

**REQUEST FOR PROPOSALS**  
**FOR**  
**CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC) SERVICES**  
**C3P 2017 Infrastructure Improvements Project**

**Beaver Slough Drainage District**  
**Coquille, Oregon**

Issued: December 9, 2016

**Proposals Due: January 6, 2017**

**Single Point of Contact (SPC):**

Address:

Phone:

Email:

Fred Messerle, District Manager  
P.O. Box 4214 Coos Bay, OR 97420  
(541) 404-6105  
[bsdd.bos@gmail.com](mailto:bsdd.bos@gmail.com)

## **REQUEST FOR PROPOSALS**

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**BEAVER SLOUGH DRAINAGE DISTRICT**  
**REQUEST FOR PROPOSALS**  
**CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES**

**SECTION 1**  
**GENERAL INFORMATION**

**1.01 ANNOUNCEMENT**

The Beaver Slough Drainage District requests proposals from qualified firms for Construction Manager/General Contract (CM/GC) services for its C3P 2017 Infrastructure Improvement Project which includes construction of concrete box culverts, bridges and berm/dike work. Requests for proposals are being sought only from those firms who prequalified for this project by attending the mandatory meeting and site tour held on November 2, 2016.

Sealed proposals will be received until 3:00 pm PST, January 6, 2017. The Beaver Slough Drainage District may reject any proposal not in compliance with prescribed procedures and requirements and may reject for good cause any and all proposals upon a finding of the Beaver Slough Drainage District that it is in the public interest to do so.

## **1.02 PROJECT OVERVIEW**

The Beaver Slough Drainage District ("District") was formed in 1906 to protect the 1,700-plus acres in the District from the effects of twice-daily high tide, and facilitate drainage of land. Winter flood events in the Coquille River system are uncontrollable and the District works to protect its infrastructure during these times. The District is organized and operates within the parameters of Oregon Revised Statutes chapter 547. Landowners vote on an acreage basis and elect a five-member Board of Supervisors who are responsible for District operations, repairs, and maintenance as well as functioning as Local Contract Review Board under the Oregon's Public Contracting Code. Although voting is on an acreage basis, the District is obligated by law and policy to treat all landowners in an equitable manner. An annual assessment is made on an acreage basis to provide funds for operations, repairs, and maintenance of District infrastructure.

District infrastructure consists of four 8.0' Corrugated Metal Pipe (CMP) culverts with wooden tide gates, 1,200 feet of protective berm, at 18.5 feet NAVD88 elevation, at the Coquille River with an additional 8.0 miles of canals with associated berms throughout the district. The current CMP culvert/tide gates are at the end of life (20+ years), and in fact two of them failed and required extensive repairs in 2014. There continues to be considerable leakage as well as evidence of potential bulkhead failure. The last three winter storm seasons have been rather mild, with few major storm events, so the infrastructure has not yet failed completely. But the risk and potential costs of delaying replacement of this infrastructure is quite high. A failure would result in significant extra cost to reestablish the protective berm and necessary temporary culvert/tide gate infrastructure to not only protect District landowner's properties, but also dry out the area to allow construction of the planned culvert/tide gates and the interior restoration and canal/berm reconstruction.

The District has been working since 2009 to bring the resources together to be able to replace this infrastructure. Given the risk of failure of the current infrastructure, location, technical complexity, and limited timeframe for completion of the work, it is in the best interests of the District and its landowners to expedite the contracting and work schedule.

### 1.03 SCHEDULE OF EVENTS

October 23, 2016 (Wednesday) Journal of Commerce	Advertise Mandatory Site Meeting in Daily
December 9, 2016 (Friday)	Issue RFP to Prequalified Proposers
December 23, 2016 (Friday)	Questions/Requests for Clarification Due
December 28, 2016 (Wednesday)	RFP Protest Period Ends
January 4, 2017 (Wednesday)	Response to RFP Protests
January 6, 2017 (Friday)	<b>3:00 PM Closing (Proposals Due)</b>
January 11, 2017 (Wednesday)	Interviews scheduled
January 12, 2017 (Thursday) (approximate)	Issuance of Notice of Intent to Award
January 23, 2016 (Monday)	Award Protest Period Ends

#### **1.04 PROPOSAL DELIVERY**

Sealed proposals will be received until 3:00 pm PST, January 6, 2017, and must be labeled as followed and delivered to the following address:

**Beaver Slough Drainage District**  
**C3P 2017 Infrastructure Improvements Project**  
Attn: Fred Messerle, District Manager  
Beaver Slough Drainage District  
280 N. Collier St.  
Coquille, OR 97423

#### **1.05 DISTRICT SINGLE POINT OF CONTACT (SPC)**

There will be only one point of contact during this procurement process for questions concerning the procurement process, change, clarification, award process and any other questions that may arise.

<b>Single Point of Contact (SPC):</b>	Fred Messerle, District Manager
Address:	P.O Box 4214 Coos Bay, OR 97420
Phone:	(541) 404-6105
Email:	<a href="mailto:bsdd.bos@gmail.com">bsdd.bos@gmail.com</a>

**End of Section 1**

## **SECTION 2**

### **AUTHORITY AND SCOPE OF WORK**

#### **2.01 AUTHORITY AND METHOD**

The Beaver Slough Drainage District (District) is issuing this RFP under the District's Public Contracting Rules, Resolution No. 2015-819-1 as amended, Bidding Requirements for Personal Services Requests for Proposals, and pursuant to ORS 279C.120.

#### **2.02 STATEMENT OF WORK**

**See Attachment A.**

**End of Section 2**

## **SECTION 3 PROCUREMENT REQUIREMENTS AND EVALUATION**

### **3.1 MINIMUM PROPOSER REQUIREMENTS**

The District reserves the right to disqualify proposals failing to meet minimum requirements. To be considered for evaluation, each Proposal must demonstrate how the Proposer meets all requirements of this section:

1. Recent successful similar experience in project management by the proposing firm.
2. Recent successful experience in related project management by the lead project manager.
3. Demonstrated knowledge of the unique site conditions and needs of the Project.
4. Demonstrated understanding of the concepts of effective project communications, cooperation and the manager's role as liaison.
5. Demonstrated capacity and ability to handle size and scale of project with completion on time.
6. Knowledge and understanding of the required services as shown through proposal approach to staffing, scheduling, and reporting needs.
7. Availability to the project site and ability to provide prompt responses to District inquiries and concerns.

### **3.2 MINIMUM SUBMISSION REQUIREMENTS**

#### **A. Proposal Format**

Proposer shall submit its Proposal without extensive art work, unusual printing or other materials not essential to the utility and clarity of the Proposal. **Proposer shall submit an original Proposal on white 8 ½" by 11" paper, bearing the Proposer's authorized representative's signature, three (3) paper copies, and an electronic copy on electronic media such as thumb drive or CD.**

In addition, if Proposer believes any of its Proposal is exempt from disclosure under Oregon Public Records Law (ORS 192.410 through 192.505). Proposer shall complete and submit the Affidavit of Trade Secret (Attachment E) and a fully redacted version of its Proposal, clearly identified as the redacted version.



Proposer shall submit its Proposal in a sealed package addressed as provided in Section 1.04 of this RFP.

Proposer's electronic copy of the Proposal by USB drive or CD must be formatted using Adobe Acrobat (pdf), Microsoft Word (docx), or Microsoft Excel (xlsx).

#### **B. Authorized Representative**

The **Proposer Certification Form (Attachment B)** shall be signed with ink as follows **or the bid will be rejected.**

- In the case of an **individual** Proposer, by the individual Proposer.
- In the case of a **partnership**, the name of the partnership must be listed and the proposal shall be signed in the name of the partnership by at least one general partner. In addition, the names of all general and limited partners must be listed.
- In the case of a **corporation**, the corporate name shall be subscribed by the president or other managing officer and, under the signature of such officer, the name of the office such individual holds or the capacity in which he or she acts for the corporation.

### **3.3 PROCUREMENT PROCESS**

#### **A. Public Notice**

Notice of the prequalification process has been advertised in the Daily Journal of Commerce. The RFP, including all Addenda and attachments, is available by contacting Fred Messerle, District Manager, at [bsdd.bos@gmail.com](mailto:bsdd.bos@gmail.com) or can be downloaded from <http://www.coquilleworkinglandscapes.com/c3p-and-wlrp-construction-information>.

## **B. Questions / Requests for Clarification**

All inquiries, whether relating to the RFP process, administration, deadline or method of award or to the intent or technical aspects of the RFP must:

- Be delivered to the SPC via email
- Reference the RFP name
- Identify Proposer's name and contact information
- Be sent by an authorized representative
- Refer to the specific area of the RFP being questioned (i.e. page, section and paragraph number); and
- Be received by the due date and time for Questions/Requests for Clarification identified in the Schedule

Inquiries requiring clarification or modification from the District will be sent to all Proposers in the form of an addendum to this RFP.

### **C. Pre-Proposal Conference**

A mandatory meeting and site visit was held on **November 2, 2016**. No additional site visits are planned.

### **D. Solicitation Protests**

Prospective Proposers may submit a written protest of anything contained in this RFP, including but not limited to, the RFP process, Specifications, Scope of Work, and the proposed terms and conditions of the proposed Contract/Price Agreement. This is a prospective Proposer's only opportunity to protest the provisions of the RFP, except for protests of Addenda or the terms and conditions of the proposed Contract/Price Agreement, as provided below.

Protests to Addenda: Prospective Proposer may submit a written protest of anything contained in the respective Addendum. Protests of matters not added or modified by the respective Addendum will not be considered.

Protests must:

- Be delivered to the SPC via email or hard copy
- Reference the RFP name
- Identify prospective Proposer's name and contact information
- Be sent by an authorized representative
- State the reason for the protest, including: the grounds that demonstrate how the Procurement Process is contrary to law, unnecessarily restrictive, legally flawed, or improperly specifies a brand name; and evidence or documentation that supports the grounds on which the protest is based
- State the proposed changes to the RFP provisions or other relief sought
- Protests to the RFP must be received by the due date and time identified in the Schedule
- Protests to Addenda must be received by the due date identified in the respective Addendum

The District will respond timely to all protests submitted by the due date and time listed in the Schedule in Section 1.03. Protests that are not received timely or do not include the required information may not be considered.

### **E. Proposal Submission Options**

Proposer is solely responsible for ensuring its Proposal is received by the SPC in accordance with the RFP requirements. The District is not responsible for any delays in mail or by common

carriers or by transmission errors or delays or mistaken delivery. A Proposal submitted by any means not authorized will be rejected.

The Proposal may be hand-delivered, submitted through USPS mail, or via parcel carrier, and must be clearly labeled as provided in Section 1.04, and submitted in a sealed envelope, package or box. Proposals will be accepted during the District's normal Monday – Friday business hours of 8:00 am to 5:00 pm Pacific Time, except during District holidays and other times when the District office is closed.

#### **F. Proposal Modification or Withdrawal**

Any Proposer who wishes to make modifications to a Proposal already received by District shall submit its modification in one of the manners listed in the Proposal Submission Options section and must denote the specific change(s) to the Proposal submission.

If a Proposer wishes to withdraw a submitted Proposal, it shall do so prior to Closing. The Proposer shall submit a written notice Signed by an authorized representative of its intent to withdraw its Proposal. The notice must include the RFP name and be submitted to the SPC.

#### **G. Proposal Deadline**

The Proposal and all required submittal items, as well as any modification or withdrawal of a Proposal, must be received by the SPC on or before Closing. Original or modified Proposals received after Closing are considered LATE and will be returned unopened or destroyed.

#### **H. Proposal Rejection**

The District may reject a Proposal for any of the following reasons:

- Proposer fails to substantially comply with all prescribed RFP procedures and requirements, including but not limited to the requirement that Proposer's authorized representative sign the Proposal in ink.
- Proposer fails to meet the responsibility requirements of ORS 279B.110.
- Proposer makes any contact regarding this RFP with other District employees or officials other than the SPC or those the SPC authorizes.
- Proposer attempts to inappropriately influence a member of the Evaluation Committee.

#### **I. Opening of Proposal**

Proposals will be publicly opened following the Closing at 4:00 p.m. at the Owens Building, Large Conference Room, 201 N. Adams Street, Coquille, OR 97423, and the names of all Proposers will be disclosed at that time. However, proposals received will not be available for inspection until after the evaluation process has been completed and the Notice of Intent to Award is issued.

### 3.4 PROPOSAL CONTENT REQUIREMENTS

#### A. Proposal Content

The proposal must address each of the items listed in this section and all other requirements set forth in this RFP. The proposal shall be organized as follows:

1. **Cover Letter:** Summarize in a brief and concise manner your understanding of the Scope of Work and your proposed approach to meet the Scope of Work. The letter should name all of the persons authorized to make representations for the Proposer.
2. **Proposal Certification Sheet (Attachment B):** Include signature of authorized representative.
3. **Firm Background:** Describe your firm, including ownership structure, service area, volume of project management services, and length of time in the industry, financial stability, and availability to the project location.
4. **Related Experience and Past Performance:** Provide details of the firm's experience over the past five (5) years with similar projects and locations, clearly noting work performed coordinating multiple simultaneous projects solely and directly by proposing firm. Provide reference contact person and telephone number for these projects.
5. **Staffing Plan:** Provide your firm's staffing plan and specify key personnel to be assigned to this Project and the estimated percent of time each will spend on project. Include an organizational chart, staff roles and a current brief resume of key personnel.
6. **Approach:** Describe your firm's management philosophy for effective project communication, cooperation and coordination of services provided by designers, consultants, and contractors toward accomplishment of project goals. Include a description of your firm's involvement from the planning phase through the completion of C3P 2017 Infrastructure Improvements Project. Describe your firm's approach for managing bidding requirements, costs, schedules and quality.
7. **Proposal Fee Structure:** Describe your proposal fee structure for construction management services.
8. **Other Services/Qualifications:** Describe what special services or qualifications you firm has that would benefit the District.

#### B. Public Record/Confidential or Proprietary Information

All Proposals are public record and are subject to public inspection after the District issues the Notice of the Intent to Award. If a Proposer believes that any portion of its Proposal contains any information that is a trade secret under ORS Chapter 192.501(2) or otherwise is exempt from disclosure under the Oregon Public Records Law (ORS 192.410 through 192.505), Proposer shall complete and submit an Affidavit of Trade Secrets (Attachment E) and a fully redacted version of its Proposal.

### **3.5 EVALUATION PROCESS**

#### **A. Responsiveness and Responsibility Determination**

Proposals will be reviewed for Responsiveness to all RFP requirements, including timely submission, compliance with Minimum Requirements and Proposal Content Requirements. If the Proposal is unclear, the SPC may request clarification from Proposer. However, clarifications may not be used to rehabilitate a non-Responsive Proposal. If the SPC finds the Proposal non-Responsive, the Proposal may be rejected, however, Agency may waive mistakes in accordance with OAR 137-047-0470.

At any time prior to award, the District may reject a Proposer found to be not responsible.

#### **B. Evaluation Criteria**

Proposals meeting Proposal Content Requirements will be evaluated by an Evaluation Committee, using criteria and priorities as defined by the District. The Evaluation Committee will determine which Proposal or Proposals taken as a whole, and in the District's sole judgment, are in the best interest of the organization. Proposals should address the evaluation criteria listed on the following page.

The SPC may request further clarification to assist the Evaluation Committee in gaining additional understanding of Proposals. A response to a clarification request must be to clarify or explain portions of the already submitted Proposal and may not contain new information not included in the original Proposal.

#### **C. Selection Process**

The Evaluation Committee may invite the recommended finalist or finalists for an interview based solely upon its evaluation of the proposals and the evaluation criteria. If the Committee elects to interview finalists, the final recommendation will be based on the majority opinion of the interview panel. The Evaluation Committee, at its sole discretion, may forego the interview process.

After evaluation, and interviews if necessary, the Evaluation Committee will recommend one finalist to the District's Board of Supervisors for consideration of award. The contract award

will be entirely at the discretion of the District. The District reserves the right to waive minor irregularities in the selection process and to reject any and all proposals.

EVALUATION CRITERIA		Points
15%	Firm Background	15
25%	Related Experience/Past Performance	25
25%	Staffing Plan & Capacity	25
25%	Approach & Schedule	25
10%	Fee Structure	10
100%	TOTAL POINTS POSSIBLE	100



## **SECTION 4 AWARD AND NEGOTIATION**

### **4.1 AWARD NOTIFICATION PROCESS**

#### **A. Intent to Award Notice**

The District, if it awards a contract, shall award to the highest ranking Responsible Proposer based upon the evaluation criteria described in Section 3. The District may award less than the full scope defined in this RFP. The District will notify all Proposers in writing of its intent to award a contract to the selected Proposer subject to successful negotiation of any negotiable provisions.

#### **B. Protest of Notice of Intent to Award**

An affected Proposer shall have seven (7) calendar days from the date of the intent to award notice to file a written protest and specify the grounds for the protest as set forth in ORS 279B.410(1).

Protests must be delivered to the SPC via email or hardcopy, reference the RFP name, identify the Proposer's name and contact information, be signed by an authorized representative, and specify the grounds for the protest.

The District will address all timely submitted protests within a reasonable time and will issue a written decision to the respective Proposer.

### **4.2 APPARENT SUCCESSFUL PROPOSER SUBMISSION REQUIREMENTS**

#### **A. Insurance**

Prior to the execution of the Contract, the apparent successful Proposer shall secure and demonstrate to Agency proof of insurance coverage meeting the requirements identified in the RFP or as otherwise negotiated.

#### **B. Taxpayer Identification Number**

The apparent successful Proposer shall provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed W-9 form. District will not make any payment until a properly completed W-9 form is received.

#### **C. Contract Negotiation**

After selection of a successful Proposer, the District may negotiate the statement of work, pricing, methods of payment, inclusive of additional services. If an agreement cannot be reached, the District may open negotiations with the next ranked Proposer.

By submitting a Proposal, the Proposer agrees to comply with the requirements of the RFP, including terms and conditions of the Sample Contract (Attachment C). Proposer shall review the attached Sample Contract and note exceptions. Unless Proposer notes exceptions in its Proposal, the District intends to enter into a Contract with the successful Proposer substantially in the form set forth in Sample Contract.

**End of Section 4**

## **SECTION 5 ADDITIONAL INFORMATION**

### **5.1 GOVERNING LAWS AND REGULATIONS**

This RFP is governed by the laws of the State of Oregon. Venue for any administrative or judicial action relating to this RFP, evaluation and award is the Circuit Court of Coos County for the State of Oregon.

### **5.2 OWNERSHIP/PERMISSION TO USE MATERIALS**

All Proposals submitted in response to this RFP become the property of the District. By submitting a Proposal in response to this RFP, Proposer grants the District a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Proposal solely for the purpose of evaluating the Proposal, negotiating an Agreement, if awarded to Proposer, or as otherwise needed to administer the RFP process, and to fulfill obligations under Oregon Public Records Law (ORS 192.410 through 192.505). Proposals, including supporting materials, will not be returned to Proposer unless the Proposal is submitted late.

### **5.3 CANCELLATION OF RFP**

Pursuant to ORS 279B.100, the District may reject any or all Proposals in-whole or in-part, or may cancel this RFP at any time when the rejection or cancellation is in the best interest of the District. The District is not liable to any Proposer for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFP, award, or rejection of any Proposal.

### **5.4 COST OF PROPOSAL**

Proposer shall pay all the costs in submitting its Proposal, including, but not limited to, the costs to prepare and submit the Proposal, costs of samples and other supporting materials, costs to participate in demonstrations, or costs associated with protests.

### **5.5 CONTRACT**

All specifications, terms and conditions contained in the Request for Proposal shall be incorporated by reference and made a part of a contract awarded to the successful bidder. A copy of our sample contract is attached to this document.

**End of Section 5**

**SECTION 6**  
**LIST OF ATTACHMENTS**

ATTACHMENT A	STATEMENT OF WORK
ATTACHMENT B	PROPOSER CERTIFICATION SHEET
ATTACHMENT C	SAMPLE CONTRACT
ATTACHMENT D	AFFADAVIT OF TRADE SECRETS