



**REQUEST
FOR
QUALIFICATIONS**

5th STREET to KINSMAN ROAD EXTENSION

(Project #4196)

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

Advertised on March 22 & 25, 2019

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**CITY OF WILSONVILLE
REQUEST FOR QUALIFICATIONS (RFQ)**

Subject: Request for Statement of Qualifications (SOQs) from firms to construct stormwater outfall improvements associated with the 5th Street to Kinsman Extension project.

INTRODUCTION

The City of Wilsonville is soliciting Statement of Qualifications (SOQ) from firms for the furnishing of all labor, materials, equipment and supervision for a construction project of the 5th Street to Kinsman Extension project.

The estimated project cost is in the range of **\$9,000,000 to \$9,500,000**.

The City intends to select firms to complete construction along a tight timeline to allow the improvements to be substantially complete by November 13, 2020. Construction of the two bridge footings needs to be completed during the in-water work periods of July 15 to October 15 of each year.

The City's purpose in using this process will be to determine "responsible bidders" for this substantial project through an evaluation of the demonstrated ability to successfully complete projects of a similar type, complexity, size, scope, budget, conditions, and schedule.

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

The Terms used throughout this document are summarized below:

Contractor:

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

Construction Price:

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

Respondent:

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

BACKGROUND

The City's Transportation System Plan has included future extensions of roadways through the Arrowhead Creek Planning Area. The location of these extensions was approved by City Council in December 2016. Currently the City is moving forward with construction of Phase 1 of the roadways – extensions of Kinsman Road and 5th Street meeting at a new intersection, and continuing 5th Street to the west to intersect with Arrowhead Creek Lane.

PROJECT INFORMATION

Project Description

The City of Wilsonville is soliciting Statement of Qualifications (SOQ) from firms for the furnishing of all labor, materials, equipment and supervision to complete extensions of SW 5th Street and SW Kinsman Road, and reconstruction of SW Boones Ferry Road, from Bailey Street to 5th Street in the City.

Work will include a 1,600 foot extension of SW 5th Street (asphalt roadway), a 1,150 foot extension of SW Kinsman Road (PCC roadway), a 1,900 foot extension of the Ice Age Tonquin Trail multi-use path, construction of two bridges over Coffee Lake Creek (85-ft and 90-ft lengths), a 660-ft reconstruction of Boones Ferry Road; a 2,500 foot extension of 15" sanitary sewer main, 3,100 foot extensions of water mains, stormwater infrastructure, water quality facilities, installation of curb, gutter, sidewalk, streetlights, signage, striping and landscaping & irrigation; installation of conduit and vaults; plus other miscellaneous work (Project). Construction of the two bridge footings needs to be completed during the in-water work periods of July 15 to October 15 of each year. Part of the work will include coordination with Portland & Western Railroad to upgrade the 5th Street crossing and install utilities underneath. Contractor shall have experience in similar construction projects.

The improvements considered for this solicitation are described below:

5th Street to Kinsman Road Extension:

The estimated project cost range for the improvements are **\$9,000,000 to \$9,500,000**.

Project Schedule Milestones

Request for Qualifications 1st Advertisement:	March 22, 2019
Request for Qualifications 2 nd Advertisement:	March 25, 2019
Clarifications/Complaints/Protests	March 25, 2019, 5 p.m.

Intent to Submit Qualifications Due: March 29, 2019, 5 p.m.
Statement of Qualifications Due: April 3, 2019, 2 p.m.
Statement of Qualifications Evaluated: April 3, 2019
Respondents Notified of Evaluation Results: April 3, 2019, 5 p.m.
'Notice of Evaluation' Result Appeal Due: April 8, 2019, 5 p.m.

Provided no appeal is received:

Solicit Bids From Qualified Respondents: April 17 & 19, 2019
Bids From Qualified Respondents Opened: May 8, 2019, 2 p.m.
'Notice of Intent' to Award Construction Contract May 20, 2019
Award Construction Contract – City Council: June 3, 2019
Notice To Proceed (estimated): June 4, 2019
Project Substantial Completion Nov. 13, 2020
Project Completion: Dec. 31, 2020

Site Location and Site Area

The site lies south of SW Wilsonville Road, between Boones Ferry Road and Arrowhead Creek Lane/Industrial Way.

Permitting

City Approval:

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

Building Code:

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

Water Rights:

Not applicable for this project.

Federal and State Permits:

The City of Wilsonville has applied for applicable federal, state and railroad permitting. In-water work for construction of the bridge abutments will not be allowed until the City receives permitting from US Army Corps of Engineers and Oregon Department of Environmental Quality.

Project Financing

The City of Wilsonville will finance this project through a combination of Urban Renewal Funds, Parks SDC Fees, Sanitary SDC Fees, and Water SDC Fees.

Compensation

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

Retainage

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

Owner's Representative

Inspection services and contract administration will be performed by the City of Wilsonville. Additional inspection and construction observation will be provided by Otak Inc.

PROCUREMENT PROCESS

Selection Process

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

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

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

Categories	Acceptable	Not Acceptable	Incomplete
	Result	Accepted	Not Accepted
1) Organization of Construction Firm	_____	_____	_____
2) Public Works Management and Construction Exp.	_____	_____	_____
3) Equipment List	_____	_____	_____
4) Financial Information and Capacity	_____	_____	_____
5) Public Works Contract Experience	_____	_____	_____
6) Authorized Employee	_____	_____	_____
7) Affidavit	_____	_____	_____

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

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

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

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

Communications Protocol

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

Primary Contact Person

Steve Adams, P.E.

Mailing/ Street address:

29799 SW Town Center Loop East
Wilsonville, Oregon 97070

Telephone number: 503-570-1566
Fax number: 503-682-7025
Email: adams@ci.wilsonville.or.us

Alternate Contact Person

Patty Nelson, P.E.

Mailing/ Street address:

29799 SW Town Center Loop East
Wilsonville, Oregon 97070

Telephone number: 503-570-1567
Fax number: 503-682-7025
Email: nelson@ci.wilsonville.or.us

Complaint Process and Remedies

Prior to SOQ Submittal

Protests of any of the terms or conditions (procedural or substantive) of this RFQ shall be in writing and delivered to Mr. Steve Adams, P.E., at the referenced addresses, no later than **5:00 p.m. on March 25, 2019**. Protests shall include sufficient information to enable the City to evaluate the protest and, if the City deems appropriate, amend the RFQ. It is the responsibility of the Respondent to inquire about, comment on, or clarify any requirement, provision, or feature of this RFQ that the Respondent disagrees with, does not understand, finds ambiguous, unclear, unfair, or likely to limit competition, within the time frame set forth above.

The purpose of this timing requirement is to permit the City an opportunity to correct any term or condition in the RFQ that may be unlawful, improvident, unduly restrictive of

competition or otherwise inappropriate. By permitting corrections prior to the opening of the SOQs, much of the waste inherent in protests and in the possible rejection of all proposals should be minimized. To be considered, protests must be submitted within the time established herein or be completely waived by the protestor. The City shall not consider protests regarding the SOQ submittal process at a subsequent time.

Appeal of Qualification Status

All protests of the City's 'responsible bidder' decision by the Respondent must be submitted in writing to the City's primary contact within three (3) business days (**5:00 pm on April 8, 2019**) after the receipt of said notice. Any protest not filed within this time period is waived. The protest must state clearly the basis for the protest and any legal authority in support thereof.

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

REQUIREMENTS FOR QUALIFICATION STATEMENT SUBMITTALS

General Instructions

This document and related information will be available for download on March 22, 2019 via www.ci.wilsonville.or.us (from Home Page, select Doing Business tab, select Bids & Proposals, select project link under RFQ/RFP). The Statement of Qualifications must be received on or before **2:00 p.m., Local Time, April 3, 2019**. SOQs received after this deadline will not be opened and will be returned unopened. The SOQ must be addressed and submitted to:

By Mail / Delivery

Steve Adams, P.E.
City of Wilsonville

Mailing/ Street address:

29799 SW Town Center Loop East
Wilsonville, Oregon 97070

RE: 4196 – 5th Street to Kinsman Road Extension

The box or envelope must be clearly labeled as "Statement of Qualifications – 5th Street to Kinsman Road Extension. **Three (3) copies** of the SOQ are required. SOQs will not be opened publicly. The City will publish a list of respondents submitting SOQs and will

distribute, via mail or fax, the list to all respondents within one (1) business day of the close of the SOQ submittal process.

No interpretation or clarification of the meaning of any part of the RFQ will be made orally by the City to any potential respondent. Requests for interpretation or clarification by any respondent must be made in writing to Mr. Steve Adams at the referenced address. Responses to requests for information will be provided to all recipients of the RFQ. Any and all such interpretations and supplemental instructions will be made in the form of written addenda that will be sent to all recipients of the RFQ and will become part of the RFQ. Any requested changes or clarifications to the SOQ must be received in writing by Mr. Steve Adams no later than **5:00 p.m., Local Time, on March 25, 2019.**

Intent to Submit:

All contractors intending to submit a Statement of Qualifications shall submit applicable contact information to Candi Garrett via email at garrett@ci.wilsonville.or.us or via telephone at 503-682-4960 no later than **5:00 p.m. on March 29, 2019.** An RFQ Holder's List will be posted on the website by April 1, 2019.

SOQ Submittal Content and Organization

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

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

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

Section 1 - Construction Firm(s)

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

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

Section 1 Requirements

- 1.1 Brief description of the General Contractor's firm
- 1.2 Brief description of the proposed sub-contractors (if any).

Section 2 –Management and Construction Experience

SOQ's shall include examples of previous urban construction work **including bridges, roadways and underground utilities projects** of similar scope, type, contract value, and schedule undertaken by the Respondent and completed for local government agencies.

For the Respondent to be considered as a contractor for this project, a minimum of three (3) **publicly funded** projects successfully completed within the last five (5) years must have been for contract amounts of **\$8,000,000** or more for local government agencies. (A Respondent may list additional years of experience in other types of work or as a sub-contractor, but only after listing experience to show that the minimum requirement is met.)

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

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

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

Section 2 Requirements

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

- 2.7 What is the construction experience of all owners, etc., in Respondent's organization?
- 2.8 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes.

Section 3 - Equipment List

Section 3 Requirements

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

Section 4 - Financial Information and Capacity

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

The SOQ shall include evidence that the Respondent's current surety bonding capacity is equal to or in excess of **\$10,000,000** for the 5th Street to Kinsman Extension project. This evidence may be in the form of a letter from a licensed bonding company or from an agent representing such a company.

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

Minimum Financials are required:

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

Section 4 Requirements

- 4.1 Indicate the total amount of work, expressed in dollars, which the applicant can be bonded for at one time.
- 4.2 Indicate the firm's form of business.
- 4.3 List those individuals, companies or corporations owning 10% or more of applicant's firm.
- 4.4 List any organization, owned or controlled by the applicant, its officers, directors, partners and anyone owning at least 10% interest in the firm, or in which the applicant was or is an officer, director, partner, doing business in Oregon under another name.

Section 5 - Public Works Contract Experience

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

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

Section 5 Requirements

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

Section 6 - Authorized Employee Representative of the Respondent

By submitting a Statement of Qualifications for the Project, Respondent expressly represents that they have taken no exception to any term, condition, obligation or requirement of the RFQ that is not clearly and expressly stated in their SOQ.

Respondents further represent that they are an Authorized Employee Representative of the Respondent and will report immediately to the City in writing any errors, inconsistencies, ambiguities, terms that limit competition, or terms that are otherwise unlawful that they discover in the RFQ.

Section 7 – Affidavit

Fill out appropriate sections.

AFFIDAVIT:

STATE _____)
OF _____)

ss.

County of _____)

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

Original Signature

Title

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

Original Notary Public Signature

My commission expires _____