



Town of Lakeview

(Engineering Services – Water Treatment Facility)

**REQUEST FOR PROPOSALS**

**PROPOSALS DUE:**

**Tuesday, November 30, 2021**

**4:00 p.m.**

**at**

**Lakeview Town Hall**

**525 North 1<sup>st</sup> Street, Lakeview, Oregon 97630**

**or**

**townmanager@townoflakeview.org**

**TOWN OF LAKEVIEW**  
Proposal Advertisement  
Request for Proposals  
Engineering Services – Water Treatment Plant

NOTICE IS HEREBY GIVEN that Town of Lakeview (“Town”) is requesting sealed proposals from qualified firms or individuals to provide construction management and other engineering services concerning Town’s Water Treatment Plant Project (the “Project”). The Project generally consists of design and construction plans and specifications to construct a municipal water treatment plant capable of treating 2 million gallons per day along with an arsenic treatment plant for Town’s “north well.” Town is seeking qualified firms or individuals to provide professional engineering services, including, without limitation, (a) preliminary and design engineering, including plans and specifications, for the Project, and (b) complete construction management services for the Project.

Interested parties may obtain a copy of the Request for Proposals (the “RFP”) (and related documents) by downloading a copy from Town’s website at <https://townoflakeview.org/water-treatment-facility/>. Interested parties may receive a hardcopy of the RFP (and related documents) at Lakeview Town Hall, 525 North 1st Street, Lakeview, Oregon 97630

All proposals must be sealed in an opaque envelope or package and must be submitted to Town Manager Michele Parry by mail or hand delivery at 525 North 1st Street, Lakeview, Oregon 97630 by **4:00 p.m., Tuesday, November 30, 2021**. Sealed proposals will be publicly opened at 12:00 p.m. on Friday, December 3, 2021. Town will not consider any proposal received after the stated date and time, that is incomplete, and/or that is not submitted in the proper manner and format. Proposals must be clearly marked “Town of Lakeview Request for Proposal – Water Treatment Plan Project Engineering Services.”

**TOWN OF LAKEVIEW**  
Request for Proposals  
Engineering Services – Water Treatment Plan Project

**OVERVIEW**

Town of Lakeview (“Town”) Town is home to approximately 2,300 persons and is located in Lake County, Oregon. Town is managed by a town manager. The town manager oversees the public works department, fire department, police department, and city hall administration. The public works department oversees the town’s municipal utilities (water and wastewater) and transportation system (streets). The public works crew operates and maintains the public facilities and utilities that are provided by Town.

Town’s water supply suffers from heightened levels of iron and manganese. Additionally, town has shut off its “north well” as a result of excessive levels of arsenic. Town’s recently updated water master plan contemplates the construction of a new water treatment facility to address iron and manganese (in addition to performing ordinary municipal water treatment processes) and construction of an arsenic treatment facility at the north well, allowing that well to rejoin the system.

The purpose of this Request for Proposals (“RFP”) is to select a consultant to provide engineering services for Town concerning (a) preliminary and design engineering, including plans and specifications, for the Project (as defined below), and (b) complete construction management services for the Project. The selected firm or consultant will report directly to the Town manager and/or his or her designee.

**GENERAL BACKGROUND INFORMATION**

A. Project.

1. Town’s Water Master Plan is the planning document governing the Town’s water system.

2. The Water Master Plan contemplates a new municipal water treatment facility capable of processing up to 3-million gallons per day. In addition to performing ordinary municipal water treatment processes required by applicable laws and regulations, the water treatment facility must emphasize the treatment of manganese and iron.

3. The Water Master Plan also contemplates eliminating the arsenic in the City’s north well, which is capable of producing 1 million gallons of water per day. This well does not have the Iron and Manganese problem present in the other city wells.

4. For purposes of this RFP, the term “Project” means all design, engineering, and construction related work related to the new water treatment facility and north well arsenic treatment facility.

B. Estimated Project Cost. The Project is estimated to cost approximately \$12,000,000.

C. Estimated Time Period. Construction of the Project is expected to commence in May 2022 and to be completed in July 2024. The estimated time period in which the Services (as defined below) will be performed will begin within a week of mutual execution of a contract and end upon final completion of the Project.

### **SCOPE OF SERVICES**

The scope of services to be performed by the consultant pursuant to this RFP include, without limitation, the following engineering services concerning the Project (collectively, the “Services”):

A. Preliminary Engineering.

- Complete easement and land acquisition if any.
- Complete environmental and archaeological investigations and reports if needed.
- Assist with permit acquisition.

B. Design Engineering.

- Complete design topographical surveys.
- Preparation of draft and final engineering design documents including plans, specifications, contract documents, and cost estimates.
- Submit final design plans, specifications, and other documents to Town and applicable agencies for review and approval.
- Prepare all permit and approval applications for the project as required, including, without limitation, all applicable 1200-C, state agency, and/or Lake County permits.
- Prepare wetland delineations, cultural surveys and other environmental reviews, as needed.

C. Construction Engineering.

- Complete advertisement for bids.
- Attend a pre-bid conference, respond to technical questions from potential bidders, and issue addenda, as required.
- Assist in bid opening, provide recommendations to the Town Council for bid award, and assist in contract development.
- Attend a pre-construction meeting(s).
- Provide engineering support during construction including submittal reviews, contract administration, applications for payment, change order preparation, etc.
- Review the selected contractor’s progress payment requests and certify quantities claimed accurately reflect work performed and materials supplied during the payment period.
- Provide services related to change orders such as preparation of change order proposal description and justification documentation, assistance with negotiation of change with contractor, making recommendations to Town regarding any change orders, and processing the formal change order documents.
- Provide full-time construction observation.
- Complete contract closeout process including substantial completion walk-through, development of a “punch list,” final completion walk-through, and recommendation of final payment.

- Advise Town and the contractor of the dates for any warranty periods as established in contract documents.
- Maintain files and document tracking system throughout the entire project.
- Coordinate with the contractor and Town for final testing and startup of facilities.
- Prepare and submit to Town as-built drawings upon completion of construction.

D. Other Items. It is anticipated that other Project-related tasks could arise during the preliminary engineering and/or design engineering phases. These tasks may include, without limitation, geotechnical explorations, conditional use permits, site specific reports, and other evaluations. Town's Special Projects Director will perform the role of project manager (the "Project Manager"). The Project Manager will work closely with the consultant team and answer questions, make decisions, provide guidance, and assist in coordination as needed. All available information Town has will be available to the proposer selected to perform the Services. Information may include, without limitation, tax maps, aerial photos, and as-built drawings.

### **FUNDING SOURCES**

Funding sources for the Project may include, without limitation, the following: Oregon Business Development Department; Oregon State Lottery; USDA Rural Development Funds, and the American Rescue Plan Act ("ARPA"). The selected proposer will be expected to cooperate with Town's efforts to comply with any regulations and restrictions from such funding sources.

If USDA Rural Development funds will be used for any portion of the Project, USDA Rural Development requires that the selected proposer obtain and use Engineers Joint Contract Documents Committee ("EJCD" ) No. E-500, 2014 Edition, an example of which may be downloaded at: <https://www.ejcdc.org/product/e-500-2014-standard-form-agreement-between-owner-engineer-for-professional-services-2014-2/>. The selected proposer will, at the selected proposer's cost and expenses, be required to obtain and use EJCD documents, including, without limitation, EJDC No. E-500, 2014 Edition, and such documents necessary for the procurement of the construction services for the Project.

### **EVALUATION CRITERIA**

The qualification-based selection process will be administered in accordance with the authority and procedures in ORS 279C.100 – ORS 279C.125 and OAR Chapter 137, Division 48. Proposals submitted before the deadline will first be evaluated for compliance with the minimum required qualifications identified below. Proposals meeting these requirements will be forwarded to an evaluation committee that will independently score each proposal according to the scored criteria listed below.

A. Minimum Required Qualifications. Failure to comply with one or more of the following criteria will result in rejection of the proposal:

1. At least one (1) copy of the submittal proposal must bear an original signature on the introductory letter. A duly authorized representative empowered to bind the consultant must sign the proposal.
2. The proposal must not include any cost sheets or fee-related information.
3. The proposal must demonstrate that the proposer (a) has all valid applicable Oregon licenses, including, without limitation, all applicable licenses to practice engineering in the State of

Oregon and Town, and (b) is in good standing with the Oregon State Board of Examiners for Engineering and Land Surveying.

4. The proposal must demonstrate the proposer's compliance with the insurance required in this RFP.

5. Each proposal must include a certificate of non-discrimination pursuant to ORS 279A.110, substantially in the form attached hereto as Exhibit A.

B. Scored Criteria. All proposals from qualified firms or consultants that meet the minimum required qualifications will be evaluated on the following criteria (a total of 100 points is available for the scored criteria):

1. Professional Qualifications of Project Team (20 points). Provide a firm overview and qualifications for providing the Services. List key team members who will be assigned to this project, their roles and responsibilities, and their qualifications and experience.

2. Experience (20 points). Provide at least three (3) examples of services rendered on projects completed in the last five (5) years that best characterizes and demonstrates the firm's experience providing services similar to the Services.

3. Method of Approach (20 points). Demonstrate a clear approach to completing the Services and proposed benchmarks for Project and Services completion.

4. Availability; Familiarity with Town's Systems (15 points). Demonstrate ability to provide responsive services to assist Town during the Project, based on the amount and type of staff resources available in the Project vicinity to perform the Services. Also include your team's past performance history with Town and other municipalities.

5. Understanding of Requested Services (15 points). Demonstrate a clear and concise understanding of the Services.

6. References (10 points). Provide references and recommendations from at least five current or former clients. References should establish the firm's or consultant's demonstrated ability to successfully and reliably complete similar projects.

C. The outcome of the independent evaluation may, at Town's sole discretion, result in (a) notice to a proposer(s) of selection for tentative negotiation and possible award, or (b) further steps to gather more information for evaluation, which may include, without limitation, a notice of placement on an interview list with time and date of the interview.

## **PROPOSAL SUBMISSION REQUIREMENTS**

A. No Pre-Proposal Meeting. Town will not hold a pre-proposal meeting.

B. Submission. Five (5) copies of the proposal must be received by **4:00 p.m.**, Pacific Time on **Tuesday, November 30, 2021**. Sealed proposals will be publicly opened at 12:00 p.m. on Friday, December 3, 2021. At least one copy of the proposal must bear an original signature. A duly authorized representative empowered to bind the proposer must sign the proposal. All proposals must be sealed in an opaque envelope or package and must be delivered to Town Manager Michele Parry by mail or hand

delivery at 525 North 1st Street, Lakeview, Oregon 97630 by **4:00 p.m., Pacific Time on Tuesday, November 30, 2021**. Mis-deliveries, late, and/or faxed submittals will be considered nonresponsive.

B. Format for Proposals. Please submit written proposals in compliance with the following page limitations (one page is considered to measure 8-1/2 x 11, with 11-point font size minimum):

<u>Contents</u>	<u>Maximum Number of Pages</u>
Introductory Letter	2
Professional Qualifications of Project Team	3
Experience	3
Method of Approach	3
Availability; Familiarity with Town's Systems	3
Understanding of Requested Services	3
References	2
Total	19

The proposal should not exceed nineteen (19) pages, excluding the cover sheet, certificate of nondiscrimination, and any tabs or indexes.

C. Introductory Letter. The letter will name the person(s) authorized to represent the consultant in any negotiations and name of the person(s) authorized to sign any contract which may result. The letter will indicate insurance coverage carried by the consultant. The letter will be signed by an authorized representative of the consultant. The consultant must carry the following types and minimum coverages of insurance: (a) general liability insurance for all losses or claims arising out of or related to the selected consultant's performance of its obligations under the Agreement (defined below) (including, without limitation, damages as a result of death or injury to any person or destruction or damage to any property) with limits of not less than \$2,000,000 per occurrence, \$4,000,000 in the aggregate; (b) comprehensive automobile liability insurance for all owned, non-owned, and hired vehicles that are or may be used by the selected consultant in connection with the consultant's performance of the Services with limits of not less than \$1,000,000 per occurrence, \$2,000,000 in the aggregate; (c) errors and omissions insurance with limits of not less than \$2,000,000 per occurrence, \$4,000,000 in the aggregate; (d) employer liability insurance with limits of not less than \$500,000 per occurrence and in the aggregate; and (e) workers' compensation insurance in form and amount sufficient to satisfy the requirements of applicable Oregon law. Consultants who do not carry the required insurance may not be considered.

### **SELECTION PROCESS**

A. Proposals that do not meet the minimum required qualifications will be rejected. Proposals meeting the minimum required qualifications will be evaluated by an evaluation committee based upon the criteria and points assigned in this RFP.

B. Town will appoint an evaluation committee of no fewer than three individuals to review, score, and rank each proposal. The evaluation committee may contact references provided in each proposal.

C. The evaluation committee may request interviews. Interviews will be scored on the same criteria and points as the initial submission of proposal. Upon completion of the interviews, if any, the evaluation committee will provide Town the results of the scoring and ranking of each proposal. If Town does not cancel the RFP after it receives the results of the scoring and ranking of each proposal, Town

will issue a notice of intent to award and after any protest period, begin negotiating a contract with the highest-ranked proposer.

D. Contract negotiations with the highest ranked proposer will be directed toward obtaining written agreement on (a) the consultant's performance obligations and a performance schedule, and (b) the payment methodology and a maximum, not-to-exceed contract price that is fair and reasonable to Town, as determined by Town, taking into account the estimated value, scope, complexity and nature of the Services. Town reserves the right to negotiate a final contract that is in the best interest of Town.

E. If negotiations with the highest-ranked proposer fail to result in a contract, Town reserves the right, pursuant to OAR 137-048-0220(4)(e), to formally terminate negotiations and enter into negotiations with the second-ranked proposer and, if necessary, the third-ranked proposer and so on, until the negotiations result in a contract. If the subsequent rounds of negotiations fail to result in a contract within a reasonable amount of time, as determined by Town, the RFP may be formally terminated.

F. Any contract entered into by Town and the selected consultant will contain terms and conditions required under applicable law, including, without limitation, certain state and federal requirements applicable to funding sources, as applicable, and will otherwise be in form and content satisfactory to Town. Without otherwise limiting the generality of the immediately preceding sentence, the contract will include terms and conditions concerning, among other things, acceptable standards of performance, compensation, minimum insurance requirements, compliance with laws, federal and state contract clauses, indemnification, and representations and warranties, and will be substantially in the form attached hereto as Exhibit B (the "Agreement") unless funding sources require use of the EJCD forms. Town reserves the right to use either the form the sample contract or the EJCD form of contract.

#### **ANTICIPATED SCHEDULE**

RFP Issued	Friday, October 15, 2021
Requests/RFP Protest Deadline	<b>Tuesday, November 30, 2021</b>
Proposal Due Date	<b>Tuesday, November 30, 2021</b>
Opening	Friday, December 3, 2021
Review and Scoring	Friday, December 3, 2021
Evaluation Interviews (if Needed)	Friday, December 3, 2021
Notice of Intent to Award ("NOI") (apprx.)	Wednesday, December 8, 2021
Award Protest Deadline (apprx)	Friday, December 10, 2021
Negotiations	Monday, December 13-15, 2021
Notice of Award (apprx.)	Friday, December 17, 2021

#### **ADDITIONAL INFORMATION**

A. No cost or fee schedules will be submitted as a part of a proposal. Pursuant to Oregon public contracting law, cost and fee information will be presented during contract negotiations after the selection of the most qualified consultant with which to negotiate. It is understood that all submittals will become part of the public file on this matter, without obligation to Town.

B. Notwithstanding anything contained in this RFP to the contrary, if in Town's best interest, Town reserves the right to amend and/or revise this RFP in whole or in part, cancel this RFP, extend the submittal deadline for responses to this RFP, and/or reject any or all proposals for any reason and/or without indicating reasons for rejection. Further, Town reserves the right to (a) seek clarification(s) from each proposer and/or require supplemental statement or information for any proposer, (b) waive and/or correct any irregularities in proposals after prior notice to the proposer, and/or (c) negotiate with alternate proposers, if initial contract negotiations are unsuccessful.

C. Proposers may submit to Town questions and/or requests for additional information, including, without limitation, inquiries related to substantive portions of the RFP, questions regarding the intent of the work, and/or questions concerning technical aspects of the work. All questions and/or requests must be submitted in writing either by mail or email to:

Town of Lakeview  
Attn: Michele Parry  
525 North 1st Street  
Lakeview, Oregon 97630  
[townmanager@townoflakeview.org](mailto:townmanager@townoflakeview.org)

All requests for additional information must clearly reference, "Town of Lakeview Request for Proposal – Water Treatment Plant Project Engineering Services." All questions and/or requests to change any provision, specification, or contract term must be received not later than seven (7) calendar days prior the deadline to submit proposals. Substantive questions and all responses will be made available at Town's at <https://townoflakeview.org/water-treatment-facility/>. When appropriate, revisions, substitutions, and/or clarifications will be issued as official addenda to this RFP.

D. The selected proposer will be required to obtain a Town business license and maintain active business license status while conducting work within the Town. The selected proposer and any subcontractor may need to be registered in SAM.gov if federal funds are used for the Project.

E. The State of Oregon through the Oregon Business Development Department Block Grant program encourages grant recipients to take affirmative steps to use small firms, minority-owned firms and women-owned firms, and emerging small businesses in grant-funded projects.

F. Town has or will adopt a policy to require its contractors to make good faith effort to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, disability, veteran's or marital status, or economic status and to take affirmative action to ensure that both job applicants and existing employees are given fair and equal treatment.

G. Notwithstanding anything contained in this RFP to the contrary, Town will issue the NOI and make a decision to award the contract for the Services only after funding is secured. This RFP does not obligate Town to award a contract and/or to procure the Services described herein. Without otherwise

limiting the generality of the immediately preceding sentence, Town reserves the right to not award a contract (and/or procure the Services) if Town is unable to secure funding for the Project. Consultants responding to this RFP do so at their own expense and Town is not responsible for any costs and/or expenses associated with the preparation and/or submission of any proposal.

H. Prospective proposers may obtain a copy of this RFP as well as Town's Water Master Plan on Town's website at <https://townoflakeview.org/water-treatment-facility/> and/or at Lakeview Town Hall at 525 North 1st Street, Lakeview, Oregon 97630.

I. Confidential Information.

1. Any proposal submitted may be subject to public information requests as permitted by Oregon Public Records Law. Town will attempt to maintain the confidentiality of materials marked "Confidential" to the extent required under Oregon Public Records Law. If it is necessary to submit trade secrets and/or other confidential information in order to comply with the terms and conditions of this RFP, each Proposer must label any information that it desires to protect from disclosure to third parties as a trade secret under ORS 192.345(2) and/or confidential under ORS 192.355(4) with the following: "This material constitutes a trade secret under ORS 192.345(2) [and/or confidential information under ORS 192.355(4)] and is not to be disclosed except as required by law." Each page containing the trade secret and/or other confidential information must be so marked.

2. Town will take reasonable measures to hold in confidence all such labeled information, but in no event will Town be liable for release of any information when required by law or court order to do so, whether pursuant to the Oregon Public Records Law or otherwise, and will also be immune from liability for disclosure or release of information as provided under ORS 646.473(3).

3. In submitting a proposal, each proposer agrees that Town may (a) reveal any trade secret and/or other confidential materials contained in the proposal to Town staff and to any Town consultant, and (b) post the proposal on Town's intranet or internal network for purposes related to its evaluation and ranking. By responding to this RFP, each proposer agrees to defend, indemnify, and hold harmless Town each Town officer, employee, representative, and agent from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the proposer has designated as a trade secret and/or as confidential information. Any Proposer that designates its entire proposal as a trade secret may be disqualified.

**PROTEST PROCEDURES**

Proposers may submit to the Town manager a written protest of the RFP, contractual terms or specifications, or award of protest. To be considered, a protest must (a) identify the proposer's name and reference to this RFP, (b) contain evidence that supports the grounds on which the protest is based and specify the relief sought, including, without limitation, a statement of the proposed changes to the process or RFP provisions, requirements or terms, and/or conditions that the proposer believes will remedy the conditions upon which the protest is based, (c) be signed by the proposer's authorized representative, and (d) be submitted, in writing, to the Town manager at the address(es) set forth in this RFP. Any protest of this RFP or any consultant selection must be submitted in accordance with OAR 137-048-0240. A timely submitted protest will be resolved within a reasonable time following Town's receipt of the protest.

Exhibit A  
Certificate of Non-Discrimination

Pursuant to ORS 279A.110, discrimination in subcontracting is prohibited. Any contractor who contracts with a public contracting agency shall not discriminate against minority, women or emerging small business enterprises or a business enterprise that is owned or controlled by or that employs a disabled veteran in the awarding of contracts.

By signature of the authorized representative of the proposer, the proposer hereby certifies to Town of Lakeview that this proposer has not discriminated against minority, women, or emerging small business enterprises will not discriminate against minority, women or against a business enterprise that is owned or controlled by or that employs a disabled veteran in obtaining any subcontracts; and, further, that if awarded the contract for which this bid or proposal is submitted, will not so discriminate.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed or Typed Name: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Exhibit B  
Sample Agreement

(attached)