REQUEST FOR QUALIFICATIONS

BELNAP COURT AND MOREY COURT OUTFALLS RESTORATION
(Project #7053)

NOTE: SUBMISSION OF THE STATE OF OREGON “CONTRACTOR’S QUALIFICATION APPLICATION” IS UNSATISFACTORY. UNDER THE PROVISIONS OF ORS 279C.430 THE CITY OF WILSONVILLE HAS ADOPTED THE BASIC FORMAT AS OUTLINED HEREIN TO DETERMINE CONTRACTOR QUALIFICATION ON ITS PROJECTS.

Advertised on March 13 & 15, 2019
CONTENTS

INTRODUCTION ................................................................. 3

BACKGROUND ................................................................... 4

PROJECT INFORMATION ...................................................... 4

PROJECT DESCRIPTION .................................................. 4
PROJECT SCHEDULE MILESTONES ........................................ 4
SITE LOCATION AND SITE AREA ........................................... 5
PERMITTING ..................................................................... 5
CITY APPROVAL: ................................................................. 5
BUILDING CODE: ................................................................. 5
WATER RIGHTS: ................................................................. 5
FEDERAL AND STATE PERMITS: ......................................... 5
PROJECT FINANCING ......................................................... 6
COMPENSATION ............................................................... 6
RETAI NAGE ...................................................................... 6
OWNER’S REPRESENTATIVE ............................................... 6

PROCUREMENT PROCESS .................................................. 6

SELECTION PROCESS ......................................................... 6
COMMUNICATIONS PROTOCOL ........................................... 7
COMPLAINT PROCESS AND REMEDIES ............................... 8

REQUIREMENTS FOR QUALIFICATION STATEMENT SUBMITTALS ......................................................... 9

GENERAL INSTRUCTIONS .................................................. 9
INTENT TO SUBMIT: ........................................................... 10
SOQ SUBMITTAL CONTENT AND ORGANIZATION .................. 10
SECTION 1 - CONSTRUCTION FIRM(S) ................... 10

1.1 BRIEF DESCRIPTION OF THE GENERAL CONTRACTOR’S FIRM .................................................. 10

1.2 BRIEF DESCRIPTION OF THE PROPOSED SUB-CONTRACTORS (IF ANY). ........................................ 10

SECTION 2 – MANAGEMENT AND CONSTRUCTION EXPERIENCE ........................................ 11
SECTION 3 - EQUIPMENT LIST ............................................. 12
SECTION 4 - FINANCIAL INFORMATION AND CAPACITY ............................................................ 12
NOTE: EVIDENCE OF BONDING CAPACITY AND EITHER MINIMUM OR DETAILED FINANCIAL INFORMATION MUST BE SUBMITTED BY THE RESPONDENT TO BE CONSIDERED FOR ACCEPTANCE. ........................................ 12
SECTION 5 - PUBLIC WORKS CONTRACT EXPERIENCE ...................................................... 13
SECTION 6 - AUTHORIZED EMPLOYEE REPRESENTATIVE OF THE RESPONDENT ................ 13
SECTION 7 - AFFIDAVIT ....................................................... 14
CITY OF WILSONVILLE
REQUEST FOR QUALIFICATIONS (RFQ)

Subject: Request for Statement of Qualifications (SOQs) from firms to construct stormwater outfall improvements associated with Belnap Court and Morey Court Outfalls Restoration project.

INTRODUCTION

The City of Wilsonville is soliciting Statement of Qualifications (SOQ) from firms for the furnishing of all labor, materials, equipment and supervision for a construction project of the Belnap Court and Morey Court Outfalls Restoration.

The estimated project cost is in the range of $700,000 to $800,000.

The City intends to select firms to complete construction along a tight timeline to allow the improvements to be in place and operational prior to October 15, 2019, matching the in-water work permit window. Additional work associated with the project shall be substantially complete by November 30, 2019.

The City’s purpose in using this process will be to determine “responsible bidders” for these stormwater outfalls restoration projects through an evaluation of the demonstrated ability to successfully complete projects of a similar type, complexity, size, scope, budget, conditions, and schedule.

NOTE: SUBMISSION OF THE STATE OF OREGON ‘CONTRACTOR’S QUALIFICATION APPLICATION’ IS UNSATISFACTORY. UNDER THE PROVISIONS OF ORS 279.039 THE CITY HAS ADOPTED THE BASIC FORMAT AS OUTLINED HEREIN TO DETERMINE QUALIFICATION ON IT’S PROJECTS.

The Terms used throughout this document are summarized below:

**Contractor:**
The firm that will execute a construction contract with the City for the Project.

**Construction Price:**
The lowest competitive bid price for the construction of the referenced projects, as described in this document.

**Respondent:**
The legal entity responding to this Request for Qualifications (RFQs) by submitting the required Statement of Qualifications (SOQs) as defined in this document.
BACKGROUND

The Belnap Court and Morey Court stormwater outfalls were constructed in the 1990’s and since then erosion has occurred in these small natural channels. One outfall is located on an HOA Tract (with public stormwater easement) in the Rivergreen neighborhood; the other outfall is located on private land in the Morey’s Landing neighborhood (with access taken via Belnap Court). Project work this year is to repair the erosion that has occurred over the last 20+ years, install storm pipe and new manholes, add pretreatment manholes, and provide erosion protection measures to the edge of the Willamette River.

PROJECT INFORMATION

Project Description

The City of Wilsonville is soliciting Statement of Qualifications (SOQ) from firms for the furnishing of all labor, materials, equipment and supervision to complete improvements to two existing stormwater outfalls along the Willamette River within the City. Modifications include rebuilding two stormwater outlets to current standards by installing a combined length of about 850 feet of pipe, installing eight manholes, construction of energy dissipation systems, repairs to public roadways/sidewalks/curbs, reconstruction of the two storm channels, plant restoration and mitigation of slopes and areas disturbed during construction, plus other miscellaneous work. Contractor shall have experience in similar stream and/or storm channel reconstruction projects.

The improvements considered for this solicitation are described below:

Belnap Court and Morey Court Outfalls Restoration:

The estimated project cost range for the improvements are $700,000 to $800,000.

Project Schedule Milestones

Request for Qualifications 1st Advertisement: March 13, 2019
Request for Qualifications 2nd Advertisement: March 15, 2019
Clarifications/Complaints/Protests: March 15, 2019, 5 p.m.
Intent to Submit Qualifications Due: March 22, 2019, 5 p.m.
Statement of Qualifications Due: March 27, 2019, 2 p.m.
Statement of Qualifications Evaluated: March 27, 2019
Respondents Notified of Evaluation Results: March 27, 2019, 5 p.m.
‘Notice of Evaluation’ Result Appeal Due: April 1, 2019, 5 p.m.

Provided no appeal is received:

Solicit Bids From Qualified Respondents: April 3 & 5, 2019

Bids From Qualified Respondents Opened: April 24, 2019, 2 p.m.

‘Notice of Intent’ to Award Construction Contract: April 29, 2019

Award Construction Contract – City Council: May 20, 2019

Notice To Proceed (estimated): May 21, 2019

Project Substantial Completion: Nov. 30, 2019

Project Completion: Dec. 31, 2019

Site Location and Site Area

One site lies south of the SW Belnap Court cul-de-sac in the Rivergreen subdivision; the second site lies in the wooded drainage between homes at 11000 SW Morey Court and 11010 SW Morey Court in the Morey’s Landing subdivision (note that construction access for this site will be via the Belnap Court cul-de-sac).

Permitting

City Approval:

The City will obtain all necessary rights-of-way, easements, roadway permits and approvals necessary to proceed with the construction as contained within the respective project proposals.

Building Code:

The Contractor will be required to obtain the electrical permits necessary for the installation of the irrigation control system (Clackamas County).

Water Rights:

Not applicable for this project.

Federal and State Permits:

The City of Wilsonville has applied for and received applicable federal and state permitting.
**Project Financing**

The City of Wilsonville will finance this project through a combination of our Stormwater Operations Fees and Stormwater SDC Fees.

**Compensation**

The City follows usual and customary process for monthly progress payments during construction.

**Retainage**

The City follows statutory requirements for collecting and releasing 5% retainage.

**Owner's Representative**

Inspection services and contract administration will be performed by the City of Wilsonville. Additional inspection and construction observation will be provided by AKS Forestry & Engineering.

**PROCUREMENT PROCESS**

**Selection Process**

Selection will be based on qualifications demonstrated on projects of similar type, complexity, size, scope, budget, and schedule. **In order to be considered a ‘responsible bidder’, you must have experience with multiple, comparable, public projects.**

Respondents to the RFQ shall submit an SOQ application with the cover sheet marked indicating which project(s) they wish to be considered for subject to the following guidelines:

An SOQ submitted by the Respondent will only be considered for related projects within their demonstrated abilities in determining ‘responsible’ status. Additional sheets may be necessary for, but not limited to, the following topics: organization, management style, supervision and comments. Submittals will be evaluated by a technical review committee consisting of staff representatives from the City of Wilsonville. The SOQ will be evaluated based on the following criteria:

<table>
<thead>
<tr>
<th>Categories</th>
<th>Acceptable</th>
<th>Not Acceptable</th>
<th>Incomplete</th>
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<tbody>
<tr>
<td>1) Organization of Construction Firm</td>
<td>_____</td>
<td>_____</td>
<td>_____</td>
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<tr>
<td>2) Public Works Management and Construction Exp.</td>
<td>_____</td>
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</tbody>
</table>
3) Equipment List
4) Financial Information and Capacity
5) Public Works Contract Experience
6) Authorized Employee
7) Affidavit

<table>
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<tr>
<th>Result</th>
<th>Accepted</th>
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Each respective SOQ will be rated on an Accepted/Not Accepted/Incomplete grading schema. A grade of ‘not acceptable’ in any of the categories is grounds for grading the SOQ as ‘not accepted.’ The ratings for all review committee members will be totaled to determine the final score.

At its sole discretion, the technical review committee may reconvene and collectively review the scoring, making changes as the committee as a whole deems appropriate. Though original scoring is done on an independent member-by-member basis, the committee members may change their scores, as they deem appropriate as a result of the discussions during any collective meeting.

Based on the outcome of the review and scoring process, the technical committee will determine if a list of ‘responsible’ bidders can be made, based on the SOQ alone or if Respondents will be invited to participate in an interview process. If an interview process is implemented, each Respondent will be asked to present their qualifications and to answer questions.

At the completion of the technical committee review process, the Respondents determined to be ‘responsible’ will be invited to participate in the competitive bid process in accordance with ORS 279. Staff will then carry a recommendation to the City Council requesting that a construction contract be entered into. If the ‘lowest responsible bidder’ does not enter into a construction contract within the specified time, subsequently forfeiting the required bid guarantee, the firm submitting the second lowest bid will be deemed the 'lowest responsible bidder' and so on. The City also reserves the right to reject any or all submittals at its discretion with or without cause, and may waive any informalities or minor defects, as it deems appropriate.

**Communications Protocol**

All requests for information and clarifications shall be made directly to the City’s primary contact person, Mr. Steve Adams, P.E. In Mr. Adams’ absence, Respondent may contact the City’s alternate contact person, Mr. Kerry Rappold. Contact information is provided below. The City requests that potential respondents refrain from contacting
City representatives other than those identified above. Direction of questions to other City staff or elected officials will not be viewed favorably.

**Primary Contact Person**  
Steve Adams, P.E.

**Mailing/ Street address:**  
29799 SW Town Center Loop East  
Wilsonville, Oregon 97070  
Telephone number: 503-570-1566  
Fax number: 503-682-7025  
Email: adams@ci.wilsonville.or.us

**Alternate Contact Person**  
Kerry Rappold

**Mailing/ Street address:**  
29799 SW Town Center Loop East  
Wilsonville, Oregon 97070  
Telephone number: 503-570-1570  
Fax number: 503-682-7025  
Email: rappold@ci.wilsonville.or.us

**Complaint Process and Remedies**

**Prior to SOQ Submittal**  
Protests of any of the terms or conditions (procedural or substantive) of this RFQ shall be in writing and delivered to Mr. Steve Adams, P.E., at the referenced addresses, no later than **5:00 p.m. on March 15, 2019**. Protests shall include sufficient information to enable the City to evaluate the protest and, if the City deems appropriate, amend the RFQ. It is the responsibility of the Respondent to inquire about, comment on, or clarify any requirement, provision, or feature of this RFQ that the Respondent disagrees with, does not understand, finds ambiguous, unclear, unfair, or likely to limit competition, within the time frame set forth above.

The purpose of this timing requirement is to permit the City an opportunity to correct any term or condition in the RFQ that may be unlawful, improvident, unduly restrictive of competition or otherwise inappropriate. By permitting corrections prior to the opening of the SOQs, much of the waste inherent in protests and in the possible rejection of all proposals should be minimized. To be considered, protests must be submitted within the time established herein or be completely waived by the protestor. The City shall not consider protests regarding the SOQ submittal process at a subsequent time.
**Appeal of Qualification Status**

All protests of the City’s ‘responsible bidder’ decision by the Respondent must be submitted in writing to the City’s primary contact within three (3) business days **(5:00 pm on April 1, 2019)** after the receipt of said notice. Any protest not filed within this time period is waived. The protest must state clearly the basis for the protest and any legal authority in support thereof.

Promptly upon receipt of the appeal the City will, within ten (10) days, schedule a hearing before the City Council and City staff and will so notify the Respondent of the appropriate date and time. At such hearing, the protester and other interested parties will have the opportunity to appear and make an oral presentation of the basis for the protest. The City Council will either uphold or deny the protest and will set forth in writing the reasons for the decision. If the protest is denied, the City will proceed as outlined herein.

**REQUIREMENTS FOR QUALIFICATION STATEMENT SUBMITTALS**

**General Instructions**

This document and related information will be available for download on March 13, 2019 via [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us) (from Home Page, select Doing Business tab, select Bids & Proposals, select project link under RFQ/RFP). The Statement of Qualifications must be received on or before 2:00 p.m., Local Time, **March 27, 2019**. SOQs received after this deadline will not be opened and will be returned unopened. The SOQ must be addressed and submitted to:

**By Mail / Delivery**
Steve Adams, P.E.
City of Wilsonville
Mailing/ Street address:
29799 SW Town Center Loop East
Wilsonville, Oregon 97070
RE: 7053 – Belnap Court and Morey Court Outfalls Restoration

The box or envelope must be clearly labeled as “Statement of Qualifications - Belnap Court and Morey Court Outfalls Restoration. **Three (3) copies** of the SOQ are required. SOQs will not be opened publicly. The City will publish a list of respondents submitting SOQs and will distribute, via mail or fax, the list to all respondents within one (1) business day of the close of the SOQ submittal process.

No interpretation or clarification of the meaning of any part of the RFQ will be made orally by the City to any potential respondent. Requests for interpretation or clarification by any respondent must be made in writing to Mr. Steve Adams at the referenced address. Responses to requests for information will be provided to all recipients of the RFQ. Any and all such interpretations and supplemental instructions will be made in the
form of written addenda that will be sent to all recipients of the RFQ and will become part of the RFQ. Any requested changes or clarifications to the SOQ must be received in writing by Mr. Steve Adams no later than 5:00 p.m., Local Time, on March 15, 2019.

Intent to Submit:
All contractors intending to submit a Statement of Qualifications shall submit applicable contact information to Candi Garrett via email at garrett@ci.wilsonville.or.us or via telephone at 503-682-4960 no later than 5:00 p.m. on March 22, 2019. An RFQ Holder’s List will be posted on the website by March 25, 2019.

SOQ Submittal Content and Organization

The Statement of Qualifications must be separated into sections as follows:

1. Construction Firm(s)
2. Management and Construction Experience
3. Equipment List
4. Financial Information and Capacity
5. Public Works Contract Experience
6. Authorized Employee
7. Affidavit

Narrative and attachment pages are to be 8 ½ inches by 11 inches, and shall be bound in to one volume with the Statement of Qualification application. A clear and concise presentation of information is encouraged with a cover letter signed by an authorized employee representative of the Respondent. Information to include:

Section 1 - Construction Firm(s)

The SOQ shall provide a brief description of the Respondent’s firm. The description should include the type of contractor, type of work performed, size of the company, and general operating practices. Include a description or an organization chart showing the roles, responsibilities and reporting relationships of key employees.

The SOQ should also provide a brief description of the proposed sub-contractors to be used in the project. The information should include the type of work performed and experience working with the Respondent, and reporting relationships.

Section 1 Requirements

1.1 Brief description of the General Contractor’s firm
1.2 Brief description of the proposed sub-contractors (if any).
Section 2 –Management and Construction Experience

SOQ’s shall include examples of previous urban, stormwater outfall projects of similar scope, type, contract value, and schedule undertaken by the Respondent and completed for local government agencies.

For the Respondent to be considered as a contractor for this project, a minimum of three (3) publicly funded projects successfully completed within the last five (5) years must have been for contract amounts of $500,000 or more for local government agencies. (A Respondent may list additional years of experience in other types of work or as a sub-contractor, but only after listing experience to show that the minimum requirement is met.)

The SOQ shall identify one or more individuals in the Respondent’s proposed firm who held responsible positions on each cited example and explains the position. The statement should also include owner, architect/engineering firm references for each project cited, including address, phone, and fax numbers.

For the Respondent to be considered for acceptance as a contractor for this project, the Respondent must demonstrate a minimum of three (3) consecutive years’ experience as a general contractor in successfully executing work of the type specified. A Respondent may list additional years of experience in other types of work or as a sub-contractor, but these years must be in addition to the minimum number of years required as a general contractor on work similar to this project and must be listed after the minimum specified experience as a general contractor.

The Respondent shall list the company’s and its owner’s relevant construction experience. The principal contact person shall be clearly identified in this section, including, address, phone number, fax number, and email address.

Section 2 Requirements

2.1 Classes of work.
2.2 Anticipated major sub-contractors.
2.3 List ten major projects Respondent has undertaken in the last five years.
2.4 How many years has Respondent been in business under present name?
2.5 How many years experience in construction work has Respondent had?
2.6 Indicate Respondent’s principal contact person for this application.
2.7 What is the construction experience of all owners, etc., in Respondent’s organization?
2.6 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes.
2.7 What is the construction experience of all owners, etc., in Respondent’s organization?
2.8 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes.
Section 3 - Equipment List

Section 3 Requirements

3.1 List Equipment owned by applicant.
3.2 Does applicant intend to rent equipment? If so, provide a general description.

Section 4 - Financial Information and Capacity

NOTE: Evidence of bonding capacity and either Minimum or Detailed Financial information must be submitted by the Respondent to be considered for acceptance.

The SOQ shall include evidence that the Respondent’s current surety bonding capacity is equal to or in excess of $800,000 for the Belnap Court and Morey Court Outfalls Restoration project. This evidence may be in the form of a letter from a licensed bonding company or from an agent representing such a company.

The qualification statement shall indicate the firm’s form of business: single entity, joint venture, and association of contractors or other. The qualification statement shall also list other financial interests in the company.

A minimum or a detailed financial report from the Respondent is required for consideration of acceptance for this project. See the “Summary of Prequalification Comparable Project Requirements” attached to this RFQ.

If Minimum Financials are required:

Minimum financial report attachments should include: a Letter of Credit, a bank reference and credit references.

If Detailed Financials are required:

Detailed financial report attachments should include a copy of the Respondent’s annual financial statement, audited if available, for the most recent three (3) years, and the quarterly updates since the most recent annual financial statement. If the Respondent is a joint venture, the statement should include similar information for each member of the joint venture. If the Respondent is not a public company, this financial information will be held in confidence and the City Attorney, City’s Finance Director, and/or the Assistant City Engineer will examine it. If this information is to be held as confidential, please include it in a second sealed envelope clearly marked as such.

Section 4 Requirements

4.1 Indicate the total amount of work, expressed in dollars, which the applicant can be bonded for at one time.
4.2 Indicate the firm’s form of business.
4.3 List those individuals, companies or corporations owning 10% or more of applicant's firm.

4.4 List any organization, owned or controlled by the applicant, its officers, directors, partners and anyone owning at least 10% interest in the firm, or in which the applicant was or is an officer, director, partner, doing business in Oregon under another name.

4.5 List all other personnel in applicant's organization who have a financial interest in or serve as officers or partners in another firm pre-qualified to bid in this or another state.

Section 5 - Public Works Contract Experience

The Respondent shall list the company's experience with regards to fulfilling public works contracts.

The qualification statement should also disclose any unpaid judgments against the Respondent and/or any disputed or unadjudicated claims in excess of $5,000. If the Respondent is not a public company, this information will be held in confidence and the City Attorney, City's Finance Director, and/or the Assistant City Engineer will examine it. If this information is to be held as confidential, please include it in a second sealed envelope clearly marked as such.

Section 5 Requirements

5.1 Is your firm currently certified by the State of Oregon as a Disadvantaged Business Enterprise (DBE)?
5.2 Have you ever been denied qualification by any state, local or federal agency in this or any other state?
5.3 Have you ever been debarred from bidding on contracts by any state, local or federal agency in this or any other state under any State Law or Federal Law?
5.4 Has any officer or partner of the applicant ever applied for qualification or Public Works contract with the City of Wilsonville under a different name?
5.5 Has the applicant ever failed to complete a state, local or federal public improvement (works) contract?
5.6 Has any officer or partner of the applicant ever been found in breach of a local, state or federal contract?
5.7 Does the Respondent have any unpaid judgments and/or unadjudicated claims in excess of $5,000?

Section 6 - Authorized Employee Representative of the Respondent

By submitting a Statement of Qualifications for the Project, Respondent expressly represents that they have taken no exception to any term, condition, obligation or requirement of the RFQ that is not clearly and expressly stated in their SOQ.
Respondents further represent that they are an Authorized Employee Representative of the Respondent and will report immediately to the City in writing any errors, inconsistencies, ambiguities, terms that limit competition, or terms that are otherwise unlawful that they discover in the RFQ.

Section 7 – Affidavit

Fill out appropriate sections.

AFFIDAVIT:

STATE )
OF ______________ )
ss.
County of ______________

I, ________________________________ being first sworn, state that I am ________________________________ (Title) of the applicant herein and that the statements made in this application are true and I acknowledge that any false, deceptive or fraudulent statements on the application or at a hearing will result in the denial of qualification, and may subject me to charges of false swearing or perjury; should there be any subsequent material reduction in applicant's ability to carry out any project for which applicant desires to submit a bid; applicant will give written notice of such change to the designated officer to whom this application is submitted at least ten days prior to the bid opening and that it is understood that such notice may change the eligibility of applicant to submit the bid.

______________________________            ________________________________
Original Signature                      Title

Subscribed and sworn to before me this _____ day of __________, 2019

______________________________
Original Notary Public Signature

My commission expires _____________