



THE CITY OF TOLEDO, OREGON  
REQUEST FOR QUALIFICATIONS FOR  
ENGINEERING SERVICES  
FOR  
ENGINEER OF RECORD SERVICES

September 14, 2009

Issued by:

G. Adam Denlinger..... Public Works Director  
Michelle Amberg ..... City Manager

**CITY OF TOLEDO, OREGON**  
**REQUEST FOR QUALIFICATIONS**  
**FOR PROFESSIONAL ENGINEERING SERVICES**

**I. GENERAL**

***I.A – Introduction and Background***

The City of Toledo is soliciting statements of qualifications (SOQ's) from engineering firms to provide general engineering services to the City and to serve in the role of Engineer of Record (EOR).

The City is located off of Highway-20 within a few miles of Newport, Oregon. The City of Toledo is home to approximately 3,600 persons and is located in Lincoln County. The City is managed by a city manager and the public works department is managed by a public works director. A public works crew operates and maintains the public facilities and utilities that are provided by the City.

The City manages the local wastewater collection system which includes a number of wastewater pumping stations, gravity collection piping, and manholes. Wastewater is conveyed to the nearby wastewater treatment facility for treatment and elimination.

The City also manages a potable water treatment facility, providing water to Toledo and nearby Seal Rock residents. The department manages two intake structures which provide source water for treatment. The Mill Creek reservoir is a 450 acres compound south of Toledo. The city also maintains a fresh water intake system along the Siletz River.

The city also maintains approximately 26-miles of improved and unimproved roadways.

The City operates and maintains local parks facility system including one regional use facility and a skate park.

The City is responsible for operating and maintaining the drainage and stormwater facilities in the area. Stormwater facilities are primarily comprised of ditches, catch basins, and other simple drainage systems with discharge to the Yaquina River.

***I.B – The EOR's Potential Scope of Services to the City of Toledo***

The City will direct the EOR to provide engineering assistance in two ways:

1. Miscellaneous Services
2. Task-based Services

A brief description of each is provided below.

**Miscellaneous Services.** The City of Toledo may require general engineering services from their EOR for day to day issues. This may include, but not be limited to the following:

1. Attend council meetings
2. Coordinate and work with City staff
3. Review plans and specifications for development in the City
4. Troubleshoot City facilities and make recommendations for improvements
5. Provide planning for City facilities
6. Review City rate structures and make recommendations
7. Respond to all manner of general engineering requests
8. Preparation of standards and guidelines
9. Development of or updating SDC's
10. Act as a liaison to the Department of Environmental Quality and other agencies as required

For general service tasks, the EOR will provide basic services to the City on a time and materials approach unless other arrangements or agreements are made as dictated by the General Services Agreement (Contract).

**Task-Based Services.** The EOR may be directed to undertake specific projects for the City that have a finite scope of work, are relatively larger in scale, or for any other reason the City wishes to assign the work on a task-basis to the EOR. In these cases, the assignment of work will follow the general process described below:

1. The Public Works Director (PWD) will describe a task or need to the EOR for a specific project.
2. The PWD will ask the EOR to prepare a simple proposal describing the scope of work the EOR will provide, a proposed fee, and an estimated project timeline.
3. The PWD will review the EOR proposal. If appropriate, the proposal will be presented to the City Manager (CM) City Council (Council).
4. The CM/Council/ PWD may choose to accept the proposal as is, reject the proposal, or negotiate a change of scope or fee with the EOR.
5. Once the proposal is accepted, the PWD will issue a task order or work order to the EOR to complete the project outlined in the proposal.
6. The EOR will track the task order with an independent project number separate from general service activities.
7. The City will assign task orders to the EOR as needed. The City will reserve the right to issue a general RFP for specific projects if they desire to have expanded competition, specialized expertise, or if the EOR elects to not accept a request for a specific work order. The City will maintain the necessary autonomy to ensure that the public interest is served the best.
8. The award of a contract to an EOR does not guarantee that the selected firm will be assigned any or all City projects.

The City intends to undertake a number of projects over the next few years. These projects may include, but are not limited to the following:

1. A wastewater collection system master plan
2. Wastewater facilities planning
3. Water/Wastewater pump station upgrades
4. Inflow and infiltration analysis and rehabilitation projects

### ***I.C – EOR Selection Process***

The City will utilize the following general selection process in determining the most qualified and best consultant to serve as the EOR.

1. Interested consultants will provide written statements of qualifications (SOQ's) to the City based on the guidelines and information in this RFQ.
2. Consultants shall be duly licensed and certified to perform the professional services offered by the proposal.
3. Consultants are required to certify non-discrimination in employment practices, and identify resident status as defined in ORS 279A.120.
4. A three to five member selection committee will review and rank all SOQ's based upon the criteria established in this RFQ.
5. All consultants are required to comply with the provisions of Oregon Revised Statutes and Toledo City Municipal Code.
6. If the choice of an EOR is obvious to the committee, the committee may award the contract based on the results of the SOQ review and without further evaluation.
7. However, if further evaluation is required, 2 or 3 firms may be short-listed to participate in an interview process. Additional evaluation steps may include, but not be limited to, an interview, a review of the firm's engineering fee structure, a check of references, etc.
8. Based on the findings of the committee, a recommendation will be made to Council to award the EOR contract to the successful firm.
9. The City will then proceed to negotiate a contract with the selected consultant.
10. If an agreement cannot be reached with the selected consultant, the runner-up consultant will be contacted to negotiate an agreement, and so forth.
11. The City reserves the right to reject any and all proposals at any time, waive minor informalities in the screening process and/or terminate the selection process at any time.

### **II. SOQ CONTENT**

There is no limit on page number or the length of the SOQ's. However, the City is not interested in brochures, boilerplate filler, or general information that is not relevant to the project at hand. The consultants responding to this RFQ are advised to provide a clear and responsive approach to addressing all issues noted in this RFQ.

Key elements to each SOQ should include, but not necessarily be limited to, the following items: (The identified elements are presented in no particular order.)

### ***III.A –Understanding of Need***

The consultant should clearly state their understanding of the City's need for an EOR and for the role an EOR should play for a small community. Specific examples and insights will be useful in this section.

### ***III.B – Approach***

The consultant should attempt to describe their approach to serving as an EOR for a small community like Toledo, how they will communicate with the different departments at the City, and what policies they will follow when interacting with the City on projects and on a day to day basis.

### ***III.C – Experience***

The consultant shall provide a description of their experience and expertise providing general engineering services in the role of EOR for similar communities. Experience with water, wastewater, simple transportation systems, drainage facilities, and general municipal engineering services will also be useful. All applicable experience should be presented.

### ***III.D – Project Team***

Describe the proposed project team for the EOR contract. Describe who will be the key contacts and leaders of the team. Discuss who will interact with the City and the organizational structure that will be proposed for the EOR. Discuss subcontractors that will be available to the City and why their services are important.

### ***III.E – Availability***

It is important that the selected EOR be capable of responding to the City's needs in a timely manner, complete projects on time, and be an efficient resource for the City. The SOQ should address the consultants approach to ensuring that the City's needs will be met by their firm.

### ***III.F – References***

Firms responding to this RFQ must provide a list of at least four (4) municipal client references within Oregon for which the firm or members of the firm have provided similar or related services within the past 5 years. A description of pertinent projects and current contact information for the agency authority should be provided.

## **IV. SELECTION CRITERIA**

The City will screen and rank the SOQ's based on the criteria outlined in this section. At least two top-ranked firms will be identified for further consideration, if further consideration is warranted.

The City may then complete additional evaluations on the remaining consultants such as a review of the firm's engineering fee schedule, participation in an interview process, etc. Using a combination of the information provided in the SOQ and the additional information received from the finalists, the selection panel will make a final choice and recommendation to the CM/Council to award the engineering contract to the most qualified consultant.

A brief description of the primary selection criteria is provided below:

***IV.A – Proximity of firm to Toledo.***

The City wishes to work closely with the selected firm and desires fast and effective service. The consultant should address how they will provide effective service and how they will address travel costs and travel time issues. The City is hoping to engage with a consultant and a project team located within a two hour drive from the City limits.

***IV.B – Experience and familiarity with the City of Toledo.***

Firms and firm members who have specialized experience with or who have gained a specialized understanding of the City of Toledo will be considered above firms and engineers without such an understanding. Describe your firm or firm member’s experience and/or describe the level of familiarity gained during the RFQ process.

***IV.C – References***

The selection committee will perform reference checks for each candidate. A minimum of four (4) municipal clients in Oregon where similar or related work was performed must be provided. References where the consultant has served as the EOR are preferred. References should also be able to describe the firm’s responsiveness, availability, and ability to complete projects in a timely and orderly manner.

***IV.D – Experience serving as EOR for other communities.***

Experience in the role of EOR for other communities will be considered positively. Proof of an understanding of the role of EOR and a track record of effectively providing this service is preferred.

***IV.E – Consultant’s understanding and approach and quality of the SOQ.***

This selection criteria will allow the selection committee to award points based on the quality of the SOQ, the consultant’s understanding of the City’s needs, the consultant’s approach to the work, or any other quality about the consultant’s proposal that sets it apart from any others.

A summary of the selection criteria points is provided in the following table.

**SELECTION CRITERIA SUMMARY**

<b>Selection Criteria</b>	<b>Relative Weight</b>
IV.A Location of firm.	15
IV.B Familiarity with City	20
IV.C References	15
IV.D EOR Experience	30
IV.E Understanding and Approach; Quality of SOQ	20
<b>Total</b>	<b>100</b>

## **V. SUBMISSION REQUIREMENTS**

Each consultant must submit proposals to the City by no later than **October 15, 2009** at 2:00 pm.

Proposals must be clearly marked “Professional Engineering Services Statement of Qualifications” and directed to:

Professional Engineering Services Statement of Qualifications  
%Mr. Adam Denlinger, Public Works Director  
PO Box 220  
Toledo, OR 97391

### **FAXED, ELECTRONIC OR E-MAIL COPIES WILL NOT BE ACCEPTED.**

Each consultant must submit four (4) copies of their SOQ in sealed envelopes.

## **VI. LIMITATIONS**

This RFQ does not commit the City of Toledo to paying any costs incurred by consultant in the submission or presentation of a proposal, or in making the necessary studies for the preparation thereof. Further, the City of Toledo reserves the right to:

- Accept or reject any and all submittals received as a result of this RFQ at any time;
- Negotiate with qualified consultants;
- Cancel the RFQ, in part or in whole, if it is determined to be in the best interest of the City to do so;
- Waive minor irregularities and formalities in the RFQ submittals;
- Seek further SOQ’s for engineering design and construction services contracts, in whole or in part, for recommendations contained in the completed facilities plan;
- The City reserves the right to seek clarification on any point in any SOQ at any phase of the selection process;

No guarantee of work, financial obligation, or other assurance is made to any respondent of this RFQ whether selected or not for the role of EOR.

## **VII. INSURANCE REQUIREMENTS**

Each firm, by the submission of an SOQ, understands and agrees that the award of a contract shall be contingent upon the successful applicant providing the City with proof of the following insurance coverage:

1. Liability insurance in the amount of \$1,000,000.00 or greater, as follows:
  - a. Comprehensive commercial general liability insurance, including personal injury liability, blanket contractual liability and broad-form property damage

liability coverage. The following minimum limits are required: Aggregate - \$1,000,000.00; Products - \$1,000,000.00; Personal & Advertising Injury - \$1,000,000.00; Each occurrence - \$1,000,000.00

b. Commercial automobile liability insurance as a result of death or bodily injury to any persons, or destruction of or damage to any property arising out of the ownership, maintenance or use of any owned, non-owned or hired motor vehicle with limits of not less than \$1,000,000.00 per occurrence. All coverage shall be on an occurrence basis and not on a claim made basis.

c. Workers compensation coverage as required by law with a waiver of subrogation in favor of City including Employer's liability coverage with limits of not less than \$500,000.00 per occurrence; **OR**, alternatively, the Engineer shall provide documentation establishing to City's satisfaction that the Engineer is exempt from Workers' Compensation coverage pursuant to ORS Chapter 656.

2. Professional liability insurance, including errors and omissions, with limits of not less than \$1,000,000.00 per occurrence and \$2,000,000 policy aggregate.

3. The following inclusions to the engineer's certificate of insurance shall be made:

a. Waiver of transfer of rights of recovery against others to City.

b. It is agreed that this insurance is primary to and non-contributory with any insurance maintained by City.

c. The General Liability Coverage and Automobile Liability shall include endorsements for additional insured, naming the "CITY OF TOLEDO", its elected officials, employees, agents and volunteers as an additional insured. The additional insured endorsement shall be attached to the certificate of insurance.

d. The additional insured shall contain a severability of interest provision in favor of the City and a Waiver of Subrogation in favor of City.

e. All required coverage shall be written with companies that have at least an AmBest rating of B+ VII.

f. All insurance shall provide a 30 day notice of cancellation or material change.

### **VIII. FALSE OR MISLEADING STATEMENTS**

If the review committee feels, at any time, that a consultant's SOQ contains false or misleading statements, references, or any other matter which does not support a function, attribute, capability, or condition as stated by the firm or firms submitting, the submittal shall be rejected, regardless of the status or the phase of the selection process.

### **IX. PRE-PROPOSAL CONFERENCE**

There will not be a pre-submittal conference for this project.

The City requests that firms respect the busy schedules of City staff and not seek to hold personal meetings or make other efforts to spend time with staff and administration at the City prior to submitting an SOQ.

## **X. ADDITIONAL QUESTIONS/REQUESTS FOR INFORMATION**

Questions regarding this RFQ or the planned projects should be addressed to:

Mr. Adam Denlinger, Public Works Director  
PO Box 220  
Toledo, OR 97391  
(541) 336-2247  
[pwdirect@cityoftoledo.org](mailto:pwdirect@cityoftoledo.org)

## **XI. FUNDING**

Not applicable.

## **XII. AWARD OF CONTRACT**

Promptly upon making the final determination of ranking, the City will proceed to negotiate a contract with the top ranked firm. If negotiations are not successful after 14 calendar days the City may choose to negotiate with the second ranked firm submitting a proposal, and so forth, until a contract is negotiated.

The City reserves the right, at its sole discretion, to end negotiations at any time and at any stage in the process, and to not award a contract to any firm. The provisions of ORS 279C.110 (5) govern the compensation level paid to the engineer. This statute provides: "The compensation level paid must be reasonable and fair to the City as determined solely by the City."

All firms not selected will be notified by the City of its decision.

It is estimated that a contract will be awarded to the selected consultant sometime in November, 2009.