the Issuing Office will be final and binding.

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 on 8/10/06, seven (7) working days prior to the proposal due date.**

Art Pearce
Office of Transportation
1120 SW 5th Avenue, Room 800
Portland, Oregon 97204

E-mail: art.pearce@pdxtrans.org
Phone: (503) 823-7791
Fax: (503) 823-0351

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.

SECTION B

PROPOSAL SUBMISSION

1. PROPOSALS DUE

Sealed proposals must be received no later than the date and time, and at the location, specified on the cover of this solicitation. The outside of the envelope shall plainly identify the subject of the proposal, the RFP number and the name and address of the Proposer. Responses received after time or date listed herein shall not be considered. Proposals received after the scheduled closing time for filing will be returned to the Proposer unopened.

2. PROPOSAL

Proposals must be clear, succinct and not exceed **25** pages, excluding Supporting and Attachment materials. Proposers who submit more than the pages indicated may not have the additional pages of the proposal read or considered.

For purposes of review and in the interest of the City's Sustainable Paper Use Policy and sustainable business practices in general, the City encourages the use of submittal

materials (i.e. paper, dividers, binders, brochures, etc.) that contain post-consumer recycled content and are readily recyclable. The City discourages the use of materials that cannot be readily recycled such as PVC (vinyl) binders, spiral bindings, and plastic or glossy covers or dividers. Alternative bindings such as reusable/recyclable binding posts, reusable binder clips or binder rings, and recyclable cardboard/paperboard binders are examples of preferable submittal materials. Proposers are encouraged to print/copy on both sides of a single sheet of paper wherever applicable; if sheets are printed on both sides, it is considered to be two pages. Color is acceptable, but content should not be lost by black-and-white printing or copying.

All submittals will be evaluated on the completeness and quality of the content. Only those Proposers providing complete information as required will be considered for evaluation. The ability to follow these instructions demonstrates attention to detail.

3. ORGANIZATION OF PROPOSAL

Proposers must provide all information as requested in this Request for Proposal (RFP). Responses must follow the format outlined in this RFP. Additional materials in other formats or pages beyond the stated page limit(s) may not be considered. The City may reject as non-responsive at its sole discretion any proposal or any part thereof, which is incomplete, inadequate in its response, or departs in any substantive way from the required format. Proposal responses shall be organized in the following manner:

- a. Cover Letter (2 pages)
- b. Project Team (2 pages)
- c. Respondent's Capabilities (8 pages)
- d. Project Approach and Understanding (8 pages)
- e. Diversity in Employment and Contracting Requirements (2 pages)
- f. Proposed Cost (3 pages)
- g. Supporting Information
- h. A completed First Tier Disclosure Form (refer to Part II.C.5)

SECTION C

EVALUATION CRITERIA

1. COVER LETTER

By submitting a response, the Proposer is accepting the General Instructions and Conditions of this Request for Proposal (reference second page of the RFP).

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.

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

2. PROJECT TEAM

The experience and qualifications of the successful Proposer will be critical to the thorough inspection and review of the tram and its operating, maintenance, and record-keeping procedures. The expertise and background of the IRE is also of paramount importance in ensuring that the safety and welfare of the traveling public is maintained at all times.

Respond to the following questions in your proposal:

- How well does the Proposer's qualifications and experience relate to the specifics of the Portland Aerial Tram Project and the requirements set forth for independent inspection and review?
- Does the expertise of the Proposer cover all phases and aspects of the project?

Also respond to the following:

- Approximate number of people to be assigned to the project (if applicable)
- Extent of company's principal member's involvement
- Team qualifications and experience on similar or related projects:
 - a) qualifications and relevant experience of prime consultant
 - b) qualifications and relevant experience of sub-consultants, if any
 - c) project manager's experience with similar projects

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

- their responsibilities on this project
- current assignments and location
- experience on similar or related projects
- unique qualifications
- percentage of their time that will be devoted to the project

3. RESPONDENT'S CAPABILITIES

This relates to the IRE's capabilities, resources, and track record in aerial tramway design, operations, maintenance and safety as it relates to inspections and testing (set forth in ANSI B77.1-2006)

Provide a narrative describing how the individual or firm meets the following qualifications:

- Licensed as a Professional Engineer in the State of Oregon
- Demonstrated experience with reversible aerial tramways that transport passengers. The applicant shall document his or her type and depth of experience.
- Has performed a minimum of 50 "Annual General Inspections", for use by an Authority Having Jurisdiction as defined in ANSI B77.1, on aerial ropeways that transport passengers (i.e. chairlifts, gondola, reversible aerial tramways). The applicant shall document experience by location and type of aerial ropeway for a minimum of five-year timeframe (does not need to be consecutive years).
- Has performed "Annual General Inspections" on **reversible aerial tramways**. The applicant shall document experience by listing the location and date of each "Annual General Inspection" on a reversible aerial tramway.

In addition, please provide a narrative describing:

- The individual's or firm's relevant experience
- The individual or firm's safety record for both employees and passengers as it relates to the operation of aerial ropeways.
- Describe the individual or firm's resources available to perform the work for the duration of the project and other on-going projects.
- Describe the individual or firm's internal procedures and/or policies associated or related to work quality and cost control.

4. PROJECT APPROACH AND UNDERSTANDING

The Proposer's understanding and approach to the this particular transportation system is an important aspect of the RFP process. Proposers should provide clear and concise understanding of the Portland Aerial Tram and clarifying any major issues based upon project information and attached materials provided in this RFP, governing rules and standards, and general code compliance for reversible aerial ropeways.

**5. DIVERSITY IN
EMPLOYMENT AND
CONTRACTING
REQUIREMENTS**

For each phase of work, the project approach should:

- Describe the proposed work tasks and activities, the methodology that will be used to accomplish them, and also identify the team members who will work on each task.
- Describe the proposed work products that will result from each task or activity.
- Identify points of input and review with City staff.
- Identify the time frame estimated to complete each task.

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 and has assigned at least 15% of the total points available on this solicitation to determine the award of this contract. No goal is set for the use of minority (MBE) and women business (WBE) enterprises, but the City is committed to ensuring that such firms receive opportunities and equal consideration to be awarded City PTE contracts.

All Proposers shall address the following in their proposals:

- a. Indicate if your firm is currently certified in the State of Oregon as an MBE, WBE and/or ESB, or if your firm has applied for certification with the State of Oregon's Office of Minority, Women and Emerging Small Business (OMWESB).
- 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 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 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** in 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 written approval of the Purchasing Agent. 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=26477>

6. PROPOSED COST

The proposal shall include the Proposer's true estimated cost or fixed-price estimate for the proposed project approach irrespective of the City's anticipated cost. Additionally, this cost shall include the hourly rates of each person associated with the project as well as the estimated number of hours each staff member will be expected to work on each task.

7. SUPPORTING INFORMATION

Supporting material must include references, and may include other information pertinent to the project or work to be performed. References must include the contact person's name, agency, address, phone number, their role in the project (e.g., project manager, etc.), name of the project and when the work was done.

PART III

PROPOSAL EVALUATION

SECTION A

PROPOSAL REVIEW AND SELECTION

1. EVALUATION CRITERIA SCORING

Each proposal shall be evaluated on the following evaluation criteria, weighting and maximum points, as follows:

	ITEM CRITERIA MAXIMUM SCORE
a. Cover Letter	0
b. Project Team	20
c. Respondent's Capabilities	25
d. Project Approach and Understanding	25
e. Diversity in Employment and Contracting	15
f. Proposed Cost	15
g. Supporting Information	0

100: TOTAL POSSIBLE POINTS

2. PROPOSAL REVIEW

An evaluation review committee will be appointed to evaluate the proposals received. For the purpose of scoring proposals each of the committee members will evaluate each proposal in accordance with the criteria and point factors listed above. The evaluation committee may seek outside expertise, including but not limited to input from technical advisors, to assist in evaluating proposals.

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 **15** 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 initial scoring will be considered preliminary. Final scores, based on the same evaluation criteria, will be determined following the interviews.
- f. Negotiations will follow with the highest scoring Proposer, and if successful, the highest scoring Proposer and City will enter into a professional services contract for the work.

For contracts over \$100,000, the evaluation committee's recommendation for contract award will be submitted to the Portland City Council for approval. The City has the right to reject any or all proposals for good cause, in the public interest.

NOTE: In the City's discretion, litigation between the City and a Proposer shall be cause for proposal rejection, regardless of when that litigation comes to the City's attention and regardless how the Proposer's proposal may have been scored. Proposals may also be rejected if they use subcontractors or subconsultants who are involved in litigation with the City. Proposers concerned about possible rejection on this basis should contact the City before submission of a proposal for a preliminary determination of whether its proposal will be rejected.

3. CLARIFYING PROPOSAL DURING EVALUATION

During the evaluation process, the City has the right to require any clarification or change its needs in order to understand the Proposer's view and approach to the project and scope of the work.

4. EVALUATION OF COST

The evaluation of Proposers costs will be performed objectively using the following formula and as shown in the example. The costs will take into account that the level of services provided for in the proposal, stated in the Project Approach and identified in the Proposed Cost are comparable. The evaluation will be factored by awarding the total number of points to the lowest Proposer and total number of points times lowest Proposer's cost divided by other Proposers' costs.

Proposer	Cost	Lowest cost	Percentage	Points
A	\$10,000	\$10,000	100%	20
B	\$12,500	\$10,000	80%	16
C	\$13,000	\$10,000	77%	15
D	\$20,000	\$10,000	50%	10

SECTION B

CONTRACT AWARD

1. CONSULTANT SELECTION

The City will award a contract to the highest scoring Proposer. Should the City not reach a favorable agreement with the highest scoring Proposer, the City shall terminate negotiations and commence negotiations with the second highest scoring Proposer and so on until a favorable agreement is reached. A consultant selection process will be carried out under Portland City Code Chapter 5.68.

2. CONTRACT DEVELOPMENT

The proposal and all responses provided by the successful Proposer may become a part of the final contract. The form of contract shall be the City's Contract for PTE Services.

3. AWARD REVIEW AND

REVIEW:

PROTESTS

Following the Notice of Intent to Award, the public may view proposal documents. However, any proprietary information so designated by the Proposer as a trade secret and meeting the requirements of ORS 192.501(2) will not be disclosed unless the Multnomah County District Attorney determines that disclosure is required. At this time, Proposers not awarded the contract may seek additional clarification or debriefing, request time to review the selection procedures or discuss the scoring methods utilized by the evaluation committee.

PROTESTS:

Protests may be submitted to the Purchasing Agent only for contracts in excess of the formal limit established by the City Auditor (currently \$21,496), and only from those Proposers who would receive the contract if their protest were successful.

Protests must be received by the Purchasing Agent within seven (7) calendar days **UNLESS OTHERWISE NOTED** following the date of 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. The contract award process will be put on hold until the protest has been resolved.

For those contracts estimated over \$100,000, timely protests must include all legal and factual information regarding the protest, and a statement of the form of relief requested. Protests received later than specified or from other than the Proposer who would receive the contract if the protest was successful will not be considered. The exercise of judgment used by the evaluators in scoring the written proposals and interviews, including the use of outside expertise, is not grounds for appeal.

The Purchasing Agent may waive any procedural irregularities that had no material affect on the selection of the proposed contract, 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 Purchasing Agent shall issue a notice canceling the Notice of Intent to Award.

Decisions of the Purchasing Agent are final and conclude the administrative appeals process.

4. KICK-OFF MEETING

If requested by the City, the successful Proposer shall begin work by attending an orientation meeting to take place within (7) days following execution of the contract. The successful Proposer shall then develop and maintain a comprehensive schedule for all elements of the project.