

SOUTHERN OREGON UNIVERSITY

REQUEST FOR PROPOSAL (RFP) **RFP 2021-22**

ADMINISTRATOR: Southern Oregon University
PHONE: (541) 552-6700
FAX: (541) 552-6138

Britt Hall **Building Commissioning Services**

ISSUE DATE: February 8, 2021
RFP DUE DATE: February 25, 2021 **3:00 PM**

Web Viewers Note: There may be attachments to this RFP.
Please contact the Procurement Analyst listed to obtain any necessary attachments.

NO ORAL PROPOSALS WILL BE ACCEPTED

NO LATE PROPOSALS WILL BE ACCEPTED

Preferred Submittal Location:

<https://sou.bonfirehub.com/portal>

Alternative Submittal Location:

Southern Oregon University
Service Center, Susanne Homes
1250 Siskiyou Blvd
Ashland, OR 97520
Phone: (541) 552-6700

SCHEDULE OF EVENTS

Request for Proposal Issue Date	Feb 8, 2021
Deadline for Protest of Proposal Specifications And Requests for Clarification	Feb 12, 2021
Optional Site Walk-Through (Britt Hall, 1170 Siskiyou Boulevard, Ashland, OR - job trailer)	Feb 16, 2021 1:00 PM
Deadline for Questions/Clarification Requests	Feb 19, 2021 3:00 PM
SOU Response to Questions	Feb 22, 2021 3:00 PM
Proposal Due Date	Feb 25, 2021 3:00 PM
Tentative dates to complete commissioning services and issue a final report	Mar 1 – July 1, 2021

Any changes to schedule dates will be posted on the website
<https://sou.bonfirehub.com/portal>

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I. INTRODUCTION AND BACKGROUND

Project Overview

Southern Oregon University (SOU) began as Ashland Academy in 1872, and today serves as a regional University and center for education, culture and scholarship. The main campus is located in Ashland, Oregon, combining quality education with a spectacular location. Surrounded by rugged mountains, rivers, and lakes, the beautiful 175-acre campus is home to 6,100 students from around the world.

SOU is a four-year public university specializing in liberal arts, sciences, and select graduate and professional programs. Our faculty and staff create a dynamic environment that engages students in the process of learning. Our strong commitment to each student provides a personalized approach that is both academically challenging and personally supportive. Our rich liberal arts and sciences curriculum is balanced with career-focused preparation. With 100 areas of study including 35 majors, we are committed to making the educational experience unique and enriching for all of our students.

SOU's values are reflected in our mission statement:

Southern Oregon University is a regionally-engaged learning community committed to being the educational provider of choice for learners throughout their lives. We inspire curiosity and creativity, compel critical thinking, foster discovery, and cultivate bold ideas and actions. We achieve student success, professional preparation, and civic engagement through service excellence, evolving technologies, and innovative curriculum. We foster access, equity, inclusion and diversity in thought and practice. We prepare our learners to be responsible, engaged citizens in our democracy. We promote economic vitality, sustainability, cultural enrichment, and social well-being in our region, the state, the nation, and the world.

SOU is committed to sustainability and it is integral to all we do.

Building Description

Britt Hall is an academic building containing approximately 50,000 square feet of interior space on three floors. The original Britt Hall was constructed in 1935, with major additions and renovations in the 1950's and 1970's. Britt Hall is the current home to the SOU/OHSU School of Nursing, the SOU Department of Communications, and SOU administrative services offices.

SOU began a major renovation of Britt Hall in April 2020. The work scope included structural/seismic upgrades, complete replacement of the mechanical, electrical, plumbing and electrical systems, and a complete interior remodel at the ground floor. The project also includes new life-safety systems and correction of ADA deficiencies. Approximately 30% of the Britt square footage is shelled space awaiting future tenant improvements. Construction of the current construction phase is scheduled to be complete by the end of June 2021.

Specifications for Commissioning Services

SOU requests proposals from experienced, qualified firms or individuals to provide building commissioning (Cx) services at Britt Hall. The required services will focus on the HVAC systems and building energy monitoring.

HVAC Systems Description

Britt Hall is connected to the central campus low-pressure steam and chilled water systems. Mechanical drawings are attached to this RFP (Attachment B). New mechanical work in the building includes:

- New steam-to-hot water converter
- Two new chilled water pumps
- Six new air handlers
- Approximately 21 new 4-pipe VAV boxes and fan coil units
- All new ductwork
- 3 mini-split systems
- New Delta DDC controls system

Energy Monitoring

The following energy systems will be metered and monitored at the building level:

- domestic water usage
- electricity usage
- low-pressure steam usage
- chilled water usage

LEED-EBOM Certification

SOU is pursuing LEED-EBOM (Existing Building Operations & Maintenance) certification for Britt Hall. In addition to standard HVAC commissioning services, the Cx selected under this RFP will assist SOU with the set-up for ongoing LEED monitoring & reporting.

RFP Attachments

Attachment A is the Proposer certification form that needs to be filled out, signed and submitted as part of the Proposal. The current mechanical drawings are appended to this RFP as Attachment B. A sample SOU professional services agreement is also included as Attachment C. This agreement will form the contract between SOU and the consultant. If you are unable to comply with these terms and conditions without any material modifications, then you should not submit a Proposal for this Project.

II. MINIMUM SPECIFICATIONS

OBJECTIVES OF COMMISSIONING IN GENERAL

The objective of commissioning is to provide documented confirmation that a facility fulfills the functional and performance requirements of the building owners, occupants, and operators. To reach this goal, it is necessary for the commissioning process to confirm the owners' criteria for system function, performance, and maintainability; and also to verify and document compliance with these criteria throughout construction, start-up, and the initial period of operation. In addition, complete operation and maintenance (O&M) manuals, as well as training on system operation, are provided to the building operators to ensure the building continues to operate as

intended. The commissioning provider (“CP”) will review and comment on both the O&M manuals and the training materials, so that any necessary modifications and clarification can be made prior to their use.

The CP will be involved during construction, start-up, and warranty phases. The CP will develop detailed commissioning specifications to ensure systems meet the owners’ objectives. During construction, the CP reviews the testing plan and its execution, which include some observation of system performance and review of contractor-prepared documentation for all systems’ performance to ensure that all equipment, features, and systems are functioning in accordance with the owners’ project requirements and the contract documents. The CP is not responsible for general construction scheduling, cost estimating, or construction management, but assists the owners with problem solving or resolving non-conformance issues or deficiencies.

Initial Commissioning Tasks – (March 2021)

1. Become familiar with the Construction Documents.
2. Develop Commissioning Plan. The Commissioning Plan shall include the following:
 - A brief overview of the commissioning process to be employed on the Project
 - A list of all equipment, features, and systems to be commissioned
 - Identification of primary commissioning participants and their responsibilities
 - A description of the management, communication, and reporting functions to be performed in implementing the Commissioning Plan
 - A detailed outline of the commissioning process and scope, including submittal review, observation, development of functional test procedures, start-up, functional performance testing, deficiency reporting and resolution processes, training, O&M documentation and warranty-period activities
 - A list of the written work products to be delivered to Owners
 - A performance schedule covering all commissioning activities
 - A description of the rigor and scope of testing to be performed
3. Prepare the commissioning specifications. Commissioning specifications shall include the following:
 - The scope of commissioning to be performed, and by whom
 - The equipment, features, and systems to be commissioned
 - Requirements for commissioning-related submittal review, inspection, development of functional test procedures, start-up, functional performance testing, training, O&M documentation and warranty period activities, commissioning documentation requirements, commissioning activity performance schedule, and rigor and scope of testing.
4. Attend construction for a pre-commissioning meeting (via ZOOM) to answer commissioning-related questions.

Construction Completion Phase (April-June 2021)

1. Review the progress of the commissioning activities. Verify that commissioning activities are being performed in accordance with the Commissioning Plan and the Construction Documents, in a logical, sequential and efficient manner using consistent protocols and forms, centralized documentation, clear and regular communications and consultations with all necessary parties (including but not limited to, the Owners, architect, engineer of

record, general contractor, and subcontractors as appropriate), frequently-update timelines and schedules, and with competent technical expertise.

2. Coordinate the performance of commissioning activities with the contractors, ensuring that all commissioning activities are being incorporated into the master construction schedule.
3. Revise, as necessary, the Commissioning Plan developed during design, including scope and schedule. Submit each revised Commissioning Plan for Owners' approval.
4. Preside at commissioning meetings, and record all commissioning meeting minutes.
5. Review information required to perform commissioning tasks, including O&M materials, functional test plans, start-up and checkout procedures. Before startup, review the detailed testing procedures with the Owner and contractors.
6. Review all submittals pertaining to equipment, features, and systems being commissioned for compliance with commissioning requirements. Provide timely review comments to the Owner and design team.
7. Review requests for information and change orders for impact on commissioning schedule and activities, and provide feedback as necessary.
8. Review construction checklists for commissioned equipment, features, and systems (checklists to be filled out by the contractors).
9. Develop selected functional performance tests to demonstrate each commissioned system meets the performance requirements.
10. Perform site visits as required to observe commissioned equipment, component, and system installations. Attend selected planning and job-site meetings to obtain information on construction progress. Review construction meeting minutes for revisions/substitutions relating to or affecting the commissioning process. Assist Owners in resolving any discrepancies.
11. Review reports for HVAC piping pressure test and flushing, to confirm that proper procedures were followed. Include all testing documentation in the Commissioning Report.
12. Review reports of any ductwork testing and cleaning to confirm that proper procedures were followed. Include all documentation in the Commissioning Report.
13. Document construction completion relating to commissioned equipment, component, and system installation by reviewing completed construction checklists and by selected on-site observation.
14. Document equipment and systems startup by reviewing start-up reports and by selected on-site observation.
15. Review completed air and water systems balancing reports and by selected on-site observation.
16. Selectively observe contractors' start-up and initial systems checkout procedures and review completed start-up/checkout documents.
17. Analyze functional performance trend logs and monitoring data to verify proper performance of all commissioned equipment, systems, and components.
18. Witness (by on-site observation) manual functional performance tests performed by installing contractors. Review reported test results, and request contractor to order retesting as necessary until satisfactory performance is achieved. The functional testing shall include operating the system and components through each of the written sequences of operation, and other significant modes and sequences, including startup,

shutdown, unoccupied mode, manual mode, staging, miscellaneous alarms, power failure, security alarm when impacted, and interlocks with other systems or equipment. Sensors and actuators shall be calibrated during construction check listing by the installing contractors, and spot-checked by the CP during functional testing. Tests on respective HVAC equipment shall be executed, if possible, during both the heating and cooling season. However, some overwriting of control values to simulate conditions shall be allowed. Functional testing shall be done using conventional manual methods, control system trend logs, and read-outs or stand-alone data loggers, as deemed appropriate by the CP and SOU.

19. Maintain a master commissioning issues log and a separate record of all functional performance testing. Report all issues as they occur directly to the Owner, design team and contractor. Provide written commissioning progress reports and test results, together with recommended actions.
20. Review the contractor-prepared O&M manuals for commissioned equipment, features, and systems for compliance with manufacturer specifications.
21. Compile a Commissioning Report, which shall include:
 - A brief summary report that includes a list of all commissioned equipment, features and systems, and the CP's evaluation of compliance/non-compliance with the requirements of the Construction Documents. The evaluation for each commissioned item of equipment, feature and system shall be determined based on the following criteria:
 - Meeting Design Intent
 - Meeting specifications
 - Proper Installation
 - Functional Performance and Efficiency
 - Proper O&M Documentation
 - Proper Operator Training Manual provisions
 - All outstanding non-compliance items shall be specifically listed. Recommendations for improvement to equipment, features, systems, or operations, future actions, commissioning process changes, etc. shall also be listed. Each non-compliance issue shall be referenced to the specific functional test, inspection, trend log, etc. where the deficiency is documented.
 - Also included in the Commissioning Report shall be the issues log, commissioning plan, commissioning progress reports, O&M manual reviews, comments, and recommendations, operating personnel training plan and records, performance test schedules, construction checklists, start-up reports, functional tests, and trend log analysis.

Warranty Period (June 2021-May 2022)

1. Coordinate and observe required opposite season or deferred testing and deficiency corrections, and provide the final testing documentation for the Commissioning Record and O&M manuals.
2. Return to the Project site at 4 months after start-up and at 10 months into the 12-month warranty period and review with Owners' Authorized Representatives, the current building operation and issues, if any, concerning the original or seasonal re-commissioning. Make suggestions to Owners for improvements and for recording these

changes in the O&M manuals. Identify issues that may be covered by warranty or are addressed in the original construction contract.

PROJECT TEAM

Owner: Southern Oregon University
Architect: KSW Architects, Ashland OR
Mechanical Engineer: Arc Sine Engineers, Medford OR
Plumbing Engineer: Arc Sine Engineers, Medford OR
Electrical Engineer: Arc Sine Engineers, Medford OR
Structural Engineer: KPFF Engineering, Portland OR
General Contractor: Vitus Construction Inc., Gold Hill OR
Mechanical Contractor: Smith Air & Metal, Jacksonville OR
Plumbing Contractor: Van Row Mechanical, Medford, OR
Electrical Contractor: Infinity Electrical Contractors, Medford, OR
Controls Contractor: Delta Connects, Durham, OR

SYSTEMS TO BE COMMISSIONED

The following systems and assemblies (including all associated equipment, features and components) will be commissioned:

- All HVAC systems, including fire and life safety functions
- Central building automation system
- Building energy metering (electricity, domestic water, low-pressure steam, chilled water)

COMMISSIONING PROVIDER MINIMUM QUALIFICATIONS

It is the Owner's desire for the person designated as the Commissioning Provider's project leader to satisfy the following requirements:

- Has acted as Commissioning Provider project leader for at least three (3) similar projects
- Has extensive experience (minimum five (5) years) in the operation and troubleshooting of HVAC systems and energy-management control systems
- Is knowledgeable in building operation and maintenance, as well as O&M training
- Is knowledgeable in testing and balancing of both air and water systems
- Has experience commissioning laboratories.
- Is experienced in energy-efficient equipment design and control strategy optimization
- Has direct experience in monitoring and analyzing system operation using energy-management control system trending and stand-alone data logging equipment
- Has excellent verbal and written communication skills; is highly organized and able to work with both management and trade contractors
- Is experienced in writing commissioning specifications
- Membership with the Building Commissioning Association will be considered a plus

III. SUBMITTAL REQUIREMENTS

PROPOSAL FORMAT: The Proposal must follow the format outlined below in numerical order, and must be limited to **no more than 10 single sided 8.5 x 11 inch pages** including pictures, charts, graphs and text that the proposing firm deems appropriate in the proposal. The narrative text font should be no smaller than 10 point and in a style that is easy to read. The front and back cover, tab pages, Proposer Certification (Exhibit A) and resumes of key personnel are exempted from the 10-page limit.

SUBMITTAL CRITERIA: Respondents will be evaluated based on the following criteria. Please structure your proposal to follow the format outlined below in numerical order.

Tab 1 – Transmittal Letter

Provide a cover letter including phone number and email address of a person to answer inquiries about the Proposal. The cover letter must be signed in ink by an officer of the company with authority to commit the firm. (Weight: 0 points)

Tab 2 – Proposer Certification

Provide a completed and signed “Proposer Certification” document (Exhibit A). (Weight: 0 points)

Tab 3 – Firm Information and Comparable Project History

Provide a brief description of your firm. Provide information for at least (3) comparable projects your firm has completed that are similar to this project. Include contact information (Project Owner) for each project listed. Indicate if your firm is a registered MWESB. (Weight: 30 points)

Tab 4 – Proposed Staff Qualifications

List the names of all staff who will be “hands on” doing work on this project. Provide a brief education background and recent work history for the proposed staff. Indicate relevant professional certifications or accreditations. Resume(s) may be attached to the back of the submittal and will not count in the (10) page limit. (Weight: 30 points)

Tab 5 – Fee Proposal

Submit a fee proposal for the work described above. Include a description of all anticipated reimbursable expenses and a not-to-exceed budget for reimbursable expenses. Attach a schedule of hourly rates for staff to be assigned to this project. Clearly identify any exclusions or qualifications in your fee proposal. (Weight: 30 points)

Tab 6 – References

Provide the names, addresses, emails, and phone numbers of three clients, as references for your firm's qualification for this Project (no SOU references permitted). These references should be from Owners of completed projects that are comparable in size and scope to this project. Please verify that the contact information is current and that the individuals identified have had direct involvement with the referenced project. SOU may

also check with other reliable sources who can provide information on the respective firm. (Weight: 10 points).

Project Term

The term for the contract awarded pursuant to this Request for Proposal (RFP) shall be for a period effective from the date of contract execution and extending until completion of the project as detailed herein. SOU, at its sole discretion, may choose to amend any ensuing contract for additional work.

Technical Contacts:

Email technical questions to sou-rfp@sou.edu

or

Fax technical questions to (541) 552-6138; be sure to reference RFP #2021-22 on your fax cover sheet

SOUTHERN OREGON UNIVERSITY INSTRUCTIONS TO PROPOSERS

All proposals are subject to the provisions and requirements of the applicable Oregon Revised Statutes, Oregon Administrative Rules, and Southern Oregon University Policies.

PROPOSAL PREPARATION

PROPOSAL FORMAT: Proposals must be typewritten or prepared in ink and must be submitted as detailed on pages 10-11 of this RFP and including the Proposer Certification. Proposals may be submitted in writing to the SOU Service Center via e-mail, mail, or in person. Proposals may also be submitted on Bonfire: <https://sou.bonfirehub.com/portal>.

NO ORAL OR FACSIMILE PROPOSALS WILL BE ACCEPTED.

CONFORMANCE TO PROPOSAL REQUIREMENTS: Proposals must conform to the requirements of the Request for Proposal. . Proposal prices must also reflect consideration of all terms and conditions contained in the Request for Proposal, including, but not limited to, the Southern Oregon University Standard Contract Provisions for Goods and Services Contract. Failure to comply with all requirements may result in proposal rejection.

ADDENDA: Only documents issued as addenda by the SOU Service Center serve to change the RFP in any way. No other direction received by the proposer, written or verbal, serves to change the RFP document. NOTE: IF YOU HAVE SUBMITTED A PROPOSAL, YOU SHOULD CONSULT THE BONFIRE WEBSITE TO ASSURE THAT YOU HAVE NOT MISSED ANY ADDENDA ANNOUNCEMENTS. PROPOSERS ARE NOT REQUIRED TO RETURN ADDENDA WITH THEIR PROPOSAL. HOWEVER, PROPOSERS ARE RESPONSIBLE TO MAKE THEMSELVES AWARE OF, OBTAIN AND INCORPORATE ANY CHANGES MADE IN ANY ADDENDA ISSUED, AND TO INCORPORATE ANY CHANGES MADE BY ADDENDUM INTO THEIR FINAL PROPOSAL. FAILURE TO

DO SO MAY, IN EFFECT, MAKE THE PROPOSER'S PROPOSAL NON-RESPONSIVE, WHICH MAY CAUSE THE PROPOSER'S PROPOSAL TO BE REJECTED.

PRODUCT IDENTIFICATION: SOU reserves the right to reject any proposal when the information submitted with the proposal is incomplete.

DELINQUENT OREGON TAXES: Proposers must certify, under penalty of perjury, that they are not in violation of any Oregon tax laws. No contract for the purchase of goods and/or services will be awarded to a proposer who cannot so certify.

DEVIATIONS: Any deviation from proposal specifications, terms and conditions may result in proposal rejection.

SIGNATURE ON PROPOSAL: The Proposer Certifications must be signed in ink by an authorized representative of the proposer. Signature on these documents certifies that the proposal is made without connection with any person, firm or corporation making a proposal for the same goods and/or services and is in all respects fair and without collusion or fraud.

Signature on these documents also certifies that the proposer has read, fully understands, and agrees to be bound by the Request for Proposal, which includes the SOU procurement policies, Instructions to Proposers, Southern Oregon University's Standard Contract Provisions, and all Attachments and Addenda to the Request for Proposal. No consideration will be given to any claim resulting from proposing without comprehending all requirements of the Request for Proposal.

PROPOSAL MODIFICATION: Modifications or erasures made before proposal submission should be initialed in ink by the person signing the proposal. Proposals, once submitted, may be modified in writing before the time and date set for proposal closing. Any modifications should be prepared on company letterhead, signed by an authorized representative, and state that the new document supersedes or modifies the prior proposal. Proposers may not modify proposals after proposal closing time.

PROPOSAL WITHDRAWALS: Proposals may be withdrawn in writing on company letterhead signed by an authorized representative and received by the SOU Service Center prior to proposal closing time. Proposals may also be withdrawn in person before proposal closing time upon presentation of appropriate identification.

CANCELLATION: SOU reserves the right to cancel or postpone this RFP at any time or to award no contract and to do so for any reason.

PROTEST OF PROPOSAL SPECIFICATIONS AND REQUESTS FOR CLARIFICATION: A proposer who believes proposal specifications are unnecessarily restrictive or limit competition may submit a protest, in writing, to the SOU representative identified below. A proposer who does not understand the proposal specifications may also submit a request for clarification, in writing, to the SOU representative identified below. To be considered, protests and requests for clarification should be submitted via email, facsimile, or in person to the SOU representative identified below, and they must be received by the SOU representative at least two days before the proposal closing date (ten days if the proposal is for a public improvement), unless otherwise specified in the proposal document.

No information obtained in any conversation with any SOU personnel will serve to change the requirements of the RFP.

The purpose of the period for protests and requests for clarification is to permit SOU to correct specifications, prior to the opening of proposals. This period allows SOU to make needed corrections through the issuance of addenda, prior to the opening of proposals. SOU will consider all properly made protests and requests for clarification, and, if appropriate, amend the RFP.

Protests or requests for clarification submitted to anyone other than the SOU representative listed below may not be considered. SOU is not responsible for any protests or requests that are not submitted by the due date and time specified in the Schedule of Events. Protests should be marked as follows:

Proposal Specification Protest for RFP #2021-22, Closing Date: (February 25, 2021 3:00 PM)

Submit Protests and Requests for Clarification to:

Southern Oregon University
Service Center, Susanne Homes
1250 Siskiyou Blvd
Ashland, OR 97520
E-Mail: sou-rfp@sou.edu
Voice: (541) 552-6700
Fax: (541) 552-6138

REQUIRED SUBMITTALS: It is the proposer's sole responsibility to submit information in fulfillment of the requirements of this Request for Proposal. If pertinent information or required submittals are not included within the proposal, it may cause the proposal to be rejected or have an adverse impact on evaluation.

PROPOSAL SUBMISSION: Proposals may be submitted to the SOU Service Center in one of the following methods. No oral or telephone quotes will be accepted.

Preferred Method. Complete proposals (including all attachments) may be submitted online at <https://sou.bonfirehub.com/portal>. The proposals must be electronically received by the Closing Date and Time indicated by the Schedule of Events.

Alternative Method. An original and electronic copy (on alternative electronic storage device) of the complete proposal may be mailed or hand-delivered to the SOU Service Center per the contact information provided below prior to the Closing Date and Time indicated by the Schedule of Events. The envelope/package containing the response must be clearly marked "**Response to RFP #2021-22.**"

The original proposal must be signed by an authorized representative of the proposer. Alterations or erasures shall be initialed in ink by the person signing the proposal. Proposals may not be submitted by telephone or fax.

It is the responsibility of the proposer to ensure that proposals arrive by the Closing Date and Time. **LATE PROPOSALS WILL NOT BE ACCEPTED.** Proposals may be hand delivered, or mailed to:

Hand Delivery: *(Including UPS, FEDEX)*

Southern Oregon University
Service Center
1250 Siskiyou Boulevard
Susanne Homes

Ashland, Oregon 97520

Mailing Address:

Service Center
Southern Oregon University
1250 Siskiyou Boulevard
Ashland, Oregon 97520

SOU shall not be responsible for identifying or considering any proposal not properly marked and not submitted in a timely manner.

PROPOSAL OPENING: Proposals will be opened at the scheduled opening time at SOU Service Center (unless otherwise specified), 1250 Siskiyou Blvd, Susanne Homes, Ashland, OR. Proposers may be present; however, award decisions will not be made at the opening. Only names of those companies that submitted proposals will be announced.

PROPOSAL EVALUATION AND AWARD

EVALUATION PROCESS: Proposals will be awarded based upon the evaluation criteria in the Request for Proposal and in applicable SOU Policies and Oregon Administrative Rules.

Ordinarily, proposals will be evaluated to identify the "highest rated responsive responsible proposer." The "highest rated responsive responsible proposer" is the proposer who has substantially complied with all requirements of the Request for Proposal and who can be expected to deliver promptly and perform reliably.

However, SOU may engage in the Negotiations process, the Low Tie Proposals process, or other processes identified in the applicable SOU Policies and Oregon Administrative Rules to determine the contract award.

If a contract is awarded, SOU will issue a Professional Services Contract (PSC) that incorporates the RFP terms and conditions and proposer's Proposal Form with Price Sheet and Proposer's Certifications.

The stages of review and evaluation are as follows:

- a. **Determination of Responsiveness:**
SOU will first review all accepted proposals to determine Responsiveness. Proposals that do not comply with the instructions or are incomplete may be deemed non-Responsive. Written notice will be sent to proposers whose proposal is deemed non-Responsive identifying the reason. A proposer has the right to appeal the decision pursuant to SOU's Procurement and Contracting Code (FAD.057 (580-061)).
- b. **First Stage Evaluation:**
SOU may request in writing additional information from all qualified proposers prior to completing the first stage evaluation.

Those proposals determined to be Responsive will be evaluated using the requirements identified in Section II Minimum Specifications, above at pages 5-7. Proposals will be scored based on the evaluation criteria listed below. Scores will be used to determine proposers within a competitive range. The competitive range will be made of proposers whose individual scores, when viewed together, form a group of the highest ranked proposers above a natural break in the scores.

SOU may award after the first stage evaluation to the highest ranked proposer without moving on to the second stage evaluation. If this option is selected, Written Notice of Intent to Award the Contract to the highest ranked proposer will be provided to all Responsive Proposers, or an award may be made directly without a notice of intent in those instances of a single Responsive Proposer.

- c. **Second Stage Evaluation:**
If an award is not made after the first stage evaluation, SOU may choose any of the following methods in which to proceed:
 - i. Issue a Written Invitation to Proposers within the competitive range requesting an interview, presentation, site visit or any other evaluative method that is relevant to the goods or services solicited in the Request for Proposal. SOU may also request in writing additional information from any or all proposers in the competitive range through the

written invitation. Written invitations will contain the evaluation criteria and scoring that will be used by the evaluation committee.

- ii. Engage in oral or written discussions with and receive best and final proposals from all proposers in the competitive range or all proposers submitting responsive proposals. Discussions may be conducted for the following purposes:
 - Informing proposers of deficiencies in their initial proposals;
 - Notifying proposers of parts of their proposals for which SOU would like additional information; or
 - Otherwise allowing proposers to develop revised proposals that will allow SOU to obtain the best proposal based on the requirements set forth in this Request for Proposal.

The conditions, terms, or price of the proposal may be altered or otherwise changed during the course of the discussions provided the changes are within the scope of the Request for Proposal. Best and final proposals will be scored based on the evaluation criteria listed below. Points awarded in the first stage evaluation will not be carried to the second stage evaluation. Contract will be awarded to the proposer who, in SOU's opinion, best meets the requirements and qualifications of the RFP and SOU's needs.

d. Additional Stages of Evaluation:

If after completion of the second stage evaluation an award is not made, SOU may add another stage of evaluation using any of the methods outlined in the second stage evaluation above.

EVALUATION CRITERIA: Points will be given in each criterion and a total score will be determined. The maximum points available for each criterion are identified below.

<u>Evaluation Criteria</u>	<u>Points</u>
Company History and Comparable Projects	30
Staff qualifications, Experience and Certifications	30
Fee Proposal	30
<u>Client References</u>	<u>10</u>
Total	100

NEGOTIATIONS: SOU may commence serial negotiations with the highest ranked proposer or commence simultaneous negotiations with all eligible proposers. SOU may negotiate:

- a. The statement of work;
- b. The Contract price as it is affected by negotiating the statement of work; and
- c. Any other terms and conditions determined by SOU in its sole discretion to be reasonably related to those expressly authorized for negotiation.

Terms and conditions within the sample contract that are unrelated to the statement of work or Contract price may be negotiated after award, but before legal review or execution of the Contract. If a successful contract cannot be negotiated in a timely manner after award, SOU may conclude contract negotiations and rescind its award to that proposer and return to the most recent RFP stage to negotiate with another proposer for award.

PRIOR ACCEPTANCE OF DEFECTIVE PROPOSALS: Due to limited resources, SOU generally will not completely review or analyze proposal responses which on their faces fail to comply with the requirements of the proposal documents or which clearly are not the best proposals, nor will SOU

generally investigate the references or qualifications of those who submit such proposal responses. Therefore, neither the release of a proposer's proposal bond (if applicable), the return of a proposal response, nor acknowledgment that the selection is complete operates as a representation by SOU that an unsuccessful response was complete, sufficient, or lawful in any respect.

ADDITIONAL INSTRUCTIONS

DELIVERY: Significant delays in delivery of product or services specified may be considered in determining award if early delivery is required.

MANUFACTURERS' NAMES AND APPROVED EQUIVALENTS: Unless qualified by the provision "NO SUBSTITUTE," any manufacturers' names, trade name, brand names, information and/or catalogue numbers listed in a specification are for information and not intended to limit competition. Proposers may offer any brand for which they are an authorized representative which meets or exceeds the specification for any item(s). If proposals are based on equivalent products, indicate in the proposal form the manufacturers' name and number. Proposers shall submit with their proposal sketches, and descriptive literature, and/or complete specifications. Reference to literature submitted with a previous proposal will not satisfy this provision. Proposers shall also explain in detail the reason(s) why the proposed equivalent will meet the specifications and not be considered an exception thereto. Proposals that do not comply with these requirements are subject to rejection. Proposals lacking any written indication of intent to provide an alternate brand will be received and considered in complete compliance with the specification as listed in the RFP.

CASH DISCOUNTS: Cash discounts will not be considered for award purposes unless stated in the proposal documents.

PAYMENT: Proposals which require payment in less than 30 days after receipt of invoice or delivery of goods, whichever is later, may be rejected.

INVESTIGATION OF REFERENCES AND CONSIDERATION OF PAST PERFORMANCES: SOU reserves the right to investigate the references and the past performance of any proposer, including but not limited to the proposer's performance of similar services, compliance with specifications and contractual obligations, and its lawful payment of suppliers, sub-contractors, and workers. SOU may postpone the award or execution of the contract after the announcement of the apparent successful proposer in order to complete its investigation and may take the results of its investigation into account when conducting proposal evaluations. SOU reserves the right to reject any proposal response or to reject all proposal responses at any time prior to SOU's execution of contract if it is determined to be in the best interest of SOU to do so.

PROPOSALS ARE OFFERS: The proposal is the proposer's offer to enter into a Contract pursuant to the terms and conditions specified in the Request for Proposal, its Exhibits, and Addenda. The offer is binding on the proposer for one hundred twenty (120) days. SOU's award of the Contract constitutes acceptance of the offer and binds the proposer. The proposal must be a complete offer and fully Responsive to the Request for Proposal.

CONTINGENT PROPOSALS: Proposer shall not make its proposal contingent upon SOU's acceptance of specifications or contract terms that conflict with or are in addition to those in the Request for Proposal, its Exhibits, or Addenda.

METHOD OF AWARD: SOU reserves the right to make the award by item, groups of items, or entire proposal, whichever is in the best interest of SOU.

RIGHT TO REJECT: SOU may reject, in whole or in part, any proposal not in compliance with the Request for Proposal, Exhibits, or Addenda, if upon SOU's written finding that it is in the public interest to do so. SOU may reject all proposals for good cause, if upon SOU's written finding that it is in the public interest

to do so. Notification of rejection of all proposals, along with the good cause justification and finding of public interest, will be sent to all who submitted a proposal.

PROPOSAL RESULTS: Ordinarily, only proposers who receive awards will be notified of proposal results; unsuccessful proposers will not be notified.

Proposers may view tabulations of awarded proposals by requesting a copy of such from the SOU Service Center.

PUBLIC RECORD: Upon completion of the Request for Proposal process, information in your proposal will become subject records under the Oregon Public Records Law. Only those items considered a “trade secret” under ORS 192.345(2) may be exempt from disclosure. If a proposal contains what the proposer considers a “trade secret” the proposer must mark each sheet of information as such. Only bona fide trade secrets may be exempt and only if public interest does not require disclosure.

LEGAL REVIEW: Prior to execution of any Contract resulting from this Request for Proposal, the Contract may be reviewed by a qualified attorney for SOU pursuant to the applicable Oregon Revised Statutes, Oregon Administrative Rules, and SOU policies. Legal review may result in changes to the terms and conditions specified in the Request for Proposal, Exhibits, and Addenda.

PROTEST OF CONTRACTOR SELECTION, CONTRACT AWARD: Any proposer who feels adversely affected or aggrieved may submit a protest within three (3) business days after SOU issues a notice of intent to award a Contract. The protest must be clearly identified as a protest, identify the type and nature of the protest, and include the Request for Proposal number and title. The rules governing protests are at SOU’s Procurement and Contracting Code (FAD.057 (580-061)).