



REQUEST FOR QUALIFICATIONS FOR

MS-20-01, AMERICANS WITH DISABILITIES (ADA) SELF-EVALUATION AND TRANSITION PLAN FOR ACCESSIBILITY IN THE PUBLIC RIGHT-OF-WAY

Issue Date: May 11, 2020

Due Date: June 2, 2020, 2:00 p.m. (Pacific Time)

Public Works Engineering and Community Development Director Jeff Blaine, P.E.
City Engineer Staci Belcastro, P.E.

**For more information regarding this Request for Qualifications,
contact Staci Belcastro at 541-917-7645.**

CITY OF ALBANY

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PROPOSER'S SUBMITTAL CHECKLIST

Statement of Qualifications (SOQ) must be emailed by the time and date designated in the advertisement. It is the responsibility of the Proposer to email the SOQ by the indicated deadline to the designated location. In response to COVID-19, NO SOQs will be taken in person or accepted via a delivery service (FedEx, UPS, USPS, etc.).

All SOQs must be received electronically in non-editable PDF format. The total size limit for each email submittal response must be less than 20 MB. An automated response will be generated back to the sender stating, "Proposal has been received by the City." If you do not receive a notification, contact Diane Murzynski at diane.murzynski@cityofalbany.net.

The following should be received to be considered responsive:

- SOQ Submittal
- Signed Addenda (if applicable)

Changes made to this RFQ per any issued Addendums will be updated with strikeouts, and new text or clarifications added in red print.



CITY OF ALBANY, OREGON REQUEST FOR QUALIFICATIONS

Consultant Services MS-20-01, ADA Self-Evaluation and Transition Plan for Accessibility in the Public Right-of-Way

Qualification Statements Due: 2:00 p.m., (Pacific Time), Tuesday, June 2, 2020

The City of Albany (City), Oregon, is requesting Statements of Qualifications (SOQ) from qualified firms or individuals (Consultant) with established experience in the development and implementation of a Self-Evaluation and Transition Plan for Accessibility in the Public Right-of-Way (ROW) that fully complies with the requirements of the Americans with Disabilities Act (ADA). To be considered, interested Consultants must submit their qualifications in accordance with the requirements set forth in the Request for Qualifications (RFQ).

The RFQ is the initial step in the selection process to obtain professional consultant services for the development of an ADA Transition Plan. The responses will be reviewed, scored, and ranked according to the criteria defined in the RFQ. Selected Consultants will be invited to respond to a Request for Proposals (RFP), which is the next step in the selection process. Distribution of the RFP will be limited to those consultants identified on the short list, selected as part of the Competitive Range during the evaluation of the SOQs in accordance with OAR 137-048-0220(3).

Consultants responding to this RFQ do so solely at their expense, and the City is not responsible for any Consultant expenses associated with the RFQ. The Request for Qualifications can be downloaded from the City of Albany website at <http://cityofalbany.net/finance/purchasing/bids>. In response to the COVID-19 virus, printed copies will not be provided.

It is imperative that those who download the solicitation documents check the website regularly for addenda, clarifications, and other notifications that may be pertinent. In addition, all respondents known by the City of Albany will receive email notification when additional items are posted to the website. Please call the Public Works – Engineering Division at 541-917-7676 to be added to the interested respondent's list. For questions or clarifications regarding the technical aspects of this RFQ, contact Staci Belcastro, P.E., at staci.belcastro@cityofalbany.net. For procurement related questions, contact Diane Murzynski, at diane.murzynski@cityofalbany.net.

SOQs shall be submitted to the following email procurement@cityofalbany.net, **not later than 2:00 p.m., (Pacific Time), Tuesday, June 2, 2020**. SOQs will be considered time-stamped and received by the City when received in the procurement email inbox. The email subject line shall include the project number and name as follows: "MS-20-01, ADA Self-Evaluation and Transition Plan for Accessibility in the Public Right-of-Way."

The City may reject any SOQ not in compliance with all prescribed solicitation procedures and requirements and other applicable law and may reject any or all SOQ in whole or in part when the cancellation or rejection is in the best interest of the City and at no cost to the City.

DATED THIS 11TH DAY OF MAY, 2020.

A handwritten signature in cursive script that reads "Diane M. Murzynski".

Diane M. Murzynski, CPPO, CPPB

PUBLISH: Daily Journal of Commerce, Monday, May 11, 2020
Albany Democrat-Herald, Monday, May 11, 2020

SECTION 1 – INTRODUCTION & GENERAL INFORMATION

1.1 INTRODUCTION

The City of Albany is requesting Statements of Qualifications from qualified firms or individuals with established experience in the development and implementation of a Self-Evaluation and Transition Plan for Accessibility in the Public Right-of-Way (ROW) that fully complies with the requirements of the Americans with Disabilities Act (ADA) and the Public Right-of-Way Accessibility Guidelines (PROWAG). This Request for Qualifications (RFQ) is the initial step in a process seeking to identify a qualified firm or individual to provide consulting services to assist the City in meeting its obligations under Title II of the ADA. The Consultant selection process consists of the following steps:

- A. RFQ Phase.** As provided by ORS 279C.110 and OAR 137-048-0220(3), the City is utilizing this RFQ as the first step in the selection process to obtain professional services for development and implementation of a Public Works ADA Transition Plan. In accordance with OAR 137-048-0220, only those firms selected as part of the Competitive Range during the evaluation of the SOQ will be invited to respond to the Request for Proposals. The City does not plan to hold a prequalification meeting for interested Consultants to discuss the project during the RFQ phase.
- B. Statement of Qualification Evaluation.** Consultants will be ranked by a selection evaluation committee in accordance with the criteria contained herein, and a short list of at least three (3) qualified consultants will be established unless fewer than three consultants respond to the RFQ, or if fewer than three consultants fail to meet the City's minimum requirements, than a short list of fewer than three may be established. Distribution of the RFPs will be limited to the short list of qualified Consultants.
- C. Request for Proposal (RFP) Phase.** In the second step of the selection process, the highest-ranking qualified consultants will be invited to respond to an RFP. In accordance with OAR 137-048-0220, this RFP will not be separately advertised and will only be provided to those Consultants identified on the short list following the evaluation of SOQs. A draft copy of the RFP and sample Agreement is included with this RFQ as Attachment A and Exhibit A, respectively, to provide project background and information.
- D. Consultant Selection.** A competitive selection process will identify the top ranked consultant based on criteria outlined in the RFP. A Consultant will be selected based on the total score assigned by the selection review committee following evaluation of the written proposals.
- E. Negotiate Contract.** The City will negotiate a contract with the highest ranked Consultant.
- F. Contract Award.** A contract will be executed with the selected Consultant pending approval from the City Council.

1.2 BACKGROUND AND PROJECT INFORMATION

The City of Albany is the 11th largest city in Oregon, and the county seat of Linn County. The City is home to approximately 53,000 people and encompasses 17.7 square miles along the banks of the Willamette and Calapooia Rivers in the heart of the Willamette Valley. Albany recognizes that one of the characteristics of a truly great city is a commitment to ensuring all members of the community have equal access to public amenities. Development of an ADA Self-Evaluation and Transition Plan for Accessibility in the Public ROW establishes the City's ongoing commitment to provide equal access to those individuals with disabilities.

The development of an ADA Self-Evaluation and Transition Plan is a requirement of the federal regulations outlined in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. This project will result in the completion of an ADA Self-Evaluation and Transition Plan describing how the City plans to ensure all amenities in the public right-of-way, including, but not limited to sidewalks, trails, sidewalk ramps, traffic signals, and transit stops are accessible to persons with disabilities. The Self-Evaluation and Transition Plan for Accessibility in the Public ROW will be incorporated into a comprehensive citywide ADA Transition plan that, when completed, will include additional chapters addressing: city services, policies, programs, and practices; city buildings; public facilities; and park programs and facilities.

At the City’s discretion, and pending Council approval and availability of adequate funding, the contract for completing the ADA Self-Evaluation and Transition Plan for Accessibility in the Public ROW may be amended to include work needed to complete/update other chapters of the citywide ADA transition plan. However, there is no implied obligation or guarantee the City will proceed as such. Additional details on the background of the project and professional services sought may be found in the draft RFP included as Attachment A. The table below summarizes attachments included with this RFQ and the draft RFP:

REQUEST FOR QUALIFICATIONS

Attachment A	Draft Request for Proposal
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DRAFT REQUEST FOR PROPOSALS

Exhibit A	Sample Consultant Agreement
Exhibit B	Non-Collusion and Conflict of Interest Certification
Exhibit C	Certification Statement for Corporations or Independent Contractors
Exhibit D	Consultant Representatives and Certification Regarding Debarment, Suspension, and Other Responsibility Matters
Exhibit E	Certification of Insurance Requirements

SECTION 2 – PROCUREMENT REQUIREMENTS

2.1 ISSUING OFFICE AND SUBMITTAL LOCATION

The City Purchasing Coordinator will issue the Request for Qualifications document. Statements of Qualifications must be submitted in non-editable PDF format, to the following email procurement@cityofalbany.net by June 2, 2020, no later than 2:00 p.m. The email subject line shall include the project number and name as follows: “MS-20-01, ADA Self-Evaluation and Transition Plan.” No SOQs will be taken in person or by appointment.

The total size limit for each email response must be less than 20 MB. Be mindful of the resolution and size of photos or graphics within your submittals. There will be an automated response generated back to senders letting them know “Proposal has been received by the City.” If you do not receive a notification, contact Diane Murzynski at diane.murzynski@cityofalbany.net. Questions regarding this RFQ should be directed as follows:

Submittal Process Questions:

Diane M. Murzynski, CPPO
Purchasing Coordinator
Email: diane.murzynski@cityofalbany.net
Phone: 541-917-7522

Technical Questions/Scope of Work:

Staci Belcastro, P.E.
Project Manager
Email: staci.belcastro@cityofalbany.net
Phone: 541-917-7645

Statements of Qualifications received after the specified date and time will not be given further consideration. Respondents submitting SOQs are solely responsible for the delivery of their SOQ, and are encouraged to confirm delivery prior to the deadline.

2.2 RFQ SCHEDULE AND TIMELINE FOR SELECTION PROCESS

The City anticipates the following general timeline for receiving and evaluating SOQs and selecting the top three Consultants to move forward to the next phase in the selection process. The schedule listed below may be changed if it is in the City’s best interest to do so.

ACTIVITY	DATE
Advertise RFQ	May 11, 2020
Last Day to Issue an Addenda to RFQ	May 28, 2020 – 12:00 p.m.
RFQ Closing Date	June 2, 2020 – 2:00 p.m.
Evaluate SOQ	June 3, 2020 – June 9, 2020
Notice of Competitive Range Selection	June 10, 2020
Protest Period Ends (seven calendar days)	June 17, 2020 – 2:00 p.m.
Provide RFP to Selected Consultants	June 18, 2020
Date for Requesting Changes or Clarifications	June 30, 2020 – 12:00 p.m.
Last Day to Issue an Addenda	July 16, 2020 – 12:00 p.m.
RFP Due Date	July 21, 2020 – 2:00 p.m.
Evaluate Proposals	July 22, 2020 – July 28, 2020
Notice of Intent to Award	July 30, 2020
Protest Period Ends	August 6, 2020, 12:00 p.m.
Begin Contract Negotiations	August 7, 2020
Contract Award and Execution	August 26, 2020

A pre-submittal meeting will not be held for the RFQ or RFP process.

2.3 CHANGES TO THE SOLICITATION BY CITY ADDENDA

The City of Albany reserves the right to make changes to the RFQ by addendum, which shall be available from the City of Albany website at <http://cityofalbany.net/finance/purchasing/bids> and issued to all interested Consultants known to the City of Albany to have received the RFQ Documents.

A prospective Consultant may request a change in the RFQ by submitting a request as set forth in Section 2.1 Issuing Office and Submittal Location. The request must specify the provision of the RFQ in question and contain an explanation for the requested change. All requests for changes or additional information must be submitted to the City of Albany no later than the date set in the RFQ Schedule above.

The City of Albany will evaluate any request submitted but reserves the right to determine whether to accept the requested change. If in the City's opinion, additional information or interpretation is necessary, such information will be supplied in the form of an Addendum as stated above. Any addenda shall have the same binding effect as though contained in the main body of the RFQ. Oral instructions or information concerning the scope of work of the project given out by City of Albany managers, employees, or agents to the prospective Consultants shall not bind the City of Albany.

1. All addenda, clarification, and interpretations will be available from the website and delivered via email to interested Consultants known by the City of Albany to have received a complete set of the RFQ documents.
2. No addenda will be issued later than the date set in the RFQ Schedule, except an addendum, if necessary, postponing the date for receipt of SOQs, withdrawing the invitation, modifying elements of the request resulting from a delayed process, or requesting additional information, clarification.
3. Prior to submitting their SOQs, Consultant shall ascertain they have received all addenda issued and receipt of each Addendum shall be acknowledged in the appropriate location on each addendum and included with the SOQ submittal.

2.4 COST OF PREPARATION OF RESPONSE

Costs incurred by any Respondent in preparation of a response to this RFQ shall be the responsibility of the Respondent.

2.5 COMPETITION

Consultants are encouraged to comment, either with their submittal or at any other time, in writing, on any specification or requirement within this Request for SOQs which the Respondent believes will inordinately limit competition.

2.6 TRADE SECRETS AND PUBLIC RECORDS LAW

All information submitted by Consultants shall be public record and subject to disclosure pursuant to the Oregon Public Records Act, except such portions of the SOQs for which Consultant requests exception from disclosure consistent with Oregon Law. All requests shall be in writing, noting specifically which portion of the SOQs the Consultant requests exception from disclosure. Consultant shall not copyright, or cause to be copyrighted, any portion of any said document submitted to the City of Albany as a result of this RFQ. If SOQs contain any information that is considered a trade secret under ORS 192.501(2), Consultants must mark each sheet of such information with the following legend: "This data constitutes a trade secret under ORS 192.501(2), and shall not be disclosed except in accordance with the Oregon Public Records Law, ORS Chapter 192." Consultant shall not mark the whole SOQ document "confidential." Any SOQ marked as a trade secret in its entirety will be considered nonresponsive.

2.7 INSURANCE CERTIFICATES

Insurance requirements are listed in the sample Consultant Agreement (Exhibit A) and Certification of Insurance Requirements (Exhibit E) found in the draft RFP (Attachment A). The successful Consultant must be covered by Workers' Compensation Insurance, which will extend to and include work in Oregon. If Consultant is exempt from

Workers' Compensation, Consultant should indicate they are exempt from workers' compensation within the Introductory Letter of the Statement of Qualifications. The Consultant shall demonstrate willingness and ability to provide a Certificate of Insurance that reflects the Insurance Requirements within approximately ten (10) days of the Notice of Contract Award.

2.8 CANCELLATION

OAR 137-048-0250 provides for cancellation, delay, suspension, or rejection of a solicitation when the cancellation, delay, suspension, or rejection is in the public interest to do so as determined by the City. The City of Albany reserves the right to cancel this RFQ solicitation at any time and in no event shall the City of Albany have any liability for the cancellation of this RFQ.

2.9 LATE SOQs, LATE WITHDRAWALS, AND LATE MODIFICATIONS

All Statements of Qualifications that are not received by the deadline stated in the RFQ Schedule will be considered late. Delays due to email or delivery handling, including, but not limited to delays within City of Albany's internal distribution systems, do not excuse the Respondent's responsibility for submitting the Statement of Qualifications to the correct location by the stated deadline. Respondents are encouraged to confirm receipt of their SOQ submittal.

SOQs that are not received by the deadline stated in the RFQ Schedule will be considered late and determined nonresponsive. A Proposer's request for modification of a SOQ, or withdrawal of a SOQ received after closing date and time is late. The City shall not consider late SOQs, late requests for modifications, or late withdrawals.

2.10 CONDITIONS OF SUBMITTAL

By the act of submitting a response to this RFQ, the Proposer certifies that:

1. The Proposer and each person signing on behalf of any Proposer certifies, and in the case of a sole proprietorship, partnership, or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief, no elected official, officer, employee, or person, whose salary is payable in whole or in part by the City of Albany, has a direct or indirect financial interest in the SOQ, or in the services to which it relates, or in any of the profits thereof other than as fully described in the Proposer's response to this solicitation.
2. The Proposer has examined all parts of the Request for Qualification, including all requirements and contract terms and conditions thereof, and, if its SOQ is accepted, the Proposer shall accept the contract documents thereto unless substantive changes are made in same without the approval of the Proposer.
3. The Proposer, if an individual, is of lawful age; is the only one interested in this Proposal; and that no person, firm, or corporation, other than that named, has any interest in the SOQ, or in the proposed contract.
4. The Proposer has demonstrated quality experience providing the required consulting services.
5. The Proposer has examined the scope of services and conditions thoroughly and can provide the appropriate insurance, deposits, and bonds, if applicable.
6. The Proposer will comply fully with the scope of services for the agreed contract.
7. The Proposer can meet any and all registration and certification requirements as set forth and required in the Oregon Revised Statutes and this RFQ.

2.11 PROPOSER REQUESTS INTERPRETATION OF RFQ DOCUMENTS

1. Proposers shall promptly notify the City of Albany of any ambiguity, inconsistency or error, which they may discover upon examination of the RFQ Documents.
2. Proposers requiring clarification or interpretation of the RFQ Documents shall make a written request via email to Diane Murzynski, CPPO, Purchasing Coordinator, at diane.murzynski@cityofalbany.net.
3. The City of Albany shall make interpretations, corrections, or changes of the RFQ Documents in writing by published Addenda. Interpretations, corrections, or changes of the RFQ Documents made in any other manner

will not be binding, and Proposers shall not rely upon such interpretations, corrections, and changes.

4. Should any doubt or difference of opinion arise between the City of Albany and a Proposer as to the items to be furnished hereunder or the interpretation of the provisions of this solicitation, the decision of the City of Albany shall be final and binding upon all parties.
5. To the maximum extent allowed by law, the City may waive bid/proposal irregularities or strict compliance with any requirement herein if it concludes such action to be in its best interest.

2.12 PROPOSER REQUESTS FOR ADDITIONAL INFORMATION

Requests for information regarding City of Albany services, programs, or personnel, or any other information shall be submitted in writing via email to Diane Murzynski, CPPO, Purchasing Coordinator, at diane.murzynski@cityofalbany.net. Answers shall be provided to all Proposers of record on the date answers are available.

2.13 SOLICITATION PROTESTS AND REQUEST FOR CHANGE

A protest of any provision in this RFQ must be made in writing and directed to the Purchasing Coordinator via email and shall be received no later than the date listed in the RFQ Schedule. Proposers may submit a written protest, pursuant to OAR 137-048-0240(1) and ORS 279C.110(8), of anything contained in an RFQ and may request a change to any provision, specification or contract term contained in an RFQ that the potential Proposer believes is ambiguous, unclear, unfair, contrary to law, or likely to limit competition. Such submittals will be reviewed upon receipt and will be answered in writing. No such protests or requests will be considered if received after the deadline. No oral, telegraphic, or telephone protests or requests will be accepted.

2.14 CITY TO REQUEST CLARIFICATION, ADDITIONAL RESEARCH, AND REVISIONS

1. The City of Albany reserves the right to obtain clarification of any point in a SOQ or to obtain additional information necessary to properly evaluate a SOQ. Failure of a Proposer to respond to such a request for additional information or clarification could result in a finding that the Proposer is nonresponsive and consequent rejection of the SOQ.
2. The City of Albany may obtain information from any legal source for clarification of any SOQ or for information on any Proposer. The City of Albany need not inform the Proposer of any intent to perform additional research in this respect or of any information thereby received.
3. The City of Albany may perform, at its sole option, investigations of the responsible Proposer. Information may include, but shall not necessarily be limited to credit history, recent financial statements, current litigation, bonding capacity and related history, and contacting references. All such documents, if requested by the City of Albany, become part of the public record and may be disclosed accordingly.
4. The City reserves the right to investigate references including customers other than those listed in the Proposer's submission. Investigation may include past performance with respect to its successful performance of similar projects, conformance to Owner's budget, compliance with specifications and contractual obligations, its completion or delivery of a project on schedule, and its lawful payment to employees and workers or other criteria as determined by the City.
5. The City of Albany reserves the right to request revisions of SOQs after the submission of SOQs and before award.

2.15 REJECTION OF SOQs

The City of Albany reserves the right to reject any or all SOQs for one or more of the following reasons, including but not limited to:

1. Failure of the Proposer to adhere to one or more of the provisions established in this RFQ.
2. Failure of the Proposer to submit a SOQ in the format specified herein.

3. Failure of the Proposer to submit a SOQ within the time requirements established herein.
4. Failure of the Proposer to adhere to ethical and professional standards before, during, or following the SOQ process.

The City of Albany may reject any SOQ not in compliance with all prescribed public procurement procedures and requirements and may reject for good cause any or all SOQs upon a finding of the City of Albany that it is in the public interest to do so.

2.16 MODIFICATION OR WITHDRAWAL OF SOQ BY PROPOSER

1. A SOQ may not be modified, withdrawn, or canceled by the Proposer for 120 calendar days following the time and date designated for the receipt of SOQs.
2. SOQs submitted early may be modified or withdrawn only by written notice by email to the City of Albany Purchasing Coordinator, at the SOQ submittal location, prior to the time designated for receipt of SOQs. All such communications shall be so worded as not to reveal the amount of the original SOQ or any other material contents of the original SOQ.
3. Withdrawn SOQs may be resubmitted up to the time designated for the receipt of SOQs provided they are in full conformance with the proposal submittal instructions.

2.17 SOQ OWNERSHIP

1. All SOQs submitted become and remain the property of the City of Albany and, as such, are considered public information and subject to public disclosure within the context of the federal Freedom of Information Act and Oregon Revised Statutes (ORS) 192.501 and 192.502, public records exempt from disclosure.
2. Unless certain pages or specific information are specifically marked “proprietary” and qualify as such within the context of the regulations stated in the preceding paragraph, the City of Albany shall make available to any person requesting information through the City of Albany’s processes for disclosure of public records, any and all information submitted as a result of this solicitation without obtaining permission from any Proposer to do so after the Notice of Intent to award has been released.

2.18 AFFIRMATIVE ACTION

The Proposer agrees to comply with the Fair Labor Standard Act; Title VII of the Civil Rights Act of 1964; Executive Order 11246 (as amended); Fair Employment Practices; Equal Employment Opportunity Act, Section 503 of the Rehabilitation Act of 1973, as amended; Vietnam Era Veterans’ Readjustment Assistance Act of 1974; Americans with Disabilities Act; Age Discrimination in Employment Act of 1967 (ADEA); Oregon Revised Statutes (ORS); and all applicable requirements of federal, state, and local civil rights and rehabilitation statutes, rules, and regulations if awarded a contract by the City.

2.19 PAY EQUITY COMPLIANCE

As required by ORS 279C.520, all proposers must comply with ORS 652.220 and shall not unlawfully discriminate against any of their employees in the payment of wages or other compensation for work of comparable character on the basis of an employee’s membership in a protected class. “Protected class” means a group of persons distinguished by race, color, religion, sex, sexual orientation, national origin, marital status, veteran status, disability, or age. Proposer’s compliance with this section constitutes a material element of this contract and a failure to comply constitutes a breach that entitles the City to terminate this contract for cause.

Proposer may not prohibit any of Consultant’s employees from discussing the employee’s rate of wage, salary, benefits, or other compensation with another employee or another person. Proposer may not retaliate against an employee who discusses the employee’s rate of wage, salary, benefits, or other compensation with another employee or another person.

2.20 CERTIFICATION OFFICE FOR BUSINESS INCLUSION AND DIVERSITY (COBID)

The Oregon Business Development Department, through the Certification Office for Business Inclusion and Diversity, is the sole agency that may certify enterprises and businesses as disadvantaged business enterprises, minority-owned businesses, woman-owned businesses, businesses that service-disabled veterans own and emerging small businesses that are eligible to perform public contracts in this state. Consultant agrees not to discriminate against a disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns, or an emerging small business enterprise certified under ORS 200.055 in awarding subcontracts as required by ORS 279A.110.

2.21 SUBCONSULTANT

In all solicitations either by competitive bidding, SOQs, or negotiation made by the successful proposer for work to be performed under a subconsultant, including procurements of materials or leases of equipment, each potential subconsultant or supplier shall be notified by the successful proposer of the Proposer's obligations under this contract, Title VI of the Civil Rights Act of 1964, and other federal nondiscrimination laws.

2.22 COMPLIANCE WITH STATE OF OREGON LAW

By submitting a response to this solicitation, Proposer agrees that any terms and conditions stated within any Agreement awarded as a result of this solicitation shall include the following laws of the State of Oregon (if applicable) and are hereby incorporated by reference into the Agreement: ORS 279C.505, 279C.510, 279C.515, 279C.520, 279C.530, 279C.545, and 279C.580.

2.23 NOTIFICATION OF THE COMPETITIVE RANGE

Responsive Proposers to this RFQ will be notified of the Selection Review Committee's recommendation. In accordance with OAR 137-048-0220, only those firms selected as part of the Competitive Range during the evaluation of the SOQ will be invited to respond to a Request for Proposals. The notice of the Competitive Range will be directed to the person who has signed the SOQ on behalf of the Proposer.

2.24 PROTEST OF COMPETITIVE RANGE

The following procedure applies to Respondents who protest the Notice of the Competitive Range. All protests must be received no later than 12:00 p.m., seven (7) days after the notification of Competitive Range selection. Protests shall be submitted via email to Diane Murzynski, CPPO, Purchasing Coordinator, at diane.murzynski@cityofalbany.net. The City shall not consider a Proposer's protest submitted after the above timeline.

Protests must specify the grounds for the protest including the specific citation of law, rule, regulation, or procedure upon which the protest is based. Protests not filed within the time specified, or which fail to cite the specific law, rule, regulation, or procedure upon which the protest is based, shall be dismissed. Disagreement with the scoring by the selection review committee may not be protested.

A Proposer may protest the Competitive Range as defined in OAR 137-048-0240, if the following conditions are satisfied: (1) The Proposer must be adversely affected because the Proposer would be eligible if the protest is successful; (2) The Proposer must claim that all higher ranked Proposers failed to meet the requirements of the RFP or because the higher ranked Proposers otherwise are not qualified to perform the services; or (3) The City's evaluation of the SOQs are in violation of OAR 137-048-0220.

2.25 NOTICE TO PROCEED ON THE RFP

Not less than seven (7) days after the Notification of the Competitive Range has been issued, the City will provide the RFP to those Consultants identified on the short list in accordance with OAR 137-048-0220.

2.26 RECIPROCAL PREFERENCE LAW

Oregon's reciprocal preference law, ORS 279A.125, requires public contracting agencies, in determining the lowest responsible Proposer, to add a percent increase to each out-of-state Proposer's cost proposal which is equal to the percent

of preference given to local Proposers in the Proposer's home state. The list prepared and maintained by the Oregon Department of Administrative Services pursuant to ORS 279A.120(4) will be used to determine whether the nonresident proposer's state gives preference to in-state proposers and the amount of such preference. For details, check Oregon's Reciprocal Preference Law website at: <https://www.naspo.org/reciprocity1>. Proposers in need of any assistance in the application of this law should contact the State Procurement Office: State of Oregon, Department of Administrative Services, State Procurement Office, 1225 Ferry Street SE, U-140, Salem, OR 97301-4285, telephone: 503-378-4642.

2.27 COLLUSION

A Respondent, submitting an SOQ hereby certifies that no officer, agent, or employee of the City of Albany has a financial interest in this proposal; that the SOQ is made in good faith without fraud, collusion, or connection of any kind with any other Respondent; and that the Respondent is competing solely on its own behalf without connection or obligation to any undisclosed person or firm.

SECTION 3 –SOQ REQUIREMENTS, SELECTION CRITERIA, AND EVALUATION

3.1 GENERAL INFORMATION

The process to identify a short list of Consultants will be based on the provision of Statements of Qualification. SOQs will be ranked by the Selection Review Committee based on the criteria defined in this RFQ. Distribution of the Request for Proposal to complete an ADA Self-Evaluation and Transition Plan for Accessibility in the ROW will be limited to the short list of qualified Consultants.

3.2 STATEMENT OF QUALIFICATIONS INSTRUCTIONS

Failure to comply with these instructions may result in the rejection of the SOQ.

1. SOQs, and required submittals, must be provided via email in non-editable PDF format. The total size limit for each email response shall be less than 20 MB. Be mindful of the resolution and size of photos or graphics within your submittals.
2. Pages in document should be letter-sized (8.5" × 11"); margins at least ½ inch on all sides; font size should be no smaller than 11.
3. The maximum total number of pages in the SOQ should not exceed ten (10) pages. A Cover, Title Page, or Table of Contents do not count toward the total page limitation if a Respondent chooses to include them with the SOQ.
4. SOQ should include a one-page introductory letter, which does not count against the total page limitation.
5. SOQ should include résumés, which do not count against the total page limitation.
6. SOQ should include signed Addenda if applicable, which do not count against the total page limitation.

3.3 EVALUATION CRITERIA

The SOQs should be prepared simply and economically and provide a straightforward, concise description of the Respondent's company and qualifications. Each SOQ will be evaluated on its completeness and quality of content based on the criteria listed below. Evaluation factors and the maximum points to be awarded will be as follows:

A.	Introductory Letter	0
B.	Firm Background and Relevant Experience	50
C.	Key Personnel Qualifications	50
TOTAL POINTS AVAILABLE		100

3.4 MANDATORY REQUIREMENTS

Failure to meet any of these qualifications may render your SOQ nonresponsive.

1. **Introductory Letter (Pass/Fail)**. This letter shall specifically stipulate the Consultant accepts all terms and conditions contained in the RFQ and supporting documents, which includes the contract terms of the attached Sample Consultant Agreement, Exhibit A. Exceptions to the Agreement must be submitted by the Consultant with its SOQ response and included in the introductory letter.

The letter shall confirm Consultant's participation in the second phase of the selection process and response to the Request for Proposal, if identified on the short list of Consultants.

2. **Firm Background and Relevant Experience (Weight: 50)**. Provide a profile of your firm including number of years in continuous operation.

- A. Provide at least three (3) examples of firm’s recent experience in the development and implementation of ADA transition plans. Example should be for projects of similar size and scope to that proposed for this work effort. When citing specific examples, always clarify the following:
 - a. The name, location, client entity, size, scope of project, and year of completion of the project.
 - b. Project references, including the client names, position or role, and current contact information for client representatives or other persons who are familiar with the firm’s work and performance on the project.
 - c. Project cost data, quality of work, ability to meet schedules, cost control, and contract administration.
3. **Key Personnel Qualifications (Weight 50)**. Provide resumes for key personnel that will be assigned to the work should the firm be selected to provide the services outlined in the RFP.
 - a. Describe key personnel’s success on projects with similar requirements, project size, scope and schedules.
 - b. Provide resumes limited to two pages. Resumes will not count against total page limitation of ten total pages.

It is the City’s expectation the Consultant’s key personnel and project team identified in the SOQ shall be the same team selected to provide the services outlined in the RFP. If unforeseen circumstances require a deviation from the proposed project team, the City reserves the right to review and approve the proposed replacement, or request that a different replacement be proposed.

3.5 SELECTION OF THE COMPETITIVE RANGE TO SUBMIT AN RFP

A selection review committee will be comprised of a minimum of three (3) members to evaluate the SOQs. The Committee will be made up of City staff or technical experts that are independent with no apparent or perceived conflicts of interest. The committee will rank each SOQ based on responses to the evaluation criteria defined in this RFQ. The committee anticipates approximately five (5) working days to evaluate and rank the SOQs.

The highest scoring respondents will be identified and a short list of at least three (3) qualified Respondents will be established unless fewer than three consultants respond to the RFQ, or if fewer than three consultants fail to meet the City’s minimum requirements, than a short list of fewer than three may be established. All Respondents will be notified of the firms selected in the competitive range to move on to the next step in the selection process and respond to a Request for Proposals.

Respondents not making the competitive range will have seven (7) calendar days to protest the selection of the competitive range. After the protest period of the competitive range ends, a final notification and a Request for Proposals will be sent to the selected respondents identified as the competitive range.

Per ORS 279C.110(5) and OAR 137-048-0220(3)(c), cost proposals, rate schedules, and pricing policies or other pricing information CANNOT be submitted as part of the Request for Qualifications.

SECTION 4 – DEFINITIONS

4.0 DEFINITIONS

The following definitions are as used in these documents, except where the context otherwise clearly requires:

- A. **Americans with Disabilities Act or ADA** is civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places open to the general public.
- B. **City or Owner** means the City of Albany, Oregon.
- C. **Competitive Range** means those respondents whose proposals have a reasonable chance of being selected for award. The determination must take into account the evaluation criteria and the basis for award as stated in the RFP. The City will evaluate and score each Statement of Qualifications on the criteria listed in the Request for Qualification. After scoring is completed, the City will identify a competitive range of the highest-ranking respondents that will be invited to participate in the Request for Proposal phase.
- D. **Consultant or Respondent or Proposer** is the firm or individual responding to the RFQ which has undertaken to perform the work subject of this Contract and by whom, or on whose behalf, the Contract is signed.
- E. **Contract** is all written documents existing at the time of execution of the Consultant Services Agreement and setting forth the obligations of the parties, including the Request for Qualifications (RFQ), Response to RFQ, Request for Proposals (RFP), Proposal Response, Negotiated Fee Proposal, Non-Collusion and Conflict of Interest Certification, and other attachments or addenda applicable to the final Contract Documents. In addition, written amendments to the contract documents executed by the parties from time to time, and any documents expressly incorporated by reference elsewhere in the contract documents enumerated above.
- F. **Public Right-of-Way Accessibility Guidelines or PROWAG** are recommended best practices and can be considered the state of the practice that could be followed for facilities in the Public Right-of-Way that are not fully addressed by the present ADA standards.
- G. **Protected Class** means a group of persons distinguished by race, color, religion, sex, sexual orientation, national origin, marital status, veteran status, disability or age.
- H. **Responsible Proposer** means a person who has submitted a proposal and meets the standards set forth in OAR 137-047-0640 or 137-049-0390 and has not been debarred or disqualified by the City.
- I. **Responsive Proposal** means a proposal that substantially complies in all material respects with all prescribed procurement procedures and applicable solicitation requirements.