



RFP # 24386

Issued Date: 12/21/2010 OREGON DEPARTMENT OF TRANSPORTATION
REQUEST FOR PROPOSALS



PROPOSAL DUE DATE: January 24, 2011

TIME: 3:00 pm

RFP TITLE: EV Green Highway Charging Stations

CATEGORY: Equipment, Goods

BUYER/SINGLE POINT OF CONTACT: Jim Atkins

E-MAIL: Jim.Atkins@odot.state.or.us

FAX: (503)986-5790

Proposals must be submitted to the following address prior to the due date:

**OREGON DEPARTMENT OF TRANSPORTATION
PROCUREMENT OFFICE
455 AIRPORT RD. SE, BLDG. K
SALEM, OREGON 97301-5348**

A map is provided at Agency's Web Page: <http://www.oregon.gov/ODOT/CS/OPO/>

This solicitation document may be reviewed at the ODOT Procurement Office; 455 Airport Road SE, Bldg. K; Salem, OR 97301-5348 and is available on ORPIN at: <http://orpin.oregon.gov/open.dll/welcome>

Agency will not conduct a pre-proposal conference for this RFP but has participated in a workshop with stakeholders to further develop this RFP.

Electronic Files Linked or Attached to RFP. This RFP document must be viewed electronically to access files, forms, provisions or other documents that are attached electronically (shown as icons) or provided via hyperlinks from the Internet in this RFP. All files, forms, provisions or other documents attached electronically or linked from the Internet are incorporated in this RFP with the same force and effect as though fully set forth in this RFP.

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Attachment C (Sample Price Agreement) and its Exhibits are not physically attached but are incorporated into this RFP with the same force and effect as though fully set forth herein. Attachment C and its Exhibits are available for download from the advertisement for this RFP on the ORPIN Web site at: <http://orpin.oregon.gov/open.dll/welcome>

ATTACHMENT D – TECHNICAL SPECIFICATION FOR DC QUICK CHARGE

ATTACHMENT E – HOST SITE SPECIFICATIONS

The Sample Price Agreement includes terms, conditions and the following Exhibits:

- Exhibit A – Scope of Services
- Exhibit B – Compensation
- Exhibit C – Insurance
- Exhibit D – Influence and Debarment Provisions
- Exhibit E – Disadvantaged Business Enterprise (“DBE”) Required Provisions
- Exhibit F – Work Order Contract Assignment and Requirements
- Exhibit G – Performance Evaluation
- Exhibit H – Conflict of Interest Disclosure
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Section 1.0 SOLICITATION INFORMATION AND REQUIREMENTS

1.1 DEFINITIONS and SUMMARY OVERVIEW

1.1.1 DEFINITIONS

For purposes of this RFP:

Agency or ODOT - Oregon Department of Transportation

Contractor and Consultant - may be used interchangeably in this document and have the same meaning.

Days

- a) “calendar days” means any day appearing on the calendar, whether a weekday, weekend day, national holiday, State holiday or other day;
- b) “days” means calendar days; and
- c) “business days” means calendar days, excluding Saturdays, Sundays and all State holidays.

DC Quick Charging - A charging method that allows an EV to be connected to permanently wired EVSE with DC (Direct Current) charging connection to the vehicle with input power levels rated at 208 - 480VAC and a three-phase circuit.

EV - Electric Vehicle

EVSE - Electric Vehicle Supply Equipment

IEEE - Institute of Electrical and Electronics Engineers

NEC - National Electrical Code

NEMA – National Electrical Manufacturers Association

OAR - Oregon Administrative Rules

ODOT- Oregon Department of Transportation

ORS - Oregon Revised Statutes

PA - Price Agreement

Proposers - All firms submitting Proposals are referred to as Proposers in this document; after negotiations, an awarded Proposer will be designated as “Contractor” or “Consultant”.

RFP - Request for Proposal

SAE - Society of Automotive Engineers

Scope of Services - the general character and range of Services and supplies needed, the work's purpose and objectives, and an overview of the performance outcomes expected by Agency.

Services - the services to be performed under assigned Work Order Contracts.

Statement of Work - the specific provisions in the final Work Order Contract which set forth and define in detail (within the identified Scope of Services) the agreed-upon objectives, expectations, performance standards, Services, deliverables, schedule for delivery and other obligations.

UL - Underwriters Laboratories

VAC - Voltage Alternating Current

WSDOT-Washington Department of Transportation

Work Order Contract or WOC - the contract formed between Contractor and Agency by an executed work order. The executed WOC includes the Statement of Work for a specific project, method of compensation, not-to-exceed dollar amount, and incorporates required and applicable provisions of the PA. A sample WOC form (as may be revised from time to time) is available at the following link: <http://www.oregon.gov/ODOT/CS/OPO/docs/aepage/WOC.doc#wocform> .

1.1.2 SUMMARY OVERVIEW

The Oregon Department of Transportation (Agency) is seeking one or more contractor(s) to provide services related to siting, design, permitting, metering, monitoring, installing, training, operating, securing, and maintaining of Electric Vehicle Supply Equipment (EVSE) through Work Order Contracts (WOCs) issued under Price Agreement with the contractor(s) for those Services. Proposers responding to the RFP do so solely at their expense, and Agency is not responsible for any Proposer expenses associated with the RFP.

General Background Information:

In February of 2010, the Governors of Oregon, Washington and California and the Premier of British Columbia signed an agreement pledging to work toward building a "Green Highway" up and down Interstate 5. The plan envisions a day when there is sufficient charging infrastructure to drive an electric vehicle from British Columbia to Baja California.

ODOT is exploring ways to expand quick charge electric vehicle charging infrastructure to underserved areas of the State as part of a coordinated strategy through the Green Highway initiative. The Project is intended to complement similar efforts underway in Washington State.

ODOT intends to solicit proposals for deployment of quick charge stations at key publicly accessible locations such as travel plazas, shopping centers, restaurants, and other commercial enterprises that have activities for EV drivers while charging. ODOT intends to coordinate efforts with Washington DOT to ensure a safe and consistent EV charging experience along the "Green Highway." ODOT will also ensure that data retrieval from the EV quick charge stations are linked to the US Department of Energy's national labs, to match reporting structure designed for the US DOE's EV Project.

This RFP will solicit proposals for one or more qualified firms to supply, install, maintain, and operate electric vehicle supply equipment (EVSE) that meets the specifications and business needs of ODOT and WSDOT. Firms may partner with responsible firms for specific design, installation, or maintenance services but only one firm must be the “Prime” contractor for purposes of the proposal and subsequent contract.

The Services and associated deliverables that may be assigned under WOCs are further described in Exhibit A, “Scope of Services” of the sample Price Agreement (RFP Attachment C).

This solicitation focuses primarily on the completion of a project pursuant to a grant agreement between ODOT and the Oregon Department of Energy that involves federal moneys under the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5 (“ARRA”). A successful Proposer must, in the performance of a Price Agreement, fully comply with all ARRA requirements, including the Buy American requirements of Section 1605 of ARRA and the payment of prevailing wages to laborers and mechanics on construction and installation work as required by Section 1606 of ARRA and the Oregon Prevailing Wage Rate Law. *See* ORS 279C.838. As required by ARRA, a successful Proposer must obtain and provide a Data Universal Numbering System (DUNS) number, if it does not already possess one, prior to executing a Price Agreement. DUNS Number registration is free and is available at the following Internet site: <http://fedgov.dnb.com/webform/index.jsp>

The ARRA-funded project calls for the supply, installation, operation, and maintenance of quick charge EVSE installations at approximately eight locations adjacent to Interstate 5 in southern Oregon. However, ODOT reserves the option to authorize WSDOT, other state agencies, local government bodies, and private entities also to issue WOCs under any Price Agreement awarded under this RFP. If ODOT authorizes other entities to issue WOCs, those entities must be exclusively responsible for all payments under the WOCs they issue, and ODOT shall have no responsibility with respect to those WOCs.

In addition, ODOT reserves the option to issue WOCs for a greater number of EVSE installations if ODOT secures additional funding for EVSE. In that event, any Proposer that is awarded a Price Agreement must, at ODOT’s request, amend the Price Agreement to ensure compliance with all regulations and requirements associated with the receipt of the additional funding, including but not limited to any requirements that may be imposed under the federal TIGER II grant program or by the Federal Highway Administration.

Any quantities stated, identified or suggested in this RFP are intended to serve only as a general informational guide to Proposers. No quantities identified or suggested in this RFP constitute, and they may not be construed as, any representation, warranty or guarantee of the volume or quantity of items that actually will be purchased under any Price Agreement that may be awarded under this RFP. Each Proposer agrees to accept all risks associated with the number of WOCs issued or the quantity of items actually purchased under any resulting Price Agreement. **BY SUBMITTING A PROPOSAL, EACH PROPOSER THEREBY EXPRESSLY WAIVES AND RELIQUISHES**

ANY CLAIM IT MAY HAVE, IF AWARDED A PRICE AGREEMENT, THAT MAY ARISE OUT OF OR RELATE TO THE NUMBER OF WOCs ISSUED OR THE QUANTITY OF ITEMS ACTUALLY PURCHASED UNDER THE PRICE AGREEMENT.

The proposed EV charging systems must be designed and developed as open system platforms using common interfaces and approved industry standards. The installations must operate consistently and uniformly from the perspective of customers so that customers will have a similar experience regardless of which EVSE charging installation they visit and use.

All software and information technology elements must operate on an open architecture basis using common and documented IEEE and ISO standards as approved by ODOT's Intelligent Transportation System (ITS) architecture. Proposers should address how an EVSE charging installation will record and report each vehicle's consumption of power, and whether the charging system is capable, or could achieve capability, of recording information such as vehicle identification number, mileage since the last charge, cumulative vehicle mileage, payment amounts, and similar information that could become critical in terms of paying a vehicle road usage charge. Critical information in this area includes wireless reading of a vehicle's odometer or other on-vehicle mileage-counting device, at the EVSE charging station. Proposers also should address their configuration management approach and capability of implementing upgrades or enhancements to these features to accommodate future changes in EVSE technology, standards, and vehicle regulatory and taxing systems, and the anticipated costs of the upgrades or enhancements.

Proposals must address features of the transaction under which the Proposer offers to provide the supply, installation, operation and maintenance of quick charge EVSE installations. Proposers should address features that include the proposed ownership or leasing of the installations and equipment, the means of providing maintenance (such as directly or through subcontractors), and the compensation, if any, to owners or operators of the sites at which the EVSE will be installed and operated, and the proposed means by which the Proposers intend to secure. The successful Proposer must collaborate with ODOT in securing the rights to install and operate the EVSE at the selected sites, but ODOT reserves the right to reject, in its sole discretion, any installation location.

Multiple Selection: It is anticipated that one or more Proposers may be selected for PA award from this solicitation. Agency, in its sole discretion, may select more or fewer based on the Proposals submitted and the results of the evaluation.

Use of RFP or PAs by Others: Additional public or private entities may use RFP and PA contracting opportunities as authorized by Agency.

Offer Period: A Proposer's Proposal is a firm offer, irrevocable, valid and binding on the Proposer for not less than 180 days following the closing date for this RFP. Agency may request, orally or in writing that Proposer extend, in writing, the offer period.

Contingent upon Agency need and available funding, Agency may (for up to 9 months following the close of this solicitation), in Agency's sole discretion, make additional award(s) from this RFP. Agency may select the next ranked responsive and responsible Proposer (provided Proposer agrees to an extended offer period, which would cover the balance of the 9 months, if at that time the offer period stated in the paragraph above has expired or soon will expire), issue an intent to award and begin a new award protest period. If agreement with that Proposer is not reached, Agency may offer award to the next ranked Proposer and so on until agreement is reached or until Agency terminates the process. Agency reserves the right to require confirmation of the qualifications of any such Proposer.

WOC Assignments: Specific projects will be assigned as needed by Agency via WOCs. The WOC Assignment process is described in Exhibit F of the sample PA (RFP Attachment C). There is no guarantee that any specific amount of Services will be assigned or overall dollar amounts will be expended through the duration of the Price Agreement. Any WOC assignments must be within the scope of the Services described in this RFP. Assigned WOCs will identify a schedule for delivery, costs, and include or incorporate by reference a Statement of Work with clearly defined tasks and deliverables.

Agency may conduct a separate solicitation for any project and may make assignments to firms under other contracts or Price Agreements.

PA Duration: PAs are anticipated to be effective by February 2011. PAs will not expire until all WOCs assigned under the PA are completed, have expired, or have been terminated in accordance with their terms.

WOC Assignment Period: WOCs may be assigned for an initial period of 5 years from the execution date of the PA. Any WOCs assigned may be amended (including before and after expiration of the WOC assignment period), within the scope of the assigned project, as reasonably necessary to complete the needed Services or subsequent phases of phased development projects. A WOC is considered assigned when Agency has issued notice of WOC assignment to the selected firm. All WOC assignments are tentative until negotiations are successfully completed, all required signatures have been obtained on the WOC, and ODOT has issued a notice to proceed to Contractor.

The WOC assignment period may be extended for an additional 2 year period based on Agency's need, availability of funding, and contractor's performance (see Exhibit G – Performance Evaluation).

PA Not-to-Exceed (NTE) Amounts: The anticipated initial value of the Price Agreement(s) derived from this RFP is estimated to be \$4,000,000.00 collectively, although Agency may determine to not state an overall NTE amount in the Price Agreement. Agency reserves the right to amend the NTE amount of the PAs up to an additional amount, depending on need and availability of funding.

Payment: Payment will be made for completion of, or acceptable monthly progress on, tasks and deliverables in conformance with WOC/PA requirements and all applicable standards. The method of compensation will be determined by Agency for each WOC and may be based on any of the following methods (may include more than one method – “Mixed”):

- Fixed Price for all Services; Fixed Price per Deliverable; Fixed Price per Milestone;
- Time and Materials, up to a maximum NTE WOC amount;
- Price Per Unit.

(See Attachment C, **Exhibit B**, “Compensation” for further information.)

Aspirational Targets: Minority, Women, and Emerging Small Business (MWESB) Aspirational Targets will be assigned to WOCs per PA Exhibit K. Refer to [Exhibit K](#) for further explanation and description of these non-binding Aspirational Targets.

Disadvantaged Business Enterprise (DBE) Participation Goals: A DBE Participation Goal will be assigned on each WOC that utilizes Federal funds (e.g. FHWA, FTA or FAA). See [Exhibit E](#) to the sample Price Agreement (RFP Attachment C) for:

- information on how credit toward meeting an assigned DBE participation is determined, and
- further explanation and description of the DBE program.

1.1.3 PROCUREMENT AUTHORITY AND METHOD

Procurement Authority. Agency is conducting this RFP according to its authority under OAR chapter 731, division 070 and ORS 367.800 to 367.824.

Procurement Method.

Agency intends to conduct this RFP using **Competitive Sealed Proposals; Multistep Solicitation** method according to [ORS 279B.060\(6\) \(b\) \(G\)](#) and [OAR 137-047-0261](#). See RFP sections 1.4 and 1.5 for Proposal Pass/Fail and other Submittal Requirements. See RFP section 2 for information regarding Evaluation Process and Contractor Selection.

1.1.4 ANTICIPATED SOLICITATION SCHEDULE

Event		Due Date
Pre-Offer Conference		See page 1
Written Questions deadline		See section 1.2.1
RFP Protests deadline		See section 1.3.1
RFP closing		See Page 1
Presentations or Interviews (if held)	(approx.)	TBD
Intent to Award Notification	(approx.)	TBD
Award Protests		See section 1.3.2
Negotiations begin	(approx.)	TBD
PA execution	(approx.)	TBD

1.2 QUESTIONS AND CLARIFICATIONS

1.2.1 PROPOSER QUESTIONS

All inquiries, whether relating to the RFP process, administration, deadline or award, or to the intent or technical aspects of the services **must be submitted in writing to the Procurement Specialist/Single Point of Contact identified on page 1 of this RFP** (mail, fax or email are acceptable). **All questions must be received not later than ten (10) calendar days prior to the Proposal submittal deadline.**

Answers to questions Agency receives and that Agency, in its sole discretion, determines are substantive, will be issued as official addenda to this RFP (or as Question and Answer documents - see section 1.2.3) to ensure that all Proposers base their Proposals on the same information. When appropriate, as determined by Agency in its sole discretion, revisions, substitutions, or clarifications of the RFP or attached terms and conditions will be issued as official addenda to this RFP. **Changes or modifications to this RFP shall be binding on Agency only if in the form of written addenda issued by the ODOT Procurement Office.**

1.2.2 ADDENDA

Agency shall advertise addenda only on the “Oregon Procurement Information Network” or (“ORPIN”). ORPIN is the current State of Oregon Automated Procurement System used by the Oregon Department of Transportation. The ORPIN System website is located at: <http://orpin.oregon.gov/open.dll/welcome> . Anyone who has downloaded or received a copy of this RFP will only be alerted to the existence of any addenda by checking on ORPIN, or with the Procurement Specialist. Proposers are responsible for checking the on-line source or with the Procurement Specialist for this RFP to determine whether an addendum has been issued, and then must either download the addendum or request a copy. Agency is not responsible for sending addenda to any potential Proposers, whether requested or not. **By submitting a Proposal, each Proposer thereby agrees that it accepts all risks, and waives all claims, associated with or related to its failure to obtain any Addenda information.**

1.2.3 QUESTION AND ANSWER DOCUMENTS

Agency may post Question and Answer document(s) on ORPIN to respond to inquiries that Agency determines, in its sole discretion, do not effect changes to the RFP. Question and Answer documents provide clarifications and interpretations but do not change RFP requirements.

1.3 PROTESTS

1.3.1 SOLICITATION (RFP) PROTEST REQUIREMENTS

Potential Proposers may submit a written protest of anything contained in the RFP and may request a change to any provision, specification or term contained in the RFP. Potential Proposers must submit protests concerning the RFP and requests for change to any particular provisions, specifications, or terms contained in the RFP, to the Buyer/Single Point of Contact identified on page 1. Protests and requests for change must be submitted **in writing not later than seven (7) calendar days prior to the Proposal submittal deadline.** Agency will not consider any protest to the RFP or

request for change submitted after this deadline. Each protest and request for change must include the reasons for the protest or request (supported by factual documentation) and any proposed changes to the RFP provisions, specifications or terms. Agency will resolve all timely submitted protests in accordance with applicable Oregon Administrative Rules. Agency will address all timely submitted requests for change within a reasonable time following Agency's receipt of the request and once addressed, will promptly issue a written decision on the request to Proposer who submitted the request. The foregoing procedures and deadline shall also apply to protests and requests for change respecting the contents of addenda to the RFP, unless the addenda specify a different deadline.

1.3.2 AWARD PROTEST REQUIREMENTS

Every Proposer who submits a Proposal shall be notified of its selection status. Any Proposer who claims to have been adversely affected or aggrieved by the selection of (the highest ranked/the higher ranked) Proposer(s) must submit a written protest of the selection to the Buyer identified on page 1 of this RFP within **seven (7) calendar days after the date of the selection notice**. Agency will not consider any protest submitted after this submittal deadline. Agency will not consider award protests based on anything contained in the RFP; protests regarding content of the RFP must be submitted during the solicitation protest period described in RFP section 1.3.1. The award protest must clearly be based on at least one of the protest criteria provided in ORS 279B.410, including that the protesting Proposer claims it is the highest ranked Proposer or is within the class of higher ranked Proposers with whom Agency will negotiate Contracts because the Proposals of 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. Agency will resolve all timely submitted protests in accordance with applicable Oregon Administrative Rules. Proposers who have been notified that they are not selected may contact the Single Point of Contact for this RFP (contact information on page 1) to submit a public records request and/or to make an appointment for a debriefing.

1.3.3 COSTS AND DAMAGES

All costs of a protest shall be the responsibility of the protestor and undertaken at the protestor's expense. The State shall not be liable for the Proposer's damages or costs for filing the protest or to any participant in the protest, on any basis, express or implied. **By submitting a Proposal, each Proposer thereby accepts all risks, and waives all claims, associated with or related to the costs it incurs in Proposal preparation, submission, and participation in the solicitation process.**

1.4 "PASS/FAIL" PROPOSAL SUBMITTAL REQUIREMENTS

Each Proposal must comply with the following **Pass/Fail** criteria. Proposals not meeting **ALL Pass/Fail** criteria shall be rejected.

1.4.1 PROPOSAL SUBMITTAL DEADLINE (PASS/FAIL)

Proposals must be received by the submittal deadline (per official clock of Issuing Office) and at the address of the issuing office indicated on page 1 of this RFP. Agency will not accept Proposals submitted by facsimile or electronic mail, nor will Agency

accept Proposals submitted after the Proposal submittal deadline. Agency is not responsible for and will not accept late or mis-delivered Proposals.

1.4.2 TERMS AND CONDITIONS (PASS/FAIL)

Unless an official addendum has modified or reserved the right to negotiate any terms and conditions contained in the Price Agreement or exhibits thereto, Agency will not negotiate any term or condition after the solicitation protest deadline, except Statement of Work and pricing information with the selected Proposer(s) per section 2.4. By Proposal submittal, the selected Proposer(s) agree(s) to be bound by the Oregon Department of Transportation Terms and Conditions as set out in RFP Attachment C – Sample Price Agreement, and as they may have been modified or reserved by Agency for negotiation. **Any Proposal that is received conditioned on Agency’s acceptance of any other terms and conditions or rights to negotiate will be rejected.** Any subsequent negotiated changes may be subject to prior approval by the Department of Justice.

1.5 “REQUIRED” PROPOSAL SUBMITTAL ITEMS & SCORING DEDUCTIONS

Scoring Deductions:

- Any items in this section 1.5 marked as **“REQUIRED”** that are incomplete or not submitted by the Proposal submittal deadline in substantial conformance of the requirement **may receive a 2 percent scoring deduction** for each item. Missing **REQUIRED** items must be submitted within 2 business days of request by Agency (this does not apply to “PASS/FAIL” items in RFP section 1.4 which must be submitted by Proposal due date and time). Failure to deliver properly-completed **REQUIRED** items within 2 business days of request by Agency may result in Proposal rejection.
- Proposals not in conformance with the font requirements stated in RFP section 1.5.3.a (including text in tables and resumes) **may receive a single 5 percent scoring deduction and will not be sent back to Proposer for correction.**
- Proposals not in conformance with the format requirements stated in RFP section 1.5.3.b **may receive a single 2 percent scoring deduction and will not be sent back to Proposer for correction.**
- All scoring deductions are based on percentage of the maximum possible score for Proposals.

1.5.1 COVER SHEET (REQUIRED)

The Proposal must include a completed Cover Sheet in the form as set forth in **Attachment A** of this RFP, signed by a duly authorized representative empowered to bind the Proposer (**at least one original signature**). No cover letters submitted in addition to the required Cover Sheet will be forwarded to the evaluation committee.

On the Cover Sheet (or a separate sheet attached to the Cover Sheet), identify the sections of the Proposal, if any, Proposer claims to be exempt from disclosure pursuant to Oregon Public Records Law, ORS 192.410 through 192.505. List sections, paragraphs, pages,

etc., and the specific ORS citation(s) that Proposer claims provides for exemption of each listed section. (See RFP section 1.8.)

1.5.2 MINIMUM QUALIFICATIONS (REQUIRED)

Please include responses to the following Minimum Qualifications in the space provided on the Proposal Coversheet (RFP Attachment A).

1.5.3 FORMAT FOR PROPOSAL SUBMITTALS; PAGE LENGTH LIMITATION

- a. **(REQUIRED)** Proposals must use 12-point minimum font size for the substantive text (including text in tables) with the following exceptions which must use an 11-point minimum font size: Attachment A – Proposal Coversheet, references (if required), “Key Staff Resumes” (if required), and COI Disclosure Form (if required). Proposers may use their discretion for the font size of other materials that do not include substantive text (e.g. graphics, picture, or captions, and organizational charts).
- b. **(REQUIRED)** Proposals must be submitted without cover-stock or bindings such as wire loop or plastic comb binding.
- c. Please use removable binder clip to secure Proposal pages on original signature copy. Staples may be used on additional copies.
- d. Proposers are to submit Proposals on recycled white paper. The Proposal must not exceed **20** pages, **excluding** Cover Sheet (Attachment A), any tabs or indexes, and any of the following forms (if required in this RFP): references, Conflict of Interest form(s), and Subcontractor/Supplier Solicitation and Utilization Form. The Proposer may choose how to allocate pages between any sections, within the overall page limit.

One (1) Page is defined as: one side of a single 8-1/2" x 11" page that meets the font size requirements stated in subsection “a” above. Any page over this size will be counted as 2 pages. Any page or partial page with substantive text, tables, graphics, charts, resumes, etc., will be counted as 1 page.

1.5.4 QUANTITY OF PROPOSALS & ELECTRONIC COPIES

Proposer must submit the following items to Agency at the address indicated on page 1:

- a. **(REQUIRED)** 5 hard copies of the **Proposal with Proposal Cover Sheet** (RFP Attachment A) attached;
- b. **(REQUIRED)** 1 hard copy (not attached to the Proposal) of **Subcontractor/Supplier Solicitation and Utilization Form** available at: <http://www.odot.state.or.us/forms/odot/highway734/2721.pdf> . Also fax this form directly to ODOT Office of Civil Rights (Fax 503-986-6382) within ten (10) business days following Proposal submittal due date;
- c. **(REQUIRED)** 1 CD that includes a single PDF file of the Proposal. The signed Proposal Cover Sheet (RFP Attachment A) may be included as part of the single PDF file of the Proposal or may be in a separate PDF file. Do not break the Proposal into more than these 2 PDF files. **(Though not REQUIRED, the total combined size of the Proposal and Coversheet should be compressed so it does not exceed 2 megabytes.)**

1.5.5 CONFLICT OF INTEREST (COI) DISCLOSURE (REQUIRED)

Proposer must be in compliance with the ODOT COI Guidelines:

- **(REQUIRED) All Proposers must indicate on Attachment A - Proposal Cover Sheet** (by checking the appropriate checkbox in the signature certification section) that the Proposer, its subcontractors and all other Associates are in compliance with all COI disclosure guidelines.
- **If there are no COI disclosures required** for Proposer, its subcontractors or other Associates, per the ODOT Conflict of Interest Guidelines, then submittal of COI Disclosure form(s) is not required.
- **If there are any disclosures required** per the ODOT Conflict of Interest Guidelines, for Proposer (including subcontractors, or any other of the Proposer's Associates, as defined per the ODOT Conflict of Interest Guidelines), Proposer must submit a signed COI Disclosure Form with the Proposal. The Proposer shall incorporate in each required COI Disclosure Form any COI disclosure information provided by its staff, and attach COI Disclosure Forms from each of its subcontractors and any other Associates that have required disclosures per the ODOT Conflict of Interest Guidelines.

The ODOT Conflict of Interest Guidelines and COI Disclosure Form are available at the following Internet site (under "Misc. Procurement Related Forms"): <http://www.oregon.gov/ODOT/CS/OPO/AE.shtml#Forms>

1.5.6 REFERENCES (REQUIRED)

Provide 3 references for relevant projects using the form provided in section 2.2.4. Reference forms are not included in the Proposal page count.

1.5.7 PRICE INFORMATION (REQUIRED)

Provide the pricing information required in this section on a CD in a sealed envelope that is separate from other Proposal contents and requirements. Clearly indicate "Price Data" on the face of the envelope along with Proposer's name, the RFP number and RFP name. All pricing information pages are excluded from the Proposal page limitation stated in RFP section 1.4.5.

Proposed equipment pricing will be a scored criterion (see RFP section 2.2, Scoring Criteria).

1.5.8 OPEN EV CHARGING SYSTEM (REQUIRED)

The proposed EV Charging systems must be designed and developed as open system platforms using common interfaces and approved industry standards. As development of these systems occur, it is in the best interest for the Agency and the public to have a system that can be further adapted, without restrictions, as technology is developed. Submitting a Proposal with a proprietary system may result in a rejection of the Proposal.

1.6 PROPOSAL MODIFICATIONS

To avoid confusion, alterations and erasures made before the submittal of a Proposal must be individually initialed by the person signing the Proposal.

Proposals may be modified after submittal, provided the request is received by ODOT at the address listed on the front page of the RFP prior to the closing date and time. The request shall be on Proposer's letterhead, marked "Proposal Modification – RFP #24386" and signed by an authorized representative of Proposer. The modification document must state that the modifications supersede or modify the prior Proposal and must identify the portions of the prior Proposal to be amended or replaced. Faxed or electronically transmitted (e-mailed) modification requests will not be accepted.

1.7 PROPOSAL WITHDRAWALS

Proposals may be withdrawn, provided the request is received by ODOT prior to the closing date and time at the address listed on the front page of the RFP. The request shall be on Proposer's letterhead, marked "Proposal Withdrawal – RFP #24386" and signed by an authorized representative of Proposer. Proposer may also withdraw its Proposal in person prior to the closing, upon presentation of appropriate identification and evidence of authority satisfactory to Agency. Faxed or electronically transmitted (e-mailed) withdrawal requests will not be accepted.

1.8 PUBLIC RECORDS

This RFP, and one copy of every Proposal received in response to it, together with copies of all documents pertaining to the award of the PA(s), shall be kept by the Agency and made a part of Agency's records. Proposals shall be open to public inspection in accordance with ORS 279B.060 (5). If a Proposal contains any information that may be considered exempt from disclosure as a trade secret under either ORS 192.501(2) or ORS 646.461(4), or under other grounds specified in Oregon Public Records Law, ORS 192.410 through 192.505, the Proposer must clearly designate the portions of its Proposal which Proposer claims are exempt from disclosure, along with a justification and citation to the authority relied upon. **Identifying the Proposal in whole as trade secret, confidential or otherwise exempt from disclosure is not acceptable. In such circumstances Agency will require Proposer to submit a memorandum citing the statutory justification for each specific area of the Proposal that Proposer claims to be exempt.**

If Proposer fails to identify the portions of the Proposal that Proposer claims are exempt from disclosure and the authority used to substantiate that claim, Proposer is deemed to waive any future claim for non-disclosure of that information.

Any Proposer that does not comply with the requirements may have its Proposal rejected.

Application of the Oregon Public Records Law or other applicable law shall determine whether any information is actually exempt from disclosure. Agency will not be held liable for any disclosure of information which Proposer considers to be exempt from disclosure if required by a Public Records Order. Notwithstanding any rights under 17 USC 101 et seq., (the United States Copyright Act), when Agency is required to provide copies of the non-exempt portion of the Proposal pursuant to a Public Records Order, Proposer hereby grants a license to Agency to copy those portions of the Proposal that are subject to disclosure.

By submitting a Proposal in response to this RFP, each Proposer grants the State of Oregon a non-exclusive, perpetual, irrevocable, royalty-free, worldwide license for the rights to copy, distribute, display, disclose to third parties, prepare derivative works of, and transmit the Proposal for the purposes of conducting this procurement, evaluating the Proposal, negotiating a Price Agreement, if awarded to Proposer, or as otherwise needed to administer the RFP process and fulfill obligations under Oregon Public Records Laws.

1.9 ARRA REQUIREMENTS

This project is funded by *American Recovery & Reinvestment Act* (ARRA) federal stimulus grants through the Oregon Department of Energy (ODOE). In using these funds, administering state agencies and their contractors must adhere to Davis-Bacon prevailing wage law and Buy American, among other requirements. Contractors and Consultants must review these requirements and determine whether they are eligible and can satisfy all requirements. A Price Agreement will not be entered into without full compliance of these requirements.

The ODOE maintains a Toolkit that describes these requirements in detail:

http://oregon.gov/ENERGY/Recovery/Funding.shtml#Resources_for_sub_recipients

The work awarded from this solicitation will include the following provision:

The prime Contractor/Consultant shall complete the required reports for this project once each month from the date of the Notice to Proceed (NTP) until completion of the Contract. Contractor/Consultant shall provide information required for its own workforce as well as the workforce of all subcontractors (including sub-tiers) that were active on their ARRA funded project for the reporting month. The forms must be submitted to Agency electronically no later than the 10th of each month to report on the previous month. The email address (or website for upload interface) for submittals will be provided by the Agency PM. Contractor's/Consultant's timely, complete, accurate, and truthful compliance with the reporting obligations constitutes a material element of the Contractor's/Consultant's performance of this contract. Agency may withhold any amounts otherwise due to the Contractor/Consultant under this contract until the Contractor/Consultant has submitted any report that is late.

Section 2.0 EVALUATION PROCESS & CONTRACTOR SELECTION

2.1 EVALUATION PROCESS

2.1.1 PROPOSAL EVALUATION

Agency will evaluate Proposals in accordance with procurement method stated in RFP section 1.1.3. PA award, if PAs are awarded, will be to the responsive and responsible Proposer(s) submitting the most advantageous Proposal as determined by Agency.

Proposals must be responsive. To be considered responsive, the Proposal must substantially comply with all requirements of the RFP. Agency, at its discretion, may:

- a. Waive any minor informality or non-conformance with the provisions or procedures of the RFP, and seek clarification of any Proposal (see RFP section 2.1.2 below), if required;
- b. Reject any Proposal that fails substantially to comply with all prescribed RFP procedures and requirements.

Agency may reject any or all Proposals in whole or in part and may cancel this RFP or procurement at anytime when the rejection or cancellation is in the best interest of Agency as determined by Agency. Agency is not liable to any Proposer for any loss or expense caused by or resulting from the rejection or cancellation of a solicitation, proposal or award. All timely submitted Proposals will become part of the solicitation file without obligation to Agency.

Proposals received on time will be reviewed against the Pass/Fail and Required Proposal Submittal items identified in RFP sections 1.4 and 1.5. Proposals meeting those criteria will be forwarded to an evaluation committee that will independently review, score and rank Proposals according to the Scoring Criteria set forth in RFP section 2.2.

- o **Competitive Sealed Proposals.** Agency may require proposals without pricing, determine qualified or potentially qualified Proposers, (conduct discussions and clarification if necessary to determine the qualified Proposers) and then request sealed price proposals (as the second step) only from qualified Proposers. Or Agency may require proposals with separate sealed pricing proposals with the initial submittal (pricing should normally be in a separate sealed envelope to avoid influencing evaluator QBS scoring), determine qualified Proposers via evaluation and scoring/ranking of the initial Proposals and, for the second step, open price proposals only from the qualified firms. Negotiations may then be entered or award can go to lowest price Proposer among qualified Proposers.
- o **Discussions leading to best and final offers.** Agency may require proposals with pricing, determine Competitive Range (conduct discussions and clarification if necessary to determine the Competitive Range) and then (only for Proposers in the Competitive Range) conduct round(s) of discussions/negotiations; accept revised Proposals and/or request Best and Final Offers.

Multistep Solicitation:

Step 1. The first step includes submittal of unpriced technical proposals by the due date indicated on page 1 of this RFP. The Services and supplies offered in Proposer's unpriced submittals must be furnished generally in accordance with the requirements of the RFP. Proposals submitted on time and meeting all Pass/Fail and Required items (see RFP sections 1.4 and 1.5) will then be evaluated based on the Scoring Criteria in section 2.2 (including application of any scoring deductions per RFP section 1.5) to determine qualified Proposers or Proposers within the Competitive Range (see RFP section 2.1.3, Competitive Range). To the extent that it finds necessary, Agency may conduct oral or written discussions of the unpriced technical Proposals prior to requesting competitive price proposals from Proposers determined to be qualified and within Competitive Range.

For this RFP, no protest is provided for Proposers excluded from subsequent steps or phases of this multistep solicitation.

Step 2. In the second step, Agency may conduct any combination of the following with Proposers determined in step 1 to be qualified or in the Competitive Range:

- request competitive sealed price proposals from qualified Proposers,
- enter discussions and accept revised Proposals leading to best and final offers,
- enter simultaneous negotiations (see RFP section 2.4),
- enter serial negotiations, beginning with top ranked Proposer (RFP section 2.4),
- multistep revised rounds of negotiations (see RFP section 2.4).

2.1.2 PROPOSAL CLARIFICATIONS

Agency may require any clarification it needs to understand Proposer's Proposal. Any necessary clarifications or modifications which are in the best interest of Agency may be made before Proposer is awarded a PA, and some or all of the clarifications or modifications may become part of the final PA. Clarifications may not be used to rehabilitate a non-responsive proposal.

2.1.3 COMPETITIVE RANGE

Agency may establish a Competitive Range consisting of the highest scoring responsive, responsible Proposers based on scores received from evaluation of criteria in RFP section 2.2 and application of any scoring deductions per RFP section 1.5. Agency may increase the number of Proposers in the Competitive Range if Agency's evaluation of Proposals establishes a natural break in the scores of Proposers indicating a number of Proposers greater than the initial Competitive Range are closely competitive, or have a reasonable chance of being determined the most advantageous Proposer. Agency may decrease the number of Proposers in the initial Competitive Range only if the excluded Proposers have no reasonable chance to be the most advantageous Proposer.

If a Competitive Range is established, Agency will provide written notice to all Proposers identifying Proposers in the Competitive Range and describing the next step in the solicitation process.

2.1.4 INTERVIEWS (Optional)

Interviews may be conducted and scored at the discretion of Agency. If interviews are conducted, the following will apply:

- A minimum of 3 evaluators shall score the interview question responses.
- The interviews will have a maximum score of fifty (50) points.
- Only Proposers determined to be in the Competitive Range (see RFP section 2.1.3, Competitive Range) will be included in interview process.
- At Agency's discretion, written interview questions may be sent via email to Proposer(s) in the Competitive Range (with responses returned via email) as an alternative to oral interviews; however, Agency may conduct oral interviews if determined necessary.
- If conducted, oral interviews normally require physical attendance at Agency's offices; however, Agency may elect to conduct oral interviews via teleconference

or video conference. Further details will be included with notification of time and date of interviews, if conducted.

Evaluation of the optional interview questions will be within the parameters of the following criteria:

- Understanding Of Requested Services
- Project Approach
- Project Team, Key Personnel And Qualifications
- Experience With Similar Projects
- Capabilities And Project Administration
- Cost Control

2.1.5 REFERENCES

Agency will score references as part of the Scored Criteria (see References in section 2.2) and may use them to obtain additional information and verify information, etc.

2.1.6 PREFERENCES

A. Preference for Recycled Materials. In comparing goods from two or more Proposers, if at least one Proposer offers goods manufactured from recycled materials, and at least one Proposer does not, Agency will select Proposer offering goods manufactured from recycled materials if each of the conditions specified in [ORS 279A.125\(2\)](#) exists following any adjustments made to the price of the goods according to any applicable reciprocal preference.

2.2 SCORING CRITERIA

Scoring will be based on the categories described below. Proposer must describe how Proposer meets the requirements that are specified in this RFP as related to the subsections below. Be clear and concise.

2.2.1 UNDERSTANDING OF REQUESTED SERVICES 20 Points

- Demonstrate a clear and concise understanding of the Scope of Services that may be required under assigned WOCs (see RFP section 1.1.2 & Exhibit A of Attachment C).
- Demonstrate the ability to supply, deliver, install, operate, and maintain quick charge EVSE installations throughout the State of Oregon.
- List projects and contract services performed within the last three (3) years by type and location, most comparable to the requested Services.
- For a total of three (3) of the most recent projects or contracts (in any combination) listed, include a brief description of project type, size, location, duration and objectives; a chronological time line describing the tasks performed by Proposer to fulfill the project objectives; and the actual project budget.
- For each of the three (3) projects or contracts (in any combination) above, indicate whether the services were accomplished within Proposers' original estimated budget and schedule, or needed to be revised. Briefly explain the reason for any revisions.

2.2.2 PROPOSER'S GENERAL QUALIFICATIONS/CAPABILITIES 20 Points

Demonstrate experience and qualifications to complete the requested Services.

- Describe your firm’s legal and organizational structure, and how that structure aids the delivery of project services.
- Designate contact person (Project Manager) and backup for project related issues.
- Describe the company’s financial health and stability sufficient to determine its capabilities to meet the obligations under the Price Agreement(s).
- Describe your firm’s quality assurance/quality control procedures and methods used to control costs.
- Describe qualifications and proficiencies to complete the requested Services.

Response must include:

- An explanation describing how Proposer can accommodate varying levels of work assigned via WOCs under the PA, including any limitations. Describe your firm’s approach to adjusting schedules when needed, or adjusting your level of effort in order to meet a schedule and keep a project within a stated budget.

2.2.3 PROJECT TEAM AND QUALIFICATIONS

20 Points

Demonstrate Proposer’s team qualifications and experience relating to the requested Services.

Response should address the following:

- Extent of principal involvement.
- List names, titles, responsibilities, and availability of key members who are anticipated to perform Services.
- Describe the team’s roadmap for development and certification of quick charge technologies and achievable schedule for delivery.
- Qualifications (including any licenses or certifications) relevant individual experience for key team members likely to perform Services, including sub-contractors.

2.2.4 REFERENCES FOR RELEVANT EXPERIENCE

5 Points

Provide references for the three (3) most recent, relevant projects that were completed in the last four (4) years. To be relevant, projects listed should include services that are similar in nature and complexity to the project(s) described in this RFP. Proposers may not selectively pick projects/references. Rather, they must submit references for the most recent projects that are relevant to the services requested in this RFP. **Failure to submit the most recent, relevant references may be considered non-responsive and result in loss of points.**

Reference information must be submitted using the Reference Questionnaire form attached below as an electronic MS Word file.

Double-click icon to open attached file →



Reference Questionnaire.doc

Proposer must complete sections A and B of a separate Reference Questionnaire form for each reference and send to the reference contact electronically (MS Word Format).

Completed Reference Questionnaire forms must then be sent by the reference

directly to ODOT at the email address on the form no later than the close date and time of this RFP.

To ensure a minimum of three (3) Reference Questionnaires are received by Agency, Proposers may, at their discretion, submit a maximum of three (3) additional references as alternates. If alternate references are submitted they must use the required forms, continue to follow the required “most recent” protocol and the Reference Questionnaire forms must be submitted directly to ODOT by the reference. Reference scoring will be based on the required references plus any alternates necessary to make up the required minimum number of submittals.

It is the Proposer’s responsibility to contact each reference to –

- Ensure the client contact information is correct and confirm (or obtain) contact information for an appropriate alternate contact;
- Request that the reference or alternate complete part C of the Reference Questionnaire and return directly to ODOT, per the instructions on the questionnaire, by the close date and time of the RFP.
- **Ensure that references use the attached form and do not use previously completed reference questionnaire forms from prior solicitations, as they may include different questions and scoring.**

If the contact and alternate contact for the reference are both members of the evaluation committee for this RFP, Agency will request a different project reference from Proposer.

2.2.5 PRICE / VALUE

35 Points

Agency will compare Proposer’s basic price for the quick charge system proposed on this project. Proposers must adequately explain the value of that basic price to detail allowance for technology advancements for the proposed five year life cycle of the equipment. Agency is particularly interested in any unique or innovative approaches that will accelerate delivery or add to the overall value of the proposal through use of credits, cost-sharing, or other “skin-in-the-game” financial arrangements or delivery mechanisms.

SUMMARY OF SCORING CRITERIA FOR USE BY PROPOSERS

<u>MAXIMUM SCORE</u>	
<input type="checkbox"/> Understanding of Requested Services	<u>20</u>
<input type="checkbox"/> Proposer’s General Qualifications/Capabilities	<u>20</u>
<input type="checkbox"/> Project Team and Qualifications	<u>20</u>
<input type="checkbox"/> References for Relevant Experience	<u>5</u>
<input type="checkbox"/> Price / Value	<u>35</u>
Total or Subtotal Score:	100
<input type="checkbox"/> Interviews (if conducted)	<u>50</u>
Total Score:	<u>150</u>

2.3 METHOD OF AWARD

The scores for Proposer ranking and tentative award will be determined as follows:

- Total Proposal Score = Total of all evaluator scores for a given Proposal, divided by the number of evaluators, minus any **SCORING DEDUCTIONS** received per section 1.5.
- Total Interview or Follow-up Questions Score (if conducted) = Total of all evaluator scores for a given Proposer, divided by the number of evaluators.
- **Final Score** = Total Proposal Score plus Total Interview or Follow-up Questions Score (if conducted).

2.4 NEGOTIATIONS

Agency will negotiate the PA in the best interest of the state, including pricing information and any other provision(s) Agency has indicated in the RFP or any Addenda it will negotiate with the top ranked Proposer(s). Agency will, either orally or in writing, formally terminate negotiations with the highest ranked Proposer if Agency and Proposer are unable for any reason to reach agreement on a Price Agreement within a reasonable amount of time. Agency may thereafter negotiate with the second ranked Proposer, and if necessary, with the third ranked Proposer, and so on until negotiations result in a Price Agreement. If negotiations with any Proposer do not result in a Price Agreement within a reasonable amount of time, Agency may end this solicitation. Agency, in its sole discretion, may proceed with a new solicitation for the same Services or consider any other options available under the applicable rules, laws, and policies.

Section 3.0 PRICE AGREEMENT AWARD REQUIREMENTS

The submittal requirements in this Section 3 apply only to Proposers that receive intent to award notice following Agency’s evaluation and scoring of Proposals (and interviews, if conducted).

3.1 COST INFORMATION

Billing rate and cost data for any Proposer selected for Price Agreement negotiation and that of the Proposer’s subcontractors (if any) must be submitted electronically in Excel® file format (using Agency’s forms), **no later than five (5) business days** after Agency notifies Proposer of selection.

3.2 CERTIFICATES OF INSURANCE

Selected Proposer(s) shall provide Certificates of Insurance to Agency for levels of Insurance coverage shown in **Exhibit C** of the Sample Price Agreement (RFP Attachment C) prior to Price Agreement execution. Selected Proposers that have current Certificates of Insurance (with all required coverage’s and not project-specific) on file with Agency will not be required to resubmit these. Agency may determine that project-specific insurance coverage is required on a WOC-by-WOC basis.

3.3 MISCELLANEOUS FORMS

3.3.1 COI DISCLOSURE

If any disclosures (items not disclosed with Proposal submittal, or that have occurred or been discovered since the Proposal submittal) are required per the ODOT Conflict of Interest Guidelines, the selected Proposer shall complete and submit a signed COI Disclosure Form within five (5) business days of receipt of Intent To Award notice. The

selected Proposer shall incorporate in each required COI Disclosure Form any COI disclosure information provided by its staff and attach COI Disclosure Forms from each of its subcontractors (that have required disclosures per the ODOT Conflict of Interest Guidelines), prior to such Firm performing any services under a WOC.

The ODOT Conflict of Interest Guidelines and COI Disclosure Form are available at the following Internet site: (under “Misc. Procurement Related Forms”): <http://www.oregon.gov/ODOT/CS/OPO/AE.shtml#Forms>

If, following review of a Proposer’s COI Disclosure form(s), a Proposer selected for tentative award is determined to have a conflict of interest that cannot reasonably be mitigated to Agency’s satisfaction; the tentative award to that Proposer may be withdrawn. At Agency’s discretion, tentative award may then be made to the next Proposer in the Proposal rankings.

As provided in the sample Price Agreement, submittal of a COI Disclosure Form will be required during each WOC assignment process if there are any actual or potential conflicts of interest related to the Project.

3.3.2 LIST of SUBCONTRACTORS

Selected Proposers shall submit a list of subcontractors electronically in MS Word format, using the form available at (under “Misc. Procurement Related Forms”): <http://www.oregon.gov/ODOT/CS/OPO/AE.shtml#Forms> . List subcontractors, if any, proposed for use on assigned WOCs.

3.4 CONTRACTOR RESPONSIBILITY

Selected Proposer(s) shall submit a signed **Responsibility Inquiry form** within three (3) business days of receipt of Intent to Award notice (see form for additional information regarding Agency’s responsibility review). The form provided below (as an electronic MS Word file) must be signed and may be submitted as hard copy or electronically via fax or email.

Double-click icon to open attached file →
Submitted only by selected Proposer(s)



Responsibility
Inquiry.doc

Contractor is responsible for any and all contractual matters, including performance of Services and the required deliverables finalized in every WOC, whether Contractor, a subcontractor, or a representative of Contractor, produces them.

3.5 BUSINESS REGISTRY NUMBER/REGISTERED AGENT

If selected for PA award, Proposer must be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the PA. The selected Proposer shall submit a current Oregon Secretary of State business registry number (unless operating as your real and true name). See [process for obtaining a business registry number](#). All Corporations and other business entities (domestic and foreign) must have a Registered Agent in Oregon. See requirements and exceptions regarding [Registered](#)

Agents. For more information, see **Oregon Business Guide, How to Start a Business in Oregon** and **Laws and Rules.**

3.6 TAX ID NUMBER

The selected Proposer shall provide their Taxpayer Identification Number (TIN) on a completed W-9 form prior to execution of the Price Agreement. The W-9 form is available at: <http://www.irs.gov/pub/irs-pdf/fw9.pdf>.

3.7 USE OF RECYCLED PRODUCTS

Contractors shall use recyclable products to the maximum extent economically feasible in the performance of the contract work set forth in this document.

ATTACHMENT A PROPOSAL COVER SHEET

Attachment A – Proposal Cover Sheet is attached below as an electronic MS Word file.

Double-click icon to open attached file →	 SOP Cover Sheet
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