**REQUEST FOR PROPOSALS**

**for**

**Utility Locate Services**

**PS 23-013**

**Proposals Due:**

**August 4, 2023**

**at 2:00 p.m.**

Issuance Date: July 21, 2023

**LATE PROPOSALS WILL NOT BE ACCEPTED**

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# SECTION 1 – GENERAL INFORMATION

## Advertisement

The City of Oregon City (hereinafter referred to as “City”), through the Public Works Department, is requesting proposals from Contractors (hereinafter referred to as the "Contractor") that are interested in providing professional services to the City for the **Utility Locate Services, PS 23-013** (hereinafter referred to as the "Project").

Proposals will be received until 2:00 p.m. local time on **Friday, August 4, 2023**.

Solicitation documents may be obtained from the City's online plan center free of charge at https://bids.orcity.org/. To obtain the solicitation documents, create a new user account and register for the project. General information including the plan holder list is available to the public without registering.

Solicitation documents are also available for review at the City of Oregon City, Public Works Department, 13895 Fir Street, Oregon City, Oregon, between the hours of 7:30 a.m. and 4:00 p.m., Monday through Thursday and 7:30 a.m. and 3:30 pm on Friday, except legal holidays.

Addenda, clarifications, and notices will be distributed through the City's online plan holder system. Potential proposers are responsible for ensuring contact information is registered correctly and that email updates are being received and not being sent to spam folders. It is in the best interest of potential proposers to check the website periodically to ensure all updates are received. The City is not responsible for failure of proposers to receive notifications of changes or corrections made by the City and posted as stated above.

Proposers are required to certify non-discrimination in employment practices and identify resident status as defined in ORS 279A.120(1). Pre-qualification of proposers is not required. All proposers are required to comply with the provisions of Oregon Revised Statutes and the Oregon City Municipal Code.

The City of Oregon City reserves the right to (1) reject any or all submittals not in compliance with public solicitation procedures if it is in the best interest of the public to do so; (2) postpone establishment of a final decision for a period not to exceed sixty (60) days from due date for Contractor submittal; (3) waive informalities in the proposals; and (4) to select the Contractor which appears to be in the best interest of the City.

This advertisement is authorized under the direction of John M. Lewis, P.E., Public Works Director.

PUBLISHED: Daily Journal of Commerce, July 21, 2023 and July 24, 2023

## RFP Schedule

RFP Released July 21, 2023

Proposal Due August 4, 2023 @ 2 p.m.

Staff Review of Proposals August 4 – August 7, 2023

Contract Negotiations August 4 – August 7, 2023

Contract Award at City Commission \* August 16, 2023

## 1.3 Submitting Proposals

Written proposals in response to this RFP must include five (5) hard copies and one (1) electronic pdf copy provided on a thumb drive. Proposals are due no later than **2:00 p.m. local time on Friday, August 4, 2023,** and shall be delivered to **13895 Fir Street, Oregon City, OR 97045**. The proposal must be submitted in a sealed envelope, clearly marked as follows:

**SEALED PROPOSAL – Due at 2:00 p.m. on Friday, August 4, 2023**

**UTILITY LOCATE SERVICES – PS 23-013**

**Attention: Vance Walker**

The outside envelope/box must also include the name and address of the bidding Contractor.

Failure to clearly identify the Proposal in the subject line may cause misrouting of the Proposal and late delivery, resulting in disqualification.

Fax submissions or email copies will not be accepted. Proposals must be received by the date and time noted above. Submittals that are late, incomplete, or misdirected will be considered non-responsive, with no exceptions. The City of Oregon City relies on the City’s computer system’s 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.

## 1.4 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 in order to comply with the terms and conditions of this RFP, 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 records request for such information shall be at the proposer's expense.

# SECTION 2 – SCOPE OF WORK

## 2.1 General Project Overview and Purpose

The City of Oregon City is issuing this Request for Proposal (RFP) for the purpose of securing a contract for locating underground utilities. Oregon City conducts approximately 3,500 locates per year. The majority of locates consist of: Water, Sanitary Sewer, Storm Sewer, with a small number of Street lighting, SCADA electronics, South Fork Water (SFW) water mains, and fiber communications. Oregon City desires to hire a qualified contractor to perform all underground utility locates to include “Emergency locates”. (After hours in addition to normal work hour emergencies).

The contract will be issued for a three (3) year term with the option to renew for up to two (2) additional one (1) year terms according to the Consumer Price Index (CPI-U) adjustment.

## 2.2 Scope of Professional Services and Responsibility

Locating and marking underground utilities will consist of the following:

1. Provide sufficient qualified staff, vehicles, paint, flagging, and all other locating equipment to fulfill its duties under this contract.
2. Store and safeguard the City’s location maps and records. This information is sensitive in nature and records shall not be disclosed to or made available to persons not approved by the City.
3. Invoicing Requirements: Monthly invoice with the following information for EACH locate:
   1. Pictures of locates.
   2. Oregon 811 Ticket Number
   3. Date and Time Completed
   4. Number of Utilities Located
   5. Hourly and afterhours breakdown

4. Maintain records appropriately to support the invoicing and recording requirements setforth in this contract. The Contractor agrees to a records retention period of seven (7)years.

5. For each locate request received, the Contractor shall screen, prioritize, and visit theexcavation site as necessary and locate the City’s facilities as required by the OregonUtility Notification Center.

7. For each locate request received, the Contractor shall be responsible for excavator notification in compliance with the Oregon Utility Notification Center excavation rules.

8. All locate requests shall be complete within the timeframe required on the locate ticket and all “emergency” requests shall be treated as an emergency and completed as soon as possible and as soon as it can be done safely according to Oregon Utility Notification Center excavation rules.

9. The Contractor may be requested to provide such additional services as site surveillance, maintenance of marks and flags, and stand-by protection.

10. The Contractor will investigate all incidents of damage for accuracy of the locate(s) and will submit to the City a written report of said investigation within five (5) business days. The Contractor will maintain a copy of the written report for a period of seven (7) years from the date of incident. The Contractor will give testimonial support in cases when deemed necessary by the City.

11. The Contractor shall locate and mark all the City’s locatable facilities at an excavation site in accordance with the Oregon Utility Notification Center excavation rules. The Contractor shall be liable for all damages when a valid request to locate locatable facilities have been made, unless the locate was made within the required accuracy. In such cases, the Contractor shall assist in recovery of any damages.

12. The Contractor shall notify the excavator of the presence of any identifiable, but unlocatable, facilities of the City and caution the excavator that any location information supplied may not be within the definition of reasonable accuracy.

13. The Contractor shall utilize all information transmitted by the City solely for the purpose of performing locates on behalf of the City.

14. The Contractor agrees that in carrying out this contract that they will comply with all applicable federal, state, and local laws.

## 2.3 City’s Responsibility

1. City agrees to provide Contractor with web access to the maps, as-builts and map layers necessary to locate its underground facilities.
2. Any such maps, drawings, sketches, or other technical information, either oral, written, or otherwise furnished or disclosed to, or obtained by, the Contractor in the performance of this Agreement shall remain the property of the City.
3. All copies of such information shall be returned to the City upon written request or at the termination of this Agreement. Unless such materials were previously known to the Contractor free of any obligation to keep them confidential, or have subsequently been made public by the City, the materials shall be kept confidential by the Contractor, and shall be used only in the performance of this Agreement and may not be used for other purposes except upon such terms as may be agreed upon, in writing, by the City.
4. Coordinate communication among City staff and provide a unified guidance/direction to the Contractor.
5. The City of Oregon City will be responsible for paying the Oregon Utility Notification Center membership monthly ticket transaction fees.
6. 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 take place at the Oregon City Engineering and Operations Center, 13895 Fir Street, Oregon City, OR 97045.
7. Review and process Contractor’s monthly payment requests.
8. Negotiate any contract amendments, as needed.
9. Perform other tasks as negotiated.

## 2.4 Resources

1. Oregon City OCWebMaps geographical information system (GIS) data <https://maps.orcity.org/Html5Viewer_2_10_0/index.html?viewer=OCWebMaps.OCWebMaps>

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# SECTION 3 – PROPOSAL FORMAT, EVALUATION, AND SELECTION

## 3.1 Proposal Format

Proposals should be prepared simply and economically, providing a straightforward, concise description of proposer's capabilities to satisfy the requirements of the RFP. 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 RFP.

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 Section 1.4, Public Records.

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

## 3.2 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 6 pages. The evaluation criteria and maximum possible points are noted for each item of information. An explanation of each item appears immediately in the following sub-sections.

|  |  |  |
| --- | --- | --- |
| **CONTENT AND**  **EVALUATION CRITERIA** | **MAXIMUM**  **SCORE** | **MAXIMUM**  **PAGES** |
| 1. Introductory Letter | 10 | 1 |
| 2. Key Qualifications | 35 | 2 |
| 3. Project Understanding and Approach and Quote | 55 | 3 |
| **Total Points** | **100** | **6** |

\*A front cover and proposer quotation checklist 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 on 8-1/2” x 11” pages, each side of the page is counted as one page.

## 3.3 Content of Proposal

All proposals shall include information identified below and be presented in the order as indicated. An explanation of each item appears immediately in the following sub-sections.

### 3.3.1 Introductory Letter

[Maximum 1 Page – 10 points]

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

* Provide the following information for the Project Manager: Name of the firm, signature, printed name, title, email, address, and telephone number. A web address is requested if applicable.
* Names and qualifications of personnel to be assigned to the project.
* Summary of operations plan for the project.
* Description of any sustainable / Eco Friendly practices utilized by the contractor.
* Brief statement of the proposer’s understanding of the project and services to be performed.
* Statement that the proposer accepts the terms and conditions contained in Attachment A, City of Oregon Personal Services Agreement and Attachment B, Standard General Conditions, or identification of items of concern.

### 3.3.2 Key Qualifications

[Maximum 2 Pages – 35 points]

Provide a statement that portrays how the qualifications and experience of the Contractor’s key personnel relate to the described work. The City expects commitment and prefers no reshuffling of personnel during the Project. The response should address the following:

* The Proposer should include specific examples of relevant work completed in the last five years which best demonstrates the Proposer’s experience and qualifications to accomplish the project in a professional, timely, and cost-effective manner similar in scope and nature, including the contractor’s organization staffing.
* Provide a resume outlining the experience and qualifications, relevant to the Project, of the person who would be directly responsible for oversight of the project.
* Provide details of three other similar projects that this project manager has recently successfully managed. Include the following information for these projects: agency; agency contact name, title, email, and phone number; project name and project costs for both design and construction.
* Provide details of Contractor’s fleet, locating equipment, and IT programs to be used for this project.

### 3.3.4 Project Understanding, Approach and Quote

[Maximum 3 Page – 55 points]

* Project Understanding: Contractor shall include a summary of their understanding of the Project.
* Project Approach: Contractor shall provide responses to the following items to show their project approach:
  + Describe the approach and methodology of managing work tasks and coordination, sequence, and control of field and office operations to accomplish the work in a timely manner.
  + Indicate how the Contractor ensures internal project progress, quality control, and adherence to the schedule and budget.
  + The project manager shall provide excellent communication in all aspects of the Project. Please identify your approach to project communication and coordination during all phases and aspects of the project.
  + A step-by-step detailed description as to how the Proposer would approach the Project in order to minimize Project costs, provide services in a timely manner, and ensure Project quality.
* Scope of Work and Budget: Include any additional response necessary to provide a complete response to the brief statements included in the Introductory Letter related to the proposer’s opinion of the project scope of work.
  + Based on Section 2.2, Scope of Professional Services and Responsibility, identify and provide details on any recommended additions or changes you would propose to the scope of work in order to provide a complete and successful project.
  + Complete the quotation form, Attachment C.

## 3.4 Selection of Contractor

### 3.4.1 Selection Committee

The City's Selection Committee, anticipated to include the Assistant Public Works Director, and the Water, Sewer/Storm and Street Operation Managers, will review and recommend to the City Manager that the contract award be made to the proposer that is in the Committee’s opinion, best qualified. At this time, it is not anticipated that Contractor interviews will occur prior to final selection of a Contractor. In the event that a decision cannot be made based on the information submitted, the City may opt to conduct Contractor interviews.

### 3.4.2 Rejection or Acceptance of Proposals

The City expressly reserves the following rights to:

a. Disregard any or all irregularities in the proposals.

b. Reject any or all of the proposals or portions thereof.

1. Base award with due regard to quality of services, experience, compliance with the RFP, and other factors as may be necessary under such circumstances.
2. Reject all proposals and readvertise at the City’s sole discretion.

### 3.4.3 Execution of Contract

The total cost for the Contractor services contract will require approval by City Commission. It is anticipated that the Contractor contract award will occur at the August 16, 2023, City Commission meeting. In order for this to occur, the scope of work and fee will need to be finalized by August 7, 2023. In the event the scope of work is not ready by that time, the Contractor contract award would occur at the September 6, 2023, meeting. The contract should be signed by the Contractor within one (1) week of City Commission award of the contract.

### 3.4.4 Protest of Proposer Selection

The City will post a Notice of Intent to Award on the City Bid Management System page at https://bids.orcity.org/. A Proposer who claims to have been adversely affected or aggrieved by the selection of the highest ranked Proposer may submit a written protest of the selection to the City no later than seven (7) calendar days after the date the Intent to Award is issued. The City will address all timely submitted award protests that are in accordance with OAR 137-048-0240(2).

Protests shall be in writing and physically received by the City no later than 2:00 p.m. on the seventh (7th) calendar day after the date of issuance of the Intent to Award Letter.

Address protests to:

PROTEST OF AWARD OF RFP FOR UTILITY LOCATING SERVICES

(PS 23-013)

Attention: Vance Walker

City of Oregon City

13895 Fir Street

Oregon City, OR 97045

Protests not filed within the time specified above, or which fail to meet the requirements of OAR 137-048-0240(2), shall be rejected.

Attachments:

1. City of Oregon City Personal Services Agreement
2. Standard General Conditions
3. Quotation Form
4. Business License Application