



Request for Proposals
for
Willow Creek Water Park Improvements Project

PROPOSALS DUE: August 16, 2022 at 3:00 P.M. Pacific Time

Published July 11, 2022
As Amended by Addendum #1 – July 25, 2022

Section 1 - Invitation

1.1 – Overview

The Willow Creek Park District (the District) requests Proposals from qualified firms (Proposers) to provide professional services to plan and design improvements and repairs to the District's existing Willow Creek Water Park. To be considered, an interested party must submit a Proposal in accordance with the requirements set forth in this Request for Proposals (RFP). The District is issuing this RFP in accordance with the informal selection procedures under OAR 137-048-0210.

The Willow Creek Water Park outside pool area includes a water slide, in-pool basketball hoop, six 25-yard lap-swim lanes, a large zero depth fan play area, a six-foot deep end, waterslide and plunge pool, an expansive concrete patio with deck chairs, and a concession stand. In addition to the outside pool, the Water Park maintains an indoor 10-foot by 20-foot shallow warm water Therapy Pool. The Water Park provides recreational activities, swim lessons, lifeguard training, and events for the community.

The Water Park has successfully served the community for 25 years and is now in need of various repairs and improvements including but not limited to maintenance and repair of concrete, tile, and plaster surfaces for both the outside pool and Therapy Pool; and repairs to gutters and drains. Architectural improvements are required to the existing bath house, concession, and administration facilities, including replacing all cabinets, counters and lockers, replacing doors and frames, refinishing floors, roof repairs, repainting, and extensive upgrades to the Therapy Pool mechanical/chemical room. Miscellaneous mechanical and electrical upgrades are also required including replacing existing light fixtures.

Consulting services for the Willow Creek Water Park Improvements Project are anticipated to consist of three phases:

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 2 of 13

- Phase 1 – Planning: identification of project requirements, identification of estimated construction costs for improvements, coordination with District Board and staff to prioritize improvements, and identify recommended improvement packages.
- Phase 2 – Design: final design of recommended improvement packages and preparation of project plans, specifications, and contract documents, and bidding support.
- Phase 3 – Construction: consultant services during construction as needed to assure successful delivery of the recommended improvements.

It is intended that a Professional Services Agreement will be awarded for Phase 1 services and a separate or amended agreement will be issued for Phase 2 and Phase 3 services to implement the improvements recommended in Phase 1.

Responses to this RFP will be reviewed, scored, and ranked according to the criteria and process defined in this RFP. The Proposer identified as the most qualified through the evaluation process will be selected for contract negotiations.

Proposers may schedule a meeting with the District Project Manager and inspect the existing pool and related facilities by contacting Skip Matthews at rockstreet155@gmail.com, 541-256-0383. Meeting with the District Project Manager and inspection of existing facilities are optional but encouraged. Such meetings may be conducted in person or virtually, at the Proposer's discretion.

1.2 – General Instructions

Each Proposal shall be submitted electronically as a single PDF file by no later than 3:00 p.m. Pacific Time on Tuesday, August 16, 2022. Proposals shall be submitted via email to Mark Knudson, Project Advisor, at mknudson@sdao.com. The subject line of the email must identify the Project: "Willow Creek Water Park Improvements Project" along with the name of the Proposer. Proposals submitted via email are limited to a maximum size of 10 MB. Proposers wishing to submit a proposal file larger than 10 MB shall contact the Project Advisor via email for additional instructions.

For additional information regarding the project requirements, contact the Project Manager, Skip Matthews at rockstreet155@gmail.com, 541-256-0383.

Proposers shall notify the Project Advisor, Mark Knudson, at mknudson@sdao.com, 503-319-5256, to confirm the Proposer's interest in the project and to receive addenda and other pertinent notifications.

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

1.3 – Advertisement

The Willow Creek Park District (the District) requests Proposals from firms and organizations interested in providing professional services to plan and design improvements and repairs to the District's existing Willow Creek Water Park. A Request for Proposals (RFP) may be obtained at: <https://www.sdao.com/requests-for-proposals>.

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 3 of 13

Proposals shall be submitted following procedures established in the RFP and will be received until 3:00 P.M. on Tuesday, August 16, 2022.

Questions concerning this solicitation should be directed to the District Project Manager, Skip Matthews at rockstreet155@gmail.com, 541-256-0383.

PUBLISHED: July 11, 2022 in the DJC Oregon; July 12, 2022 in the East Oregonian; and July 12, 2022 in the Business Tribune.

Section 2 - Background and General Information

2.1 – Project Background

The Willow Creek Park District was established in 1980 and is an Oregon Special District organized under ORS Chapter 266 and is charged with providing and administering selected parks and recreation programs for Heppner and neighboring communities. The mission of the Willow Creek Park District is to provide enriching recreational activities and facilities to enhance the quality of life of the communities it serves. The Park District is governed by a five-member board of directors who are elected to serve the people.

The District is currently responsible for the management of the Willow Creek RV Park and Campground, and the Willow Creek Water Park. The Willow Creek Water Park is in Heppner, Oregon and provides several recreational activities, education programs, and events for the community.

The Willow Creek Water Park outside pool area includes a water slide, in-pool basketball hoop, six 25-yard lap-swim lanes, a large zero depth fan play area, a six-foot deep end, waterslide and plunge pool, an expansive concrete patio with deck chairs, and a concession stand. In addition to the outside pool, the Water Park maintains an indoor 10-foot by 20-foot shallow warm water Therapy Pool. The Water Park provides recreational activities, swim lessons, lifeguard training, and events for the community.

The Water Park was constructed in 1997 and is now in need of various repairs and improvements including but not limited to maintenance and repair of concrete, tile, and plaster surfaces for both the outside pool and Therapy Pool; and repairs to gutters and drains. Architectural improvements are required to the existing bath house, concession, and administration facilities, including replacing all cabinets, counters and lockers, replacing doors and frames, refinishing floors, roof repairs, repainting, and extensive upgrades to the Therapy Pool mechanical/chemical room. Miscellaneous mechanical and electrical upgrades are also required including replacing existing light fixtures.

The District has entered into a consulting services agreement with the Special Districts Association of Oregon Consulting Services Program (SDAO) to serve as a Project Advisor and assist the District in procurement of professional services for the Willow Creek Water Park Improvements Project.

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 4 of 13

2.2 – Issuing Office

This RFP is issued by the Willow Creek Park District. The District’s Project Manager for this work is: Skip Matthews, Willow Creek Park District, PO Box 582, Heppner, Oregon 97836, 541-256-0383.

All questions and correspondence pertaining to this RFP should be directed to the District’s Project Manager: Skip Matthews, Willow Creek Park District, rockstreet155@gmail.com, 541-256-0383.

2.3 – Anticipated Procurement Schedule

The following anticipated procurement schedule is subject to revision.

Anticipated Procurement Schedule

Activity	Start Date	Duration (days)	End Date
Advertisement	7/11/22	1	7/12/22
Solicitation	7/11/22	36	8/16/22
Optional Pre-Proposal Meeting	7/21/22	0	7/21/22
Proposals Due – 3:00 p.m. Pacific Time	8/16/22	0	8/16/22
Evaluation & Selection	8/16/22	10	8/26/22
Negotiation/Contracting	8/26/22	21	9/16/22
Award at District Board Meeting	9/19/22	0	9/19/22

2.4 – Estimated Project Budget & Schedule

The total project budget, including consulting services and construction, is \$1 million subject to findings of Phase 1. The estimated budget for Phase 1 planning services is \$10,000. Phase 1 services shall be completed within four months following the District’s notice to proceed. The scope, schedule, and budget for Phase 2 and Phase 3 services will be negotiated separately following completion of Phase 1.

2.5 – Changes to the Solicitation by Addenda

The District reserves the right to make changes to the RFP by written addendum, which shall be issued via email to all prospective Proposers known to the District to have received the RFP. Any Addenda shall have the same binding effect as though contained in the main body of the RFP. Oral instructions or information concerning the project provided by District’s managers, employees, agents, or advisors to prospective Proposers shall not bind the District.

Each Proposer shall ascertain, prior to submitting a Proposal, that the Proposer has received all Addenda issued. The Proposer shall acknowledge receipt of all Addenda in the certification form to be attached to the Proposal.

2.6 – Confidentiality

All information submitted by Proposers shall be public record and subject to disclosure pursuant to the Oregon Public Records Act, except such portions of the Proposal for which Proposer requests exception from disclosure consistent with Oregon Law. All requests shall be in writing, noting specifically which portions of the Proposal the Proposer requests exception from

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 5 of 13

disclosure. Proposer shall not copyright, or cause to be copyrighted, any portions of the Proposal. To facilitate public inspection of non-confidential portions of the Proposal, all confidential material shall be clearly marked and the word “Confidential” shall be stamped in red on the pages that apply. Proposer shall not mark the entire proposal document “Confidential.”

2.7 – Cancellation

The District reserves the right to cancel award of this contract at any time before execution of the contract by both parties if cancellation is deemed to be in the District’s best interest. In no event shall the District have any liability for the cancellation of award.

2.8 – Late Submittals

All Proposals not received by the deadline stated in the RFP schedule will be deemed late and will not be considered. Delays due to mail, email, file transfers, and document delivery, including but not limited to delays within the District’s and the Project Manager’s or Project Advisor’s communication systems, do not excuse the Proposer’s responsibility for submitting their Proposal by the stated deadline.

2.9 – Disputes

In case of any doubt or differences of opinions as to the items or service to be furnished hereunder, or the interpretation of the provisions of the RFP, the decision of the District shall be final and binding upon all parties.

2.10 – Proposer’s Representations

Proposers, by the act of submitting their Proposal, represent that:

- a. They have read and understand this Request for Proposals and their Proposal is made in accordance therewith;
- b. They have familiarized themselves with the local conditions under which the work will be performed; and
- c. Their Proposal is based upon the requirements described in this RFP without exception unless exceptions are clearly stated in their Proposal.

2.11 – Proposer Requests for Information and Interpretation of RFP Documents

Requests for information regarding District services, programs or personnel, clarification or interpretation of the RFP, or any other questions shall be submitted in writing via email directly to the Project Manager at the address listed in Section 2.2 of this RFP. Answers to questions will be provided to all known recipients of this RFP.

The District will make any interpretations, corrections, or changes of the RFP in writing by published Addenda. Interpretations, corrections, or changes of the RFP made in any other manner will not be binding, and Proposers shall not rely upon such interpretations, corrections, and changes.

In the event of a difference of opinion between the District and a Proposer as to the items to be furnished hereunder or the interpretation of the provisions of this solicitation, the decision of the District shall be final and binding upon all parties.

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 6 of 13

2.12 – Complaints and Inequities

Any complaints or perceived inequities related to this RFP or award of work referenced herein shall be in writing and directed to the to the Project Manager at the address located in Section 2.2 of this RFP. Such complaints will be reviewed upon receipt and will be answered in writing.

2.13 – Cost of RFP and Associated Responses

The District is not liable for any costs incurred by a Proposer in the preparation and/or presentation of a Proposal. The District is not liable for any cost incurred by a Proposer in protesting the District’s selection decision.

2.14 – District Requests for Clarification, Additional Research & Revisions

The District reserves the right to obtain clarification of any point in a Proposal or to obtain additional information necessary to properly evaluate a particular Proposal. Failure of a Proposer to respond to such a request for additional information or clarification could result in a finding that the Proposer is non-responsive and consequent rejection of the Proposal.

The District may obtain information from any legal source for clarification of any Proposal or for information on any Proposer. The District need not to inform the Proposer of any intent to perform additional research in this respect or of any information thereby received.

The District may perform, at its sole option, investigations of a Proposer. Information may include, but shall not necessarily be limited to credit history, recent financial statements, current litigation, bonding capacity, and contacting references. All such documents, if requested by the District, become part of the public records, and may be disclosed accordingly.

The District reserves the right to request revisions or clarifications of Proposals after their submission and before a final award.

2.15 – Rejection of Proposals

The District reserves the right to reject any or all Proposals received in response to this RFP.

Proposals may be rejected for one or more of the following reasons, including but not limited to:

- a. Failure of the Proposer to adhere to one or more of the provisions established in the RFP.
- b. Failure of the Proposer to submit a Proposal in the format specified herein.
- c. Failure of the Proposer to submit a Proposal within the time requirements established herein.
- d. Failure of the Proposer to adhere to ethical and professional standards before, during, or following the solicitation and contracting process.

The District may reject any Proposal not in compliance with all prescribed public procurement procedures and requirements and may reject for good cause any or all Proposals if the District determines that it is in the public interest to do so.

2.16 – Modification or Withdrawal of Proposal by Proposer

A Proposal may not be modified, withdrawn, or canceled by the Proposer for sixty calendar days following the time and date designated for the receipt of Proposals. Proposals submitted early may be modified or withdrawn only by notice to the District and Project Manager prior to the due date.

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 7 of 13

Such notice shall be in writing over the signature of the Proposer and submitted to the Project Manager. All such communication shall be so worded as not to reveal any material contents of the original Proposal.

Withdrawn Proposals may be resubmitted up to the due date if they are then fully in conformance with the RFP.

2.17 – Proposal Ownership

All Proposals submitted become and remain the property of the District and, as such, are considered public information and subject to public disclosure within the context of the federal Freedom of Information Act and Oregon Revised Statutes (ORS) 192.501 and ORS 192.502.

Unless certain pages or specific information are specifically marked “Confidential” and qualify as such within the context of the regulations stated in the preceding paragraph, the District shall make available to any person requesting information through the District processes for disclosure of public records, any and all information submitted as a result of this RFP without obtaining permission from any Proposer to do so after a Notice of Intent to Award has been released.

2.18 – Additional Services

Proposals submitted in response to this solicitation may also be considered by the District for award of other future related work including but not limited to facility planning, facility design, consultant services during construction, and related services. Any Proposer, by written notification included with their Proposal, may decline to extend the terms of this solicitation to any and/or all future projects.

2.19 – Affirmative Action / Nondiscrimination

By submitting a Proposal, the Proposer agrees to comply with the Fair Labor Standard Act, Civil Rights Act of 1964, Executive Order 11246, Fair Employment Practices, Equal Employment Opportunity Act, Americans with Disabilities Act, and Oregon Revised Statutes. By submitting a Proposal, the Proposer specifically certifies, under penalty of perjury, that the Proposer has not discriminated against minority, women, or emerging small business enterprises in obtaining any required subcontracts.

2.20 – Pre-Qualification Meeting / Meeting with District Staff

An optional pre-proposal meeting will be held to allow Proposers to meet with the District Project Manager and inspect the existing pool and related facilities. The pre-proposal conference will be held on Thursday, July 21, 2022 at 1:00 P.M. Pacific Time at 433 Riverside Ave, Heppner, OR 97836. Attendance at the pre-proposal meeting is optional but encouraged.

Proposers may schedule a meeting with the District Project Manager and inspect the existing pool and related facilities by contacting Skip Matthews at rockstreet155@gmail.com, 541-256-0383. Meeting with the District Project Manager and inspecting the existing facilities are optional but encouraged. Such meetings may be conducted in person or virtually, at the Proposer’s discretion.

Meetings with the Project Manager shall occur no later than seven (7) calendar days prior to the Proposal due date. Time allotted for this meeting is one (1.0) hour for each consultant team. All

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 8 of 13

other contact with the District’s Project Manager and Project Advisor is limited to project specific questions via email.

Section 3 – Requested Services

3.1 – Project and Proposal Requirements

The District is seeking to obtain services from qualified Proposers, with demonstrated success in the planning, design, and consultant services during construction of community swimming pools to complete improvements to the District’s existing swimming pool. Preference will be given to firms with experience in providing planning, design, and consultant services during construction of public swimming facilities in rural communities.

The Proposer must have a proven history of providing high-quality of services, meeting project goals and objectives, producing high quality work products, and adhering to project schedules and budgets. The District will verify this requirement by communication with the Proposer’s clients and references.

The Proposer’s project team shall be available for the duration of the project. Upon execution of the Professional Services Agreement, key personnel and subconsultants assigned to the project shall not be changed without written approval of the District.

Proposers shall have all required licenses and certifications required to perform the work. The selected Proposer, at Proposer's sole costs and expense for the full term of the Agreement or any extension thereof, shall obtain and maintain insurance coverage as established in the final Professional Services Agreement.

3.2 – Project Objectives

It is anticipated the Willow Creek Water Park Improvements Project will consist of three phases, with the following objectives:

Phase 1 – Planning

1. Thoroughly inspect existing facilities and meet with District Project Manager and staff to identify needed and desired improvements.
2. Identify the anticipated scope of work and planning-level cost estimates for discrete improvements.
3. Coordinate with District Board and staff to identify groups of improvements to be bundled into one or more recommended improvement packages.
4. Identify the anticipated scope, schedule, and budget for the recommended package(s) of improvements that may be implemented during one or more construction seasons.

Phase 2 - Design

1. Provide designs for recommended improvements, including project plans, specifications, and updated construction cost estimates.

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 9 of 13

2. Coordinate with District Board and staff to review project plans, including review of working draft and final draft plans, specifications, and contract documents.
3. Provide final plans, specifications, and contract documents suitable for public bidding.
4. Coordinate permitting of planned improvements including coordination with the jurisdiction having authority for plan review and issuance of construction permits.
5. Support District Board and staff in bidding and award of recommended improvements.

Phase 3 – Construction

1. Provide consultant services during construction for recommended improvements including, but not limited to, review of project submittals, response to requests for information, construction oversight and inspection, review of contractor progress payment requests, and additional services as needed to assure successful delivery of the recommended improvements.

The successful Proposer will provide demonstrated success in delivery of services for all three phases of the Project.

Section 4 - Proposal Requirements

4.2 – Submittal of Proposal

Each Proposal shall be submitted electronically as a single PDF file by no later than 3:00 p.m. Pacific Time on Tuesday, August 16, 2022. Proposals shall be submitted via email to Mark Knudson, Project Advisor, at mknudson@sdao.com. The subject line of the email must identify the Project: “Willow Creek Water Park Improvements Project” along with the name of the Proposer. Proposals submitted via email are limited to a maximum size of 10 MB. Proposers wishing to submit a proposal file larger than 10 MB shall contact the Project Advisor via email for additional instructions.

Late Proposals and faxed or hard-copy responses will not be accepted. It is the Proposer’s responsibility to confirm receipt of their Proposal.

4.3 –Proposal Requirements

4.3.1 – Proposal Format Requirements.

- a. Proposals shall be prepared simply and economically. Emphasis should be on completeness, efficiency, and clarity of content. Brevity is encouraged.
- b. Proposals must be submitted assuming they will be printed on letter-sized (8.5” x 11”) paper, with margins of at least ½” on all sides. Font size shall be no smaller than 11.
- c. The maximum total number of pages in the proposal shall not exceed ten (10) pages if printed single-sided. Pages that are formatted for 11x17 inch paper, such as oversized illustrations and maps, will count as 2 pages. Unless otherwise specified herein, allocation of the number of pages within the Sections of the Proposal shall be at the Proposer’s discretion.
- d. Front and back covers as well as tabs and/or dividers which include only Section names will not count against the total page limitation.

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 10 of 13

- e. Proposers must include a maximum two-page Introductory Letter, which will not count against the total page limitation.
- f. The Proposer's proposed Professional Services Agreement shall be submitted with the Proposal and will not count against the total page limitation.
- g. Proposer Certifications and Representations shall be submitted with the Proposal and will not count against the total page limitation.
- h. Resumes, if provided, shall be included in an appendix to the Proposal and will not count against the total page limitation. In general, resumes should not exceed two pages per team member.

4.3.2 – Proposal Content Requirements. Proposals shall include the following elements.

Proposals that fail to meet these requirements may be deemed non-responsive.

1. Introductory Letter. This letter should:
 - a. Be addressed to Skip Matthews, District Board President, Willow Creek Park District, and shall be signed by an officer of the firm authorized to bind the firm to all statements made in the Proposal. Provide contact information, including telephone number(s), e-mail address(es), and physical address(es) to which correspondence should be addressed.
 - b. Acknowledge the Proposer accepts all terms and conditions contained in the RFP and supporting documents or specifically identifies any and all exceptions.
 - c. Name the person(s) authorized to represent the Proposer in any negotiations and the name of the person(s) authorized to sign any contract that may result.
 - d. Confirm applicable licensure, including applicable subconsultants, to provide the proposed services in the State of Oregon.
2. Qualifications of Firm & Reference Projects. This section will provide a basis for determining the capabilities and resources of the Proposer's firm to achieve the objectives of this project. The Proposer should provide:
 - a. Firm's areas of expertise, length of time in business, number of employees, and other information that would be helpful in characterizing the firm. Provide the same information for any subconsultants to be utilized on the project.
 - b. Lines of authority and responsibility, firm's approach managing projects to achieve intended goals and processes to identify and respond to problems and changes in scope, schedule, or budget. Describe the processes and tools to be used to manage the quality of deliverables and work products that are consistent with professional standards and achieve the project objectives.
 - c. Overview of capabilities related to:
 - Project planning including construction cost estimating and prioritization of potential improvements,
 - Preparation of project designs including plans, specifications, and construction contract documents appropriate for successful public bidding of improvements,
 - Support to the project owner during bidding of public improvements,
 - Consultant services during construction of public improvements.
 - d. Reference projects, including a minimum of three (3) projects that are similar in scope, scale, and complexity to the proposed project. Reference projects should include

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 11 of 13

- public swimming pools and related facilities serving communities in the Pacific Northwest. For each project include the project name, project description, project duration, start and end date, and the contract value. List any individuals in the proposed Project Team who participated in each reference project. Include the name, address and phone number of a person who can be contacted regarding your performance for the referenced projects.
3. **Qualifications of Project Team.** Identify Principal, Project Manager, and other key staff, and extent of their involvement if selected for this project, including key staff from subconsultants. The following should be included in this section:
 - a. Team members' individual roles, responsibilities, credentials, and related experience that will allow the District to evaluate the qualifications of individuals proposed for the project. Describe team members' qualifications and experience on similar projects are related to this project.
 - b. An organizational chart under which the Proposer will provide the requested services to the District, if selected.
 - c. Individual team members' availability as a percentage of time that can be dedicated to the project.
 - d. Resumes of key team members shall be included as an appendix to the Proposal and shall generally be limited to two pages per team member.
 4. **Project Understanding.** This section should include a clear and concise statement of the District's goals for this project.
 5. **Project Approach.** The Proposer should provide a summary of their anticipated approach to the project, including:
 - a. Team members who will work on each task.
 - b. Anticipated challenges and limitations to completing the project and the approach to addressing such concerns.
 - c. Proposed approach to providing quality assurance of the furnished product.
 - d. Anticipated approach to engagement of the District Board members, staff, customers, and community.
 6. **Phase 1 Scope of Work.** The Proposer should provide a detailed Scope of Work for Phase 1 Planning services including:
 - a. Anticipated tasks required.
 - b. Anticipated work products and deliverables that may result from each task or activity.
 - c. Anticipated support and/or resources to be furnished by the District.
 7. **Phase 1 Schedule.** Identify the anticipated sequence of activities on the project, including proposed beginning and end date for each task identified in the proposed Scope of Work for Phase 1 Planning services. Identify dates for all major deliverables and milestones, and anticipated dates of key project meetings and workshops.
 8. **Professional Services Agreement.** Include Proposed Professional Services Agreement as an appendix to the Proposal. If the Proposer's firm is selected, the District may elect to negotiate modifications to the proposed agreement at the sole discretion of the District. The Proposer's proposed Professional Services Agreement will not count against the total page limitation.
 9. **Proposer Representations and Certifications.** Complete and submit Attachment A, which will not count against the total page limitation.

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 12 of 13

10. Appendices. Submit additional information pertinent to this solicitation, which will not count against the total page limitation.

Section 5 - Evaluation and Selection

5.1 – General Information

Each Proposal will be judged on its completeness and quality of content based on evaluation criteria identified below. Upon completion of the evaluation process, the District intends to negotiate a final scope of work, fee, and contract with the Proposer whose Proposal is deemed to be most advantageous to the District. The District reserves the right to contact references as part of the decision-making process and prior to making a final selection.

5.2 – Consultant Selection Committee

The Consultant Selection Committee may be comprised of representatives of the District, its customers, and the community. The role of the Selection Committee is to evaluate the Proposals submitted and make a recommendation of award. The District may also seek independent expert advice to help review the Proposals.

5.3 – Proposal Evaluation

The criteria listed below will be used to evaluate Proposals.

Proposal Content	Maximum Score
Introductory Letter	0
Qualifications of Firm & Reference Projects	15
Qualifications of Project Team	25
Project Understanding	5
Project Approach	20
Phase 1 Scope of Work	20
Phase 1 Schedule	15
Professional Services Agreement	0
Proposer Representations and Certifications	0
Appendices	0
Total Maximum Score	100

5.4 – Optional Interviews

The District anticipates making an award based on Proposals, without interviews. However, at the District's option, interviews may be conducted with one or more Proposers after Proposal evaluation. If required, interviews will be scheduled and arranged by the District. If required, interviews will be scored, and interview scores added to the Proposal evaluation scores.

5.5 – Selection and Award

The District may elect to negotiate a final professional services agreement with the highest ranked Proposer. The highest ranked Proposer shall provide the District with a proposed "Not to Exceed" Fee Proposal, including billing rates for each team member, labor hours and costs by task, and

Willow Creek Park District

Request for Proposals –Willow Creek Water Park Improvements Project

As Amended by Addendum #1 – July 25, 2022 - Page 13 of 13

expenses by task within 3 business days following notification by the District. Failure to provide a complete Fee Proposal within 3 business days may result in rejection of the proposal.

If an agreement cannot be reached with the highest ranked Proposer, the District reserves the right to negotiate an agreement with the second highest ranked Proposer. The District reserves the right to negotiate individually with one or more firms, to negotiate an agreement using best and final offers, and to select one or more firms if determined to be in the best interest of the District.

Section 6 - Contract Requirements

6.1 – Minimum Insurance Requirements

The Proposer shall demonstrate compliance with the following minimum levels of insurance:

- a. General liability insurance with limits of no less than \$1,000,000 per occurrence, \$2,000,000 in the aggregate;
- b. Comprehensive automobile liability insurance with limits of no less than \$1,000,000 per occurrence, \$2,000,000 in the aggregate;
- c. Errors and omissions insurance with limits of no less than \$1,000,000 per occurrence, \$2,000,000 in the aggregate;
- d. Employer liability insurance with limits of not less than \$100,000 per occurrence, \$500,000 in the aggregate; and
- e. Workers' compensation insurance in form and amount sufficient to satisfy the requirements of applicable Oregon law.

6.2 – Contract Award

The award of a contract is accomplished by executing a written agreement that incorporates the entire RFP, Proposer's Proposal, and clarifications, addenda, and additions. All such materials constitute the contract documents for the Professional Services Agreement with the selected Proposer.

6.3 – Contract Administrator

The Contract Administrator for the Willow Creek Water Park Improvements Project shall be the District's Project Manager listed in Section 2.2 of this RFP.

**Attachment A
Proposer Representations and Certifications**

Proposal Representations

The undersigned hereby submits this Proposal to furnish all work, services systems, materials, and labor as indicated herein and agrees to be bound by the following documents: Request for Proposals, Professional Services Agreement, and associated inclusions and references, specifications, Proposal Form, Proposer response, mutually agreed clarifications, appropriately priced change orders, exceptions which are acceptable to the District, and all other Proposer submittals.

The undersigned hereby certifies and represents that the Proposer:

1. Has examined and is thoroughly familiar with the Request for Proposal and fully understands its intent; and
2. Understands that the District reserves the right to accept a proposal or reject all proposals if deemed in the best interest of the District; and
3. Understands that all information included in, attached to, or required by this Request for Proposal shall be public record subject to disclosure within the context of the federal Freedom of Information Act and Oregon Revised Statutes (ORS) 192.501 and 192.502.

Receipt of Addenda

Addenda numbers _____ have been delivered and examined.

Certifications

Non-Collusion

The undersigned Proposer hereby certifies that it, its officers, partners, owners, providers, representatives, employees and parties in interest, including the affiant, has not in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Proposer, potential Proposer, firm or person, in connection with this solicitation, to submit a collusive or sham proposal, to refrain from bidding, or manipulating or ascertain the price(s) of other Proposers or potential Proposers, or to secure through any unlawful act an advantage over other Proposers or the District. The fees and prices submitted herein have been arrived in an entirely independent and lawful manner by the Proposer without consultation with other Proposers or potential Proposers of foreknowledge of the prices to be submitted in response to this solicitation by other Proposers or potential Proposers on the part of the Proposer, its officers, owners, providers, representatives, employees, or parties in interest, including the affiant.

Willow Creek Water Park Improvements Project

Conflict of Interest

The undersigned Proposer and each person signing on behalf of the Proposer certifies, and in the case of sole proprietorship, partnership, or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief, no member of the District board, officer, employee, or person, whose salary in whole or in part by the District, has a direct or indirect financial interest in the award of this Proposal, or in the services to which this Proposal relates, or in any of the profits, real or potential, thereof, except as noted otherwise herein.

Reciprocal Preference Law

Residency

The undersigned Proposer certifies that their firm is a () Resident Proposer () Non-resident Proposer.

Signature

The Proposer hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

Firm Name

Mailing Address, City, State, Zip

Contact Name

Title

Contact Email Address

Contact Telephone Number

Signature

Date