**[Note : This document was preliminarily approved for use as of 7/20/2023. Upon final DOJ/DAS template approval, this document will be used in furtherance of OAR 137-046-0140(1) and (2)]**

Drafting Instructions: The informal selection procedure (OAR125-248-0210) may be used when the estimated fee will clearly not exceed $250,000 and the PM can identify a minimum of 5 prospective consultants to invite to submit Proposals; otherwise, use the formal selection procedure (OAR125-248-0220).

If the RFP is predominantly design services, use the title “Professional Services and Related Services.” If RFP is predominantly “Related Services”, use the title “A&E Related Services” and do not use the title If the RFP is predominantly “Related Services,” determine whether price will be considered as an evaluation factor and include in Section 5.05 as appropriate. Price may not be used as an evaluation factor for Professional Services.

*In determining predominant purpose, see OAR 137-048-0130: A “mixed” Contract is one requiring the Consultant to perform Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services, and also provide Related Services, other Services or other related Goods under the Contract. A Contracting Agency’s classification of a procurement that will involve a “mixed” Contract will be determined by the predominant purpose of the Contract. A Contracting Agency will determine the predominant purpose of the Contract by determining which of the Services involves the majority of the total Estimated Fee to be paid under the Contract. If the majority of the total Estimated Fee to be paid under the Contract is for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services, the Contracting Agency shall comply with the requirements of ORS 279C.110 and section (1) of this rule. If majority of the total Estimated Fee to be paid under the Contract is for Related Services, the Contracting Agency shall comply with the requirements of ORS 279C.120 and section (2) of this rule. If the majority of the total Estimated Fee to be paid under the Contract is for some other Services or Goods under the Public Contracting Code, the Contracting Agency shall comply with the applicable provisions of the Public Contracting Code and divisions 46, 47 and 49 of the Model Rules that match the predominant purpose of the Contract.*

Yellow highlighted text provides general drafting instructions or options which should be deleted following implementation.

Blue highlighted text indicates provisions applicable only to Related Services when evaluating price.

Any time RFP or contract sections are deleted, please leave the Section numbering and mark as RESERVED to avoid disrupting the formatting.

**INFORMAL**

**OR**

**FORMAL**

**REQUEST FOR PROPOSALS**

**Professional Services and Related Services**

**[or Related Services]**

**for the [Project Name]**



STATE OF OREGON

DEPARTMENT OF ADMINISTRATIVE SERVICES

PROCUREMENT SERVICES

If DAS is conducting the procurement on behalf of an Agency complete:

ON BEHALF OF

[insert Agency information]

**RFP No: XX**

Issuance Date: [Insert Month/Day/Year]

**PROPOSALS DUE: A** **[Insert Month/Day/Year] NOT LATER THAN** **[Insert time]** **Insert AM/PM] (PST)**

**LATE PROPOSALS WILL NOT BE ACCEPTED**

**RFP Issue Date**: See “Available Date” for this RFP in OregonBuys

**Proposal/Quote Due Date:** See “Bid Opening Date” and time for this RFPin OregonBuys.

**Purchaser/Single Point of Contact:** See “Purchaser” and “Info Contact” for this RFP in OregonBuys.

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1. **GENERAL INFORMATION**

* 1. INTRODUCTION AND PUBLIC NOTICE

[Note: determine “Contracting Agency” and select the appropriate intro. If DAS is conducting its own procurement, DAS will be the Contracting Agency. If DAS is conducting the procurement on behalf of another Agency, DAS will be the Contracting Agency and the other Agency will be referred to as Agency. If an Agency is conducting the procurement pursuant to delegated Authority, it will be the Contracting Agency.]

*DAS procurement:*

The Department of Administrative Services, Procurement Services (“Contracting Agency”) is seeking Proposals from Professional Services and/or Related Services Consultants to provide [insert category or type of services] in support of the [insert Project].

*DAS on behalf of another Agency:*

The Department of Administrative Services, Procurement Services (“Contracting Agency”) is issuing this Request for Proposals on behalf of [insert] (“[acronym]” or “Agency”), seeking Proposals from Professional Services and/or Related Services Consultants to provide [insert category or type of services] in support of the [insert Project].

*Agency with Delegated Authority*:

The [insert Agency] (“Contracting Agency”) is seeking Proposals from Professional Services and/or Related Services Consultants to provide [insert category or type of services] in support of the [insert Project]. Contracting Agency is issuing this RFP under the authority of the Department of Administrative Services (DAS) delegation pursuant to *OAR* 125-246-0170(2)(d)(R) (as amended) for architectural and engineering (A&E) services. *[If using the informal selection procedures for A&E (see Section 2.03 for when informal procedures may be used), delete the prior citation and insert the following delegation authority:* OAR 125-246-0170(2)(c)(D). I*f neither of these are applicable, revise to reflect the appropriate delegation authority relied upon under OAR 125-246-0170 or otherwise.*

*Agency with Contracting Authority*:

The [insert Agency] (“Contracting Agency”) is seeking Proposals from Professional Services and/or Related Services Consultants to provide [insert category or type of services] in support of the [insert Project]. Contracting Agency is issuing this RFP under its authority as set forth in [insert statutory reference] for architectural and engineering (A&E) services.

[insert short description of the (i) Services sought and (ii) the Project]

Additional details on the Scope of the Services are described in the Section 3.02 (Services Sought) of this RFP and in Exhibit A of the Sample Contract attached. The Project is described in more detail in Section 3.01 of this RFP.

Owner anticipates the award of one (1) Contract from this RFP.

See Section 3.05 (Contract Duration) and Section 6.03 (Contract) for additional information. Definitions are located in Section 2.04.

* 1. **OREGONBUYS**
		1. Electronic Procurement System.

This solicitation is being conducted through OregonBuys, an electronic procurement as authorized by OAR 125-247-0330 (E-Procurement).

* + 1. Registration Required.

All vendors must be registered in OregonBuys to do business with the state. Registration is free. To create a vendor account, click the blue “Register” button in the top right corner of the OregonBuys website (<https://oregonbuys.gov/bso>).

For registration assistance see vendor registration guidance (<https://www.oregon.gov/das/ORBuys/Documents/SupplierRegistrationGuide.pdf>)

Vendors are responsible for ensuring that their vendor registration and information is current and correct in OregonBuys. Contracting Agency shall not be responsible for defective registration or incorrect vendor information.

* + 1. User Guides.

See([https://www.oregon.gov/Agency/Business/Procurement/Pages/HowTo.aspx](https://www.oregon.gov/odot/Business/Procurement/Pages/HowTo.aspx)) for quick reference information regarding common questions from vendors when using OregonBuys.

* + 1. Electronic Signatures.

By submitting a Proposal to this RFP, the Proposer (and if selected for award, also as the Consultant) agrees with the Contracting Agency that signatures, and other forms of authorized representative certification, showing on documents submitted via OregonBuys or email are “Electronic Signatures” under ORS Chapter 84 and bind the signing party and are intended to be and can be relied upon by the parties.

* + 1. Failure of Electronic Procurement System

Per OAR 125-247-0330(6) in the event of a failure of an Electronic Procurement System that interferes with the ability of a Person to submit Electronic Submittals, to protest or to otherwise participate in the procurement, Contracting Agency may cancel the procurement or may extend the date and time of receipt of Electronic Submittals by providing notice of the extension immediately after the Electronic Procurement System becomes available.

**1.02.6** Technical Difficulties; Late Submission

Larger files may take additional time to upload to OregonBuys. Proposers are responsible for allowing sufficient time to navigate the OregonBuys system, upload files, and finalize and submit its Proposal via OregonBuys prior to the Bid Opening Date.

If technical difficulties occur that are of no fault of the Proposer that prevent submission of a Proposal via OregonBuys, the Proposer may notify the SPC in writing, via email, immediately to describe the difficulties encountered and to seek SPC approval of an alternative submission method.

As circumstances warrant, SPC may, at its discretion, allow for an alternative Proposal submission method.

A Proposal received after the Bid Opening Date is considered late and late submissions due to any reason will not be accepted.

* 1. **OBTAINING RFP DOCUMENTS**

The RFP and attachments are published in the State of Oregon’s electronic eProcurement system OregonBuys at https://oregonbuys.gov/. Documents will not be mailed to prospective Proposers.

Modifications, if any, to this RFP will be made by written Amendment(s) published in OregonBuys. Prospective Proposer is solely responsible for regularly checking OregonBuys to determine whether or not any Amendment(s) have been issued. Amendment(s) are incorporated into the RFP by this reference.

* 1. **RFP ATTACHMENTS**

The following are attachments to this RFP:

ATTACHMENT A--SAMPLE CONTRACT

ATTACHMENT B--PROPOSER INFORMATION AND CERTIFICATIONS FORM

ATTACHMENT C--PRICE PROPOSAL FORM [Related Services Only – *mark RESERVED if not used*]

ATTACHMENT D--CERTIFIED DISADVANTAGED BUSINESS FORM AND OUTREACH PLAN

ATTACHMENT E-- RESPONSIBILITY INQUIRY FORM

ATTACHMENT F--REFERENCE QUESTIONNAIRE [*optional – see Section 5.04. Mark RESERVED if not used*]

In addition to the provisions set forth and linked within the RFP, the RFP incorporates by this reference the information published on the OregonBuys “Bid Solicitation” page for this RFP, including but not limited to:

* Details entered in the Header Information section;
* All RFP attachments, “Amendments” (if any), and any other files linked in the File Attachments and Form Attachments subsections; and
* Information, if any, entered in the “Questions” and “Item Information” sections.

* 1. **SOLICITATION SCHEDULE**

The table below represents a tentative schedule of events. All times are listed in Pacific Time. All dates listed are subject to change. “N/A” denotes that event is not applicable to this RFP.

| **Schedule Item** | **Date** |
| --- | --- |
| Pre-Proposal Conference  | See Section 1.06. |
| Deadline for Proposer questions  | 10 calendar days prior to the Bid Opening Date in OregonBuys Bid Solicitation page for this RFP |
| Deadline for RFP protests | 10 calendar days prior to the Bid Opening Date and time in OregonBuys Bid Solicitation page for this RFP  |
| Proposal submittal deadline  | See “Bid Opening Date” and time in OregonBuys Bid Solicitation page for this RFP [*Note: must be reasonable time/at least 14 days after advertisement*] |
| Proposal Opening  | Date/Time  |
| Completion of Proposal evaluations  | Estimated xx calendar days after Bid Opening  |
| Completion of interviews (if conducted) | Estimated xx calendar days after Bid Opening |
| Intent to award notice | Estimated 3 business days after all scoring complete |
| Deadline for selection protest  | No later than 7 calendar days after intent to award notice |
| \*Negotiations completed | Estimated 30 calendar days after intent to award notice |
| Contract execution  | Estimated within 7 calendar days of negotiation completion  |

**\*** Proposer, by submitting a Proposal, commits to and will be expected to make best efforts to accommodate the negotiation schedule above if selected for intent to award. See Section 6.03.2 Negotiations.

* 1. **PREPROPOSAL CONFERENCE**

**Contracting Agency will not conduct a pre-Proposal conference for this RFP**. [Delete the following if no pre-proposal conference.] Contracting Agency has scheduled a pre‑Proposal conference on \_\_\_\_\_\_\_, 20\_, at \_\_:\_\_am/pm, to be held in person [or] via virtual meeting [or]teleconference [include virtual meeting link or teleconference number; or revise to add location if in-person meeting]\_\_\_\_\_\_\_\_. Attendance is [or]is not mandatory. The purpose of the conference is to provide additional information regarding this solicitation and to answer any questions Proposers may have. Proposers are cautioned that the official RFP requirements will change only by written amendment issued by Contracting Agency.

* 1. **SINGLE POINT OF CONTACT (“SPC”)**

The SPC for this RFP is identified on the Cover Page, along with the SPC’s contact information. Proposer shall direct all communications related to any provision of the RFP only to the SPC, whether about the technical requirements of the RFP, contractual requirements, the RFP process, or any other provision.

* 1. **STATEMENT OF DEI VALUES.** The State of Oregon is committed to taking active steps toward increasing and promoting diversity, equity, and inclusion values across procurement processes for minority, women, emerging small, and service-disabled veteran owned businesses by reducing barriers to compete for and be awarded state contracts. All interested businesses are encouraged to submit Proposals for this contracting opportunity.

1. **SOLICITATION INFORMATION AND REQUIREMENTS**
	1. **PROCUREMENT AUTHORITY**

Contracting Agency is conducting this RFP according to its authority under [insert as applicable: ORS 279A.050(X); specific agency contracting and procurement authority from enabling legislation, organic statutes, other; or delegated authority pursuant to OAR 125-246-0170(2)(d)(r)]

* 1. **APPLICABLE LAW.**

This RFP and any resulting Contract are governed by Oregon Law. [insert as applicable: The Services subject to this RFP are “Professional Services” as defined in ORS 279C.100(2). The Services subject to this RFP are “Related Services” as defined in ORS 279C.100(8).]

Specific laws and rules that govern the solicitation process are found in Oregon Revised Statues (ORS Chapters 279A and 279C), and Administrative Rules of the Oregon Department of Administrative Services (OAR Chapter 125 Division 246 and OAR Chapter 125 Division 248). [Note: as applicable, insert any other Agency-specific laws or rules related to the procurement or services sought.] The RFP and resulting Contract may be subject to other laws and rules.

* 1. **Procurement Method – Professional Services.**

*[*Note: The Informal Selection procedure in OAR 125-248-0210 may be used when the estimated fee will clearly not exceed $250,000 and the Contracting Agency can identify a minimum of 5 prospective consultants to invite to submit Proposals; otherwise, use the formal selection procedure (OAR125-248-0220).]

[Option 1: Formal RFP] Contracting Agency is conducting this RFP in conformance with ORS 279C.110, OAR 125-248-0220. – Formal Selection Procedure.

[Option 2: Informal RFP] Contracting Agency is conducting this RFP in conformance with ORS 279C.110, OAR 125-248-0210. – Informal Selection Procedure.

Or

**Procurement Method – Related Services.**

*[Contracting Agencies selecting a Consultant to perform Related Services shall follow one of the following selection procedures:*

*(a) When selecting a Consultant on the basis of* ***qualifications alone****, Contracting Agencies shall follow the applicable selection procedure under OAR 137-048-0200 (Direct Appointment Procedure), 137-048-0210 (Informal Selection Procedure), or 137-048-0220 (Formal Selection Procedure);*

*(b) When selecting a Consultant on the basis of* ***price competition alone****, Contracting Agencies shall follow the applicable provisions under OAR 137-048-0200 (Direct Appointment Procedure), the applicable provisions of 137-048-0210 (Informal Selection Procedure) pertaining to obtaining and evaluating price Proposals and other pricing information, or the applicable provisions of 137-048-0220 (Formal Selection Procedure) pertaining to obtaining and evaluating price Proposals and other pricing information; and*

*(c) When selecting a Consultant on the basis of* ***price and qualifications,*** *Contracting Agencies shall follow the applicable provisions under OAR 137-048-0200 (Direct Appointment Procedure), the applicable provisions of 137-048-0210 (Informal Selection Procedure) pertaining to obtaining and evaluating price and qualifications Proposals, or the applicable provisions of 137-048-0220 (Formal Selection Procedure) pertaining to obtaining and evaluating price and qualifications Proposals. For selections under the informal selection procedure of OAR 137-048-0210, Contracting Agencies may use abbreviated requests for Proposals that nevertheless meet the requirements of OAR 137-048-0210, when the Contracting Agency determines, in its sole discretion, that the characteristics of the Project and the Related Services required by the Contracting Agency would be adequately addressed by a more abbreviated request for Proposals document, generally comparable to the intermediate Procurement procedures and related documentation under ORS 279B.070 and OAR 137-047-0270. Contracting Agencies subject to this section (2) may request and consider a Proposer’s pricing policies and pricing Proposals or other pricing information, including the number of hours proposed for the services required, expenses, hourly rates and overhead, submitted with a Proposal.]*

Contracting Agency is conducting this RFP in conformance with ORS 279C.110, OAR 125-248-0130(2)(a)(b)(c) Informal/ Formal Selection Procedure selecting on the basis of qualifications alone/price competition alone/price and qualifications.

* 1. **DEFINITIONS**

In addition to terms defined elsewhere in this RFP, the following definitions apply to this RFP. Terminology specific to the OregonBuys system may be found at:

<https://www.oregon.gov/das/ORBuys/Documents/Phase1TerminologyCrosswalk.pdf>

For purposes of this RFP:

“Agency” refers to the Agency that the procurement is being conducted on behalf of [Note: use this definition if an “on behalf of” procurement, otherwise delete];

“Amendment” as used in OregonBuys means “Addendum or “Addenda”, as defined in OAR 125-246-0110(1);

“Business Days” means 8:00 a.m. to 5:00 p.m., Pacific Time, Monday through Friday, excluding State of Oregon holidays;

“Bid Opening Date” means “closing” as defined in OAR 125-246-0110(26). Proposal “Opening” as defined in OAR 125-246-0110(99) will immediately follow;

“Calendar Days” means any day appearing on the calendar, whether a weekday, weekend day, national holiday, State of Oregon holiday or other day;

“Certified Firm” or “Certified Small Business” means a small business certified under ORS 200.055 by the Oregon Certification Office for Business Inclusion and Diversity as “disadvantaged business enterprise”, “minority-owned business”, “woman-owned business”, “emerging small business” or “a business that a service-disabled veteran owns”;

“COBID” means Certification Office for Business Inclusion and Diversity;

“Contracting Agency” means the Department of Administrative Services; Procurement Services [note: if another Agency is conducting this procurement pursuant to delegated authority/contracting authority, delete DAS and insert Agency name];

“Days” means calendar days, unless Business Days is specified;

“DEI” means diversity, equity, and inclusion as described in Executive Order No. 22-15; ‘

“Professional Services” means architectural, engineering, photogrammetric mapping, transportation planning or land surveying services that must be procured using qualifications-based selection procedures [see ORS 279C.100 and ORS 279C.110];

“Project” means the constructed facility or other improvement that Consultant has been retained to design or provide services for.

"Proposal" (referred to as “Quote” in OregonBuys) means a written response to a Request for Proposals;

“Proposers” – (referred to as “Vendor” in OregonBuys) All firms submitting Proposals are referred to as Proposers in this document; after negotiations, an awarded Proposer will be designated as “Consultant”;

“Qualifications Based Selection” or “QBS” means evaluation and scoring of Proposals based on qualifications, experience and project approach, without considering cost.

“Related Services” has the meaning provided in ORS 279C.100;

“RFP” means Request for Proposal (referred to as “Bid Solicitation” in OregonBuys);

“Scope of Work” means 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 Contracting Agency;

“Services” means the services to be performed under the Contract;

“State” means State of Oregon;

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

“Vendor” is a term used in OregonBuys and means any form of business entity registered in OregonBuys.

“Writing” means letters, characters and symbols made in electronic form or inscribed on paper and intended to represent or convey particular ideas or meanings.

Note: Though not defined, the terms “subconsultant” and “subcontractor” are used interchangeably in this document.

* 1. **Proposer Certification**

By participating in the procurement process and submitting a Proposal for Services, Proposer must abide by all requirements and provide all certifications listed herein and in the Proposer Information and Certifications Form (**Attachment B**). Any Proposal that is received conditioned on Contracting Agency’s acceptance of any other terms and conditions or rights to negotiate will be rejected.

1. **PROJECT INFORMATION AND SERVICES SOUGHT**

* 1. **GENERAL BACKGROUND AND PROJECT DESCRIPTION**

[Provide any information that will help proposers understand the nature of the Services needed for the Project. Information that should normally be included:

• a description of the Project

• the estimated Project cost,

• the estimated time period during which the Services will be provided, including as applicable the schedule for the resulting construction project.]

*Note: if DAS is conducting the procurement on behalf of another Agency, insert information about the Agency and its project goals and involvement in the project*.]

* 1. **SERVICES SOUGHT**

[Provide any information that will help proposers understand the Scope of Service. Information that should normally be included:

* the specific Architectural, Engineering and Land Surveying Services or Related Services sought for the Project,
* any specialized expertise or resources needed,
* the estimated time period in which the specific Architectural, Engineering and Land Surveying Services or Related Services sought will be performed.]

The Services and associated deliverables for the prospective Contract are further described in Exhibit A, Statement of Work of the Sample Contract (**RFP Attachment A**).

* 1. **Contract Phases.**

[Delete the Contract Phases section if not applicable.]

Contracting Agency anticipates the contracted Services will be performed in the following phases in support of the Project:

* Phase I –
* Phase II –
* Phase III -

The resulting contract is anticipated to include Phase I. The Contracting Agency may, at its discretion:

* Amend the Contract to add the next phase (or various elements), or
* Elect to complete subsequent phase tasks with in-house staff, or
* Assign subsequent phase tasks to another consulting firm.

Each added phase will require an amendment to the Contract.

* 1. **Performance Schedule.**

[Insert milestone dates for Services. For the typical design project:

Programming

Schematic Design

Design Development

Construction Documents

Bidding Assistance

Construction Administration]

* 1. **Contract Duration:**

*Select the preferred option and delete the option not used:* The Contract is anticipated to be effective by \_month/year\_\_ and is expected to last approximately \_\_\_ year/month(s). *Or:* The resulting Contract is anticipated to be effective by Month/Year and terminate Month/Year.

Contingent upon Contracting Agency’s need and Consultant’s performance, Contracting Agency may elect to amend the Contract for additional time as necessary. The successful Consultant shall perform its obligations through final completion of all Services required under the Contract, and through completion of all warranty work for the public improvement or public works Project, if applicable, unless the Contract is terminated or suspended.

* 1. **Funding Source(s):**

[State the funding source or sources for the contract and any additional requirements that may be associated with the funding source.

State funding: General Funds, or if a grant, specify grant and associated procurement and contracting requirements, if any

Federal funding: Specify Agency and specific source (grant, contract, etc) and associated procurement and contracting requirements

Note: additional required terms and conditions of the funding source may be included in an exhibit, if so, incorporate in this section]

* 1. **Project Requirements/Design Requirements**
		1. **Use of Recycled Products**

Successful Proposer shall use recyclable products to the maximum extent economically feasible in the performance of the Services, pursuant to OAR 125-246-0321.

[Below are frequently used design requirements that may be applicable. Delete or modify as appropriate for the solicitation. Additionally, include any additional design requirements as applicable to the Project and services sought;]

* + 1. **State Energy Efficiency Design (SEED) Program**

It is the policy of the State that facilities to be constructed by authorized state agencies be designed, constructed, renovated and operated so as to minimize the use of energy resources and to serve as models of energy efficiency. Successful proposer shall be responsible for providing a design consistent with the requirements of the SEED Program, reducing building energy use 20% or more than the state energy code pursuant to ORS 276.900 and OAR Chapter 330, Division 130.

* + 1. **Green Energy Technology**

Successful Proposer shall be responsible for providing a design that includes green energy technology, based on an amount equal to at least 1.5% of the total contract price for the Project, and all necessary documentation, consistent with the Green Energy Technology requirements provided under ORS 279C.527 and ORS 279C.528.

* + 1. **Build America/Buy America**

For federally assisted infrastructure projects, the Build America, Buy America Act requires that all iron, steel, manufactured products, and construction materials used for the project be produced in the United States. Successful Proposer shall be responsible for providing a design that conforms to these requirements. [Note: this is federal-Agency specific, so modify according to funding source requirements]

**3.07.5** [Add any additional Project or Design Requirements]

* 1. **Silence of Specification**

The apparent silence of this scope of work, any specifications and any supplemental specifications as to any detail, or the apparent omission from one of these areas of a detailed description concerning any point, shall be regarded as meaning that only the best commercial and industrial practice is to prevail and that only materials and workmanship of first quality are to be used. Services not specifically mentioned in the RFP, but which are necessary to provide the functional capabilities described by the Proposer, must be itemized in the Proposal.

1. **PROCUREMENT PROCEDURES AND REQUIREMENTS**

* 1. **REQUESTS FOR CLARIFICATION; SOLICITATION PROTESTS/ REQUESTS FOR CHANGE**
1. Requests for Clarification. Any Proposer may make a request for clarification of RFP terms or requirements or information. Requests for clarification must be submitted in writing (via e-mail) to the SPC no later than the deadline for RFP protests set forth in RFP section 1.05, Solicitation Schedule. Clarifications, whether verbal, in Writing, or included in an Amendment as a “clarification,” will be issued at the discretion of the SPC and do not change contractual terms, or procurement requirements. If a request for clarification raises an issue that Contracting Agency determines should be handled by formally amending the RFP, Contracting Agency will do so only by announcing such a change in an Amendment posted on OregonBuys, not through information identified as “clarification.”
2. Solicitation Protests/Requests for Change. Prospective Proposers may submit a written protest of anything contained in this RFP and may request a change to any provision, specification or Contract term contained in this RFP. Protests and requests for change of any provision, specification or Contract term must be submitted in writing (via e-mail) to the SPC no later than the deadline for RFP protests set forth in RFP section 1.05, Solicitation Schedule. Contracting Agency will not consider any protest to this RFP or request for change of any provision, specification or Contract term 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 this RFP provisions, specifications, or Contract terms.

Contracting Agency will resolve all timely protests submitted in accordance with OAR 125-248-0240. Contracting Agency will address all timely submitted requests for change within a reasonable time following Contracting Agency’s receipt of the request and once addressed, will promptly issue a written decision on the request via OregonBuys.

The foregoing procedures and deadline shall also apply to protests and requests for change respecting the contents of an amendment to this RFP, unless the amendment specifies a different deadline.

* 1. **DISPUTES**

In case of any doubt or differences of opinion as to the items or Service to be furnished hereunder, or the interpretation of the provisions of the RFP, the RFP on file with Contracting Agency shall govern and the decision of the State of Oregon shall be final and binding upon all parties.

* 1. **COST OF PREPARATION OF PROPOSAL**

Proposer is responsible for all costs incurred in Proposal preparation and participation in the Proposal evaluation, Award and Contract negotiation processes.

* 1. **Oregon Public Records Law; Confidential or Proprietary Information**

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 Contract(s), shall be kept by Contracting Agency and made a part of Contracting Agency’s records. Proposals shall be open to public inspection in accordance with ORS 279C.107.

If a Proposer believes that any portion of a Proposal contains any information that may be considered exempt from disclosure as a trade secret under ORS Chapter 192.345(2) or ORS 646.461(4), or under other grounds specified in Oregon Public Records Law, ORS 192.311 through 192.478, the Proposer must clearly designate the portions of its Proposal that Proposer believes are exempt from disclosure, along with a justification and citation to the authority relied upon. Identifying the Proposal, in whole, as a trade secret, confidential or otherwise exempt from disclosure is not acceptable. Proposers are cautioned that cost information submitted in response to an RFP is generally not considered a trade secret under Oregon Public Records Law. If Proposal fails to identify the portions of the Proposal that Proposer believes are exempt from disclosure, Proposer is deemed to have waived any later claim of an exemption or request for non-disclosure of that information.

Application of the Oregon Public Records Law shall determine whether any information is actually exempt from disclosure. Proposer is advised to consult with legal counsel regarding disclosure issues.

The State and Contracting Agency will not be liable for any disclosure or release of information that Proposer considers to be exempt from disclosure if required by applicable law or court order. The State and Contracting Agency shall also be immune from liability for disclosure or release of information under the circumstances set out in ORS 646.473(3).

* 1. **FIRM OFFER**

Submission of a Proposal constitutes Proposer’s affirmation that all terms and conditions of the Proposal constitute a binding offer that shall remain firm for a period of no less than ninety (90) days from the Proposal Due Date and Time specified on the cover page of this RFP.

* 1. **PROPOSAL FORMAT AND CONTENTS**

All Proposal documents requiring Signature must be signed by an authorized representative of the Proposer. The Proposal documents received by Contracting Agency may contain “Electronic Signatures”. Contracting Agency reserves the right at any time to require the submission of the hard copy originals of any documents included in the Proposal.

Proposals must be submitted through the OregonBuys system as described in more detail in section 1.02 of this RFP. No oral, telephone, e-mail or facsimile Proposals will be accepted.

Proposals must not exceed [X] pages. Any pages exceeding the maximum number of pages shall not be evaluated. If there is any question as to format requirements contact the SPC for clarification.

Proposer shall provide required information on the forms specified in this RFP. Any information Proposer submits that is not required to be included on forms prescribed by this RFP must be formatted in the manner called for in this RFP and submitted on Proposer’s letterhead.

Proposals must be prepared providing a concise description of the Proposers’ ability to meet the requirements of this RFP. Emphasis should be placed on completeness, clarity and organization.

Proposals must be arranged and organized in separate sections according to the Proposal evaluation criteria requirements listed below in Section 5.04, Point and Score Calculations.

* 1. **MODIFICATION OR WITHDRAWAL OF PROPOSAL**

If a Proposer wishes to withdraw or make modifications to a submitted Proposal, Proposer must do so through OregonBuys, using the “Withdraw Quote” button prior to the Proposal Due Date and Time stated on the Cover Page for this RFP.

* 1. **PUBLIC OPENING**

A public Opening will be held on the date and time listed in the Schedule set forth in Section 1.05. Only the name of the Proposer will be read at the Opening, no other information will be made available at that time.

Interested parties may attend the public Opening, which will be held in-person at [insert location].

*Or*

The public Opening will be held via virtual meeting and interested parties may attend the public Opening through the following link: [Insert TEAMS link].

*OR*

The public Opening will be held via teleconference and interested parties may attend by calling into (insert telephone number and PIN).]

1. **EVALUATION AND SELECTION**

Contracting Agency will evaluate Proposals in accordance with the evaluation procedures set forth in OAR 125-248-0210/OAR 125-248-0220/ OAR 125-248-0130(2) and this RFP.

Responsive Proposals (see Section 5.01) will be forwarded to an evaluation committee that will independently review, score and rank Proposals according to the Evaluation Criteria set forth in Section 5.04. Evaluators will independently judge the merits of the Proposals by comparing the requirements and criteria stated in this RFP with the responsiveness and the relevance of experience/qualifications presented in the Proposal.

The outcome of the evaluation process may, in Contracting Agency’s sole discretion, result in:

(a) notice to Proposer(s) of selection for Contract negotiation and possible award; or (b) cancellation of this RFP and either re-issuance of this RFP in the same or revised form or no further action by Contracting Agency with respect to this RFP. Alternatively, Contracting Agency may determine it will take further steps to gather additional information for evaluation (e.g. notice of interviews, requesting clarification).

Contracting Agency may reject any or all Proposals and may cancel this RFP at any time if doing either would be in the public interest as determined by Contracting Agency. Contracting Agency is not liable for any costs a Proposer incurs while preparing or presenting the Proposal or during further evaluation stages. All unreturned Proposals submitted in response to this RFP will become property of Contracting Agency and part of the public file.

* 1. **Responsiveness Review.**

Proposals must be considered responsive for further evaluation. A Proposal received prior to the Bid Opening Date will be reviewed by the SPC to determine if it responsive to the requirements set forth in this RFP. If the Proposal is unclear, the SPC may request clarification from Proposer (See Section 5.02, Clarification of Responses). If the SPC finds the Proposal non-responsive, the Proposal may be rejected; however, Contracting Agency may waive minor informalities (see Section 5.03, Minor Informalities).

* 1. **Clarification of Responses.**

Contracting Agency reserves the right to request clarification of any item in a Proposal to properly evaluate the Proposal. All requests for clarification and responses shall be in writing. A response to a clarification request may only clarify or explain portions of the already submitted Proposal and may not contain new information not included in the original Proposal. Clarifications cannot be used to supplement or rehabilitate a non-responsive Proposal. Except for requests and responses related to a clarification necessary to evaluate whether a Proposal has met minimum requirements, all requests for clarification and responses will be provided to each selection committee member.

* 1. **Minor Informalities.**

Contracting Agency, in its sole discretion, may waive minor informalities or allow a Proposer to correct them. Minor informalities are: (1) matters of form rather than substance when evident in the Proposal, or (2) insignificant mistakes that can be waived or corrected without prejudice to other Proposers.

Examples of minor informalities include Proposer’s failure to:

* Submit the required number of originals or copies, or both, of Proposals
* Sign the Proposal in the designated block provided an authorized signature appears elsewhere in the Proposal evidencing an intent to be bound.
	1. **POINT AND SCORE CALCULATIONS.**

Each responsive proposal will be evaluated and scored by an evaluation committee as set forth in this Section. Available points are shown in the evaluation criteria section below. Evaluation Committee members may change and Contracting Agency may have additional or fewer evaluators for optional rounds of competition. Evaluators will assign a score for each evaluation criterion listed below up to the maximum points available. The SPC will then average all the evaluator scores for each evaluation criterion.

*Note – the criteria and available points should be adjusted for the services and circumstances of each RFP. Provided, however, additional criteria cannot include pricing policies, pricing Proposals or other pricing information, including the number of hours proposed for the services required, expenses, hourly rates and overhead, when the sole purpose or predominant purpose of the RFP is to obtain Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services.*

*Evaluation Criteria*

1. ***Cover Letter***

*Available Points: 5*

*The Cover letter should address the Proposer’s willingness and commitment, if selected to provide the services offered and a brief description of why the Proposer believes it should be selected. The letter should include the name of the firm and the name, title, telephone number, and email address of the individual(s) authorized to represent the Proposer with respect to the RFP, Proposal, and any resulting contract negotiations. The letter must be signed by the Proposer, if an individual, or a legal representative of the Proposer’s entity authorized to bind the entity in contractual matters. The letter must include a statement that Proposer agrees to accept the terms and conditions of the contract provisions.*

1. ***Proposer Experience, Key Personnel and Qualifications [****and Reference Questionnaire (Optional)]*

*Available Points: 30*

*Proposer should provide an overview of Proposer’s experience and qualifications with respect to the delivery of the Services described in this RFP. Proposer should list individual team members and subconsultant team members the Proposer proposes to assign to or utilize for the Services. Proposer should provide relevant information for each of the proposed team members, including names of staff and position, professional qualifications, and relevant experience. Provide any applicable experience and certifications, and include a current resume for each (not to exceed two (2) pages each). (Note – Resumes are not included in the Proposal page count).*

*Proposer should also provide a list and description of similar projects that it has completed within the last five (5) years.*

*Proposer should provide a portfolio of three previous buildings that best highlight the concepts and design goals as outlined in the Scope of Work. The portfolio should consist of photographs and verbal descriptions of the building to explain the design concept and the approach to the design.*

*[Optional: Proposer should send the Reference Questionnaire (Attachment F) to three references from prior projects that Proposer provided services for that were similar in nature and complexity to the Services sought in this RFP. A separate form must be completed by each reference, returned to the Proposer and submitted with the Proposal.*

*Note—Reference Questionnaire forms are not included in the Proposal page count.]*

1. ***Understanding of Requested Services, Approach and Implementation***

*Available Points: 25*

*Proposer should describe its understanding of the intent and the requirements of the Services being requested in this RFP, the scope of the Services and its overall plan to complete the Services in support of the Project. Proposer should prepare an example design concept for evaluation. The Proposer should prepare a conceptual implementation of an architectural aesthetic design of a mock office building that utilizes the concepts outlined in this RFP.*

*Proposer should describe the firm’s management and organizational structure, and how that structure aids the delivery of the Services sought - including the firm’s chain of command.*

*Proposer should describe its methods of coordinating and expediting all elements to meet delivery schedules without sacrificing quality. Proposer should describe its approach to adjusting schedules when needed, or adjusting its level of effort in order to meet a schedule while staying within a stated budget.*

*Proposer should describe how subcontractors will be selected, utilized and managed to complete the projects. Include a list or organization chart showing all subconsultants and their proposed roles/disciplines.*

1. ***Statement of Work***

*Available Points: 35*

*Utilizing the baseline document found in Exhibit A, Statement of Work of the Sample Contract (RFP Attachment A), Proposer should develop its proposed Statement of Work by adding sufficient detail to included items and eliminating those not needed. The Statement of Work should include and describe in sufficient detail all work and services required by this RFP, including Section 3.02 (Services Sought), and should address all design considerations and requirements described therein.*

1. ***DEI Values and Practices***

*Available Points: 5*

*Pursuant to Executive Order 22-15, Contracting Agency is considering Proposer’s DEI values and practices as part of this evaluation. Please describe Proposer’s DEI values and practices. Note: please do not include any information contained within the Certified Disadvantaged Business Form and Outreach Plan addressed in Section 7.0 and Attachment D to this RFP, as this evaluation criterion is separate and apart from that requirement. The Certified Disadvantaged Business Outreach Plan will not count towards the available points for this evaluation criterion.*

1. ***Required Forms:***

*Available Points:* ***Pass/Fail***

* 1. *Proposer Information and Certifications Form (Attachment B to this RFP)*
	2. *Price Proposal Form (Attachment C to this RFP)[Related Services only—remove if not included]*
	3. *Certified Business Firm (“COBID”) Outreach Plan (Attachment D to this RFP)*
	4. *Responsibility Inquiry Form (Attachment E to this RFP)*
	5. *Reference Questionnaire (Attachment F to this RFP) [Remove if not required]*

*Note—Required forms are not included in the Proposal page count.*

* 1. **PRICE PROPOSAL EVALUATION.**

[*note: use only for Related Services solicitations wherein the method of award includes evaluation of price, otherwise, mark “RESERVED*”]

Pricing must be submitted as instructed in the Price Proposal Form (Exhibit C). The price proposal will be scored by the SPC independently from the Evaluation Committee and based on the following formula. The Proposal with the lowest price proposal must be awarded the maximum number of available points and the Proposals with higher price must be awarded a percentage of the maximum points awarded: (xx points maximum):

(L/X)Y = AP where

L – Lowest Price Proposal among all Proposals

X – Price Proposal being scored

Y – Total points possible

AP – Awarded points

* 1. **INTERVIEWS and PRESENTATIONS** *(OPTIONAL, at Contracting Agency discretion. If conducted, however, Contracting Agency must interview all proposers unless establishing a competitive range and providing for protests accordingly. If Contracting Agency wishes to use the competitive range process, please note for DOJ to include corresponding language)*

Contracting Agency, at its sole discretion, may arrange Proposer interviews. Proposers should be prepared to provide a brief presentation of their Proposal, lasting no more than 10 minutes. Proposers should also be prepared to respond to questions related specifically to their Proposals and other pertinent matters regarding the RFP.

Questions may be directed to the Proposer’s key Project staff regarding qualifications, experience and the firm’s overall approach. At a minimum, the project manager and the key individuals responsible for delivering the Services should be in attendance.

Contracting Agency, in its sole discretion, may elect to conduct interviews via teleconference, video conference, or in-person. Contracting Agency will provide information regarding location, time, and format for the interview to Proposers at least seven (7) Days prior to interview.

The total maximum available interview points are xx points.

* 1. **SCORING AND RANKING OF PROPOSERS; DETERMINATION OF APPARENT SUCCESSFUL PROPOSER**

*[Contracting Agency may deviate from the scoring and ranking process described below; however, the process must be clearly described and consistent with the evaluation criteria described above]*

The SPC will determine the rank of each Proposal, with the highest score receiving the highest rank, and successive rank order determined by the next highest score. The scores for Proposer ranking and tentative award will be determined as follows:

* Total Evaluation Criteria Score = Total of all evaluator scores for a given Proposal, divided by the number of evaluators,
* Total Price Proposal Score (*note: use if Related Services and pricing included, delete if not);*
* Total Interview or Presentation 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 Price Proposal Score plus Total Interview (if conducted).
	1. **SELECTION NOTICE and PROTEST OF PROPOSER SELECTION [**note: this Section applies to Single Award only; if Multiple Award, note for DOJ to include multiple award provisions**]**

Contracting Agency will notify all Proposers, through OregonBuys, of its selection status.

A Proposer who claims to have been adversely affected or aggrieved by the selection of the highest ranked Proposer may submit a written protest of the selection to the Contracting Agency no later than the date set forth in RFP Section 1.05. A Proposer submitting a protest must claim that the protesting Proposer is the highest ranked Proposer 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 Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services described in the RFP.

Protests based on terms or requirements contained in this RFP – are solicitation protests (Section 4.01B) that must be submitted during the solicitation protest period described in Section 1.05 and will not be considered in Selection Protests.

Contracting Agency will resolve all timely submitted protests in accordance with OAR 125-248-0240.

All costs of a protest shall be the responsibility of the protesting Proposer and undertaken at its expense. The State and Contracting Agency shall not be liable for any of the Proposer's costs or expenses incurred or related to filing the protest, on any basis, express or implied.

1. **SELECTED PROPOSER REQUIREMENTS AND CONTRACT REQUIREMENTS**
	1. **Responsibility Determination.**

Prior to award, Contracting Agency will determine if an apparent successful Proposer is responsible, which may include investigation of references. Contracting Agency reserves the right to investigate references including others than those provided in the Responsibility Inquiry Form (Attachment E) and the Proposal Reference Questionnaire (Attachment F) *[if using questionnaire include reference, if not using, delete phrase].* Investigation may include past performance of any Proposer with respect to its performance of similar projects, compliance with specifications and contractual obligations, its completion or delivery of a project on schedule, and its lawful payment of employees and workers. At any time prior to award, Contracting Agency may reject a Proposer found to be not responsible.

* 1. **APPARENT SUCCESSFUL PROPOSER SUBMISSION REQUIREMENTS**

The highest-ranked Proposer who is found to be responsible and selected for a Contract award under this RFP will be required to submit, in addition to any information or certifications required pursuant to the Proposer Information and Certification Sheet (Attachment B), the following information to Contracting Agency within 10 calendar days of Selection Notice. Contracting Agency will, either orally or in writing, formally terminate negotiations with the highest ranked Proposer if Proposer is unable to provide this information within this timeframe or as otherwise deemed reasonable by the Contracting Agency.

* + 1. **Certificates of Insurance.**

The apparent successful Proposer shall provide (electronically via email) Certificates of Insurance to Contracting Agency for levels of Insurance coverage shown in Exhibit C of the Sample Contract (RFP Attachment A). Apparent successful Proposers that have current Certificates of Insurance (with all required coverages and not specific to a particular project) on file with Contracting Agency will not be required to resubmit these. [Note: See instructions in Exhibit C of the Sample Contract for additional information. As needed, confirm with DAS Risk that the insurance coverage types and amounts are current and appropriate for the services that will be contracted. DAS Risk/Contracting Agency may determine that project-specific insurance coverage is required on a case-by-case basis.]

* + 1. **Business Registry Number/Registered Agent**

If selected for Contract award, Proposer must be duly authorized by the State to transact business in the State before executing the Contract. Firms that contract with Contracting Agency are responsible for compliance at all times with all applicable legal requirements regarding business organization, authorization and registration. The apparent successful Proposer(s) (unless you are an individual operating as your real and true name or otherwise exempt under applicable laws) shall submit a current Oregon Secretary of State Business Registry number. See process for obtaining a Business Registry number: <https://sos.oregon.gov/business/Pages/register.aspx>.

All Corporations and other business entities (domestic and foreign) must have a Registered Agent in Oregon. See requirements and exceptions regarding Registered Agents: <https://sos.oregon.gov/business/pages/registered-agents-service-of-process.aspx>.

For more information, see Oregon Business Guide, How to Start a Business in Oregon and Laws and Rules (<https://sos.oregon.gov/business/pages/laws-rules.aspx>). The titles in this subsection are available on the Secretary of State’s Business site: <https://sos.oregon.gov/business/Pages/default.aspx>.

* + 1. **W-9 Form**

The apparent successful Proposer(s) shall provide their Taxpayer Identification Number and backup withholding status on a completed W-9 form (https://www.irs.gov/pub/irs-pdf/fw9.pdf) if either of the following apply:

* When requested by Contracting Agency (normally in an intent to award notice), or
* When the backup withholding status or any other information of Proposer has changed since the last submitted W-9 form, if any.

No payment can be made until a properly completed W-9 is on file with Contracting Agency.

* + 1. **Joint Venture/Partnership Information**

An apparent successful Proposer, if a Joint Venture/Partnership shall provide a copy of the joint venture agreement or partnership agreement evidencing authority to propose and to enter into the resulting Contract that may be awarded, together with corporate resolutions (if applicable) evidencing corporate authority to participate as a joint venturer or partner. A contact person must also be designated for purposes of receiving all notices and communications under the Contract. All partners and joint venturers will be required to sign the Contract awarded.

* + 1. **Certificate of Pay Equity Compliance**

If selected Proposer employs 50 or more full time workers and the estimated contract price exceeds $500,000, Proposer shall supply the Certificate of Pay Equity Training issued by DAS (under ORS 279A.167) upon completion of the curriculum and assessment that the Proper understands the prohibitions set forth in ORS 652.220 and in other laws or rules that prohibit discrimination in compensation or wage payment. If selected Proposer does not employ 50 or more full time workers, Proposer must provide on company letterhead written certification that selected Firm does not employ 50 or more full-time workers.

* 1. **CONTRACT**
		1. **Form of Contract.**

The Successful Proposer will be required to execute of an agreement in the form of the Oregon Professional Services Contract, a sample of which is attached to this RFP as Attachment A.

If Proposer takes exception to any portion of the Contract, Proposer must have successfully requested a change to the Contract term as described in Section 4.01 of this RFP. Contracting Agency will not consider Contract exceptions stated in the Proposal. Unless an amendment has modified or reserved the right to negotiate any terms and conditions contained in the Contract or exhibits thereto, Contracting Agency will not negotiate any term or condition after the solicitation protest deadline, except the Statement of Work and pricing with the apparent successful Proposer(s) per Section 6.03.2, Negotiations, below.

If any discrepancies, inconsistencies or ambiguities exist between the Proposal and the RFP, the RFP takes precedence.

* + 1. **Negotiations.**

The Contracting Agency will begin negotiating in the best interest of the State a Contract with the highest ranked Proposer and will direct Contract negotiations toward discussing, refining and finalizing the following:

(A) The Statement of Work, including the specific scope of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services to be provided by the Consultant;

(B) The Consultant’s performance obligations and performance schedule;

(C) Payment methodology, Consultant’s rates and number of hours, and a maximum amount payable to the Consultant for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services required under the Contract that is fair and reasonable to the Contracting Agency as determined solely by the Contracting Agency, taking into account the value, scope, complexity and nature of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services; and

(D) [*Note – if there are any other conditions or provisions the Contracting Agency believes to be in the Contracting Agency’s best interest to negotiate, they should be listed here.*]

* + 1. **Funding Contingency.**

Proposers are advised that the award and potential dollar amount of the Contract, including as may be amended within the Scope of Work identified in this RFP, are contingent upon Contracting Agency receiving approval of funding for use under this RFP as determined by Contracting Agency in its sole discretion.

* + 1. **Amendment.**

Contingent upon Contracting Agency’s need, Consultant’s performance, and the availability of approved funding, Contracting Agency may later amend the Contract for additional tasks, Contract phases and compensation as necessary to complete the Services needed for the Project, provided the amendments are within the Scope of Work described in this RFP.

* 1. **SUBSEQUENT NEGOTIATIONS****.**

Contracting Agency will, either orally or in writing, formally terminate negotiations with the highest ranked Proposer if Contracting Agency and Proposer are unable for any reason to reach agreement on a Contract within a reasonable amount of time [*alternative language if Contracting Agency has specific timeline for execution: Contracting Agency may, either orally or in writing, formally terminate negotiations with the highest ranked Proposer if Contracting Agency and Proposer are unable for any reason to reach agreement on a Contract within XX days/weeks*]*.* Contracting 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 Contract. If negotiations with any Proposer do not result in a Contract within a reasonable amount of time (as determined in the sole discretion of Contracting Agency) Contracting Agency may end this solicitation. Contracting 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.

1. **CERTIFIED FIRM PARTICIPATION (ORS 200.005 to 200.075; ORS 200.160 to 200.200; ORS 279A.105):**

Participation By Disadvantaged Business Enterprises, Minority-Owned Businesses, Woman-Owned Businesses, Businesses Owned by Service-Disabled Veterans and Emerging Small Businesses.

Consultant must complete the Certified Disadvantaged Business Form and Outreach Plan, Attachment D. If there may be opportunities for subcontractors to work on the Project, Proposer must develop an outreach plan to describe its good faith efforts to ensure that Certified Firms are provided an equal opportunity to compete for and participate in the performance of any contract resulting from this procurement or any subcontracts associated with Services to be performed under any contract resulting from this procurement. Certified Firm means a small business certified under ORS 200.055 by the Oregon Certification Office for Business Inclusion and Diversity (COBID) as minority-owned businesses, woman-owned businesses, businesses that service-disabled veterans, and emerging small businesses. If selected, Proposer’s outreach plan will be incorporated into the resulting contract.

Furthermore, as and when applicable, the successful Consultant executing any resulting contract shall maintain any Certified Firm certifications applicable to the Consultant, and require in its subcontracts that subcontractors maintain any applicable Certified Firm certifications required by Section 2, Chapter 325, Oregon Laws 2015, as amended by Section 26, Chapter 565, Oregon Laws 2015 as a material condition of the contract. If the Consultant or subcontractor was awarded the contract or any underlying subcontract, as applicable, in the course of the State’s carrying out an affirmative action goal, policy or program under ORS 279A.100 – 279A.107, and fails to maintain the required certification, Contracting Agency may terminate the contract, require the Consultant to terminate the subcontractor, or exercise any of the remedies reserved for a breach of the contract.