

City of Newport

FINANCE

QUALIFICATION BASED REQUEST FOR PROPOSAL (QBS)

UTILITIES RATE STUDY

WATER

SANITARY SEWER

STORM WATER

INFRASTRUCTURE

Proposals Due: October 25, 2016 at 2:00 P.M local time

Proposer must include one (1) original and six (6) copies of their submittal.

Submit Proposals To: City of Newport –

Direct Questions To: Mike Murzynsky, Finance Director
541-574-0610
m.murzynsky@newportoregon.gov

PUBLIC NOTICE
QUALIFICATION BASED REQUEST FOR PROPOSAL
UTILITY RATE STUDY

The City of Newport is seeking sealed proposals from firms qualified to provide a utility rate study for existing rates in the following areas:

- Water
- Sanitary Sewer
- Stormwater
- Infrastructure

Qualifications and proposals and a separately sealed cost proposal will be received until 2:00 pm local time, October 25, 2016, at Newport City Hall's Utility Billing Counter at 169 SW Coast Highway, Newport, Oregon 97365. Qualification proposals will be scored and ranked on a qualification basis and the City will open the cost proposal of the top ranked proposal and enter into negotiations with the top ranking firm.

No proposal will be considered unless fully completed in a manner provided in the packet. Facsimile and electronic (email) proposals will not be accepted nor will any proposal be accepted after the stated due date and time. Any proposal received after the closing time will be returned to the submitting firm unopened after a contract has been awarded for the required services.

Proposers are required to certify non-discrimination in employment practices and identify resident status as defined in ORS 279A.120. Pre-qualification of proposers is not required. All proposers are required to comply with the provisions of Oregon Revised Statutes and Local Contract Review Board (LCRB) Policy.

The City may reject any proposal not in compliance with all prescribed public bidding procedures and requirements and may reject for good cause any or all proposals upon a finding of the City if it is in the public interest to do so.

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TABLE OF CONTENTS

<u>TITLE</u>	<u>PAGE</u>
Title Page.....	1
Public Notice.....	2
Table of Contents.....	3
 <u>SECTIONS</u>	
Section 1 Introduction.....	4
Section 2 Proposer’s Special Instructions.....	4
Section 3 Background.....	7
Section 4 Scope and Schedule of Work.....	8
Section 5 Proposal Content and Format.....	12
Section 6 Proposal Evaluation Procedures.....	14
Section 7 Proposal Certifications.....	16
Section 8 Signature Page.....	17
 <u>ATTACHMENTS</u>	
Attachment A Acknowledgement of Addenda.....	18
Attachment B Statement of Proposal.....	19
Attachment C City of Newport Services Agreement.....	20

SECTION 1
INTRODUCTION

The City of Newport is seeking sealed qualifications and proposals from firms to provide a utility rate study for existing rates in the following areas:

- Water
- Sanitary Sewer
- Stormwater
- Infrastructure

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SECTION 2
PROPOSER'S SPECIAL INSTRUCTIONS

A. PROPOSED TIMELINES

<u>October 4, 2016</u>	Advertisement and Release of Project Packet
<u>October 25, 2016</u>	Deadline for Submission of Proposals (2:00 P.M.)
<u>November 1, 2016</u>	Interviews (if necessary)
<u>November 2, 2016</u>	Opening of Cost Proposal for Top Firm
<u>November 2-4, 2016</u>	Negotiation of Contract
<u>November 7, 2016</u>	Award of Contract
<u>November 28, 2016</u>	Commencement of Services

NOTE: The City reserves the right to modify this schedule at the City's discretion

B. GENERAL

By submitting a proposal, the Proposer certifies that the Proposal has been arrived at independently and has been submitted without any collusion designed to limit competition.

C. PROPOSAL SUBMITTAL

The Proposal and all amendments must be signed and submitted no later than 2:00 pm, October 25, 2016, to the address below. A separate Cost Proposal shall be sealed in an envelope and clearly marked "Cost Proposal". This envelope shall be included with the qualifications and work proposal and be

submitted in a sealed envelope and designated with proposal title. Proposer must include one (1) original and six (6) copies of their submittal. To assure that your proposal receives priority treatment, please mark as follows:

QBS – Utility Rate Study

City of Newport – Utility Billing Counter
Attn: Finance Director
Mike Murzynsky
169 SW Coast Highway
Newport, Oregon 97365

Proposer shall put their name and address on the outside of the envelope. It is the Proposer's responsibility to ensure that proposals are received prior to the stated closing time. The City shall not be responsible for the proper identification and handling of any proposals submitted incorrectly. Late proposals, late modification, or late withdrawals shall not be considered accepted after the stated bid opening date and time and shall be returned unopened. Facsimile and electronic (email) proposals will not be accepted.

D. PROTEST OF SCOPE OF WORK OR TERMS

A Proposer who believes any details in the scope of work or terms detailed in the proposal packet and sample contract are unnecessarily restrictive or limit competition may submit a protest in writing, to the Finance Director. A protest may be submitted via facsimile. Any such protest shall include the reasons for the protest and shall detail any proposed changes to the scope of work or terms. The Finance Director shall respond to any protest and, if necessary, shall issue any appropriate revisions, substitutions, or clarification via addenda to all interested Proposers.

To be considered, protests must be received at least five (5) days before the proposal closing date. The City shall not consider any protest against award due to the content of proposal scope of work or contract terms submitted after the established protest deadline. All protests should be directed to the attention of the Finance Director, and be marked as follows:

RFP Specification/Term Protest

City of Newport – Finance Department
Attn: Mike Murzynsky, Finance Director
169 SW Coast Highway
Newport, Oregon 97365
Fax: 541-574-3355

If a protest is received in accordance with the section above, the proposal opening date may be extended if necessary to allow consideration of the protest and issuance of any necessary addenda to the proposal documents.

E. PROPOSAL SUBMISSION AND SIGNING

All requested forms and attachments (Signature Page, Acknowledgment Addenda, Statement of Proposal, etc.) must be submitted with the Proposal and in the required format. The submission and signing of a proposal shall indicate the intention of the firm to adhere to the provisions described in this RFP.

F. COST OF PREPARING A PROPOSAL

The RFP does not commit the City to paying any costs incurred by Proposer in the submission or presentation of a proposal or in making the necessary studies for the preparation thereof.

G. INTERPRETATIONS AND ADDENDA

All questions regarding this project proposal shall be directed to Mike Murzynsky, Finance Director. If necessary, interpretations or clarifications in response to such questions will be made by issuance of an “Addendum” to all prospective Proposers within a reasonable time prior to proposal closing, but in no case less than 72 hours before the proposal closing. If an addendum is necessary after that time, the City, at its discretion, can extend the closing date.

Any Addendum issued, as a result of any change in the RFP, must be acknowledged by submitting the “Acknowledgment of Addenda” with proposal (Attachment A). Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

H. BUSINESS LICENSE/FEDERAL TAX ID REQUIRED

The City of Newport Business License is required. Chapter 4.05.020 of the Newport Municipal Code states any business doing business in the City of Newport shall pay a City of Newport Business License. Successful Contract will be required to present a copy of their City of Newport Business License at the time of contract execution. Successful Contractor shall also complete a W-9 form for the City at the time of contract execution.

I. CITY’S PROJECT MANAGER

The City’s Project Manager for this work will be Mike Murzynsky Director of Finance, who can be reached by email at m.murzynsky@newportoregon.gov.

J. PROPOSAL VALIDITY PERIOD

Each proposal shall be irrevocable for a period of sixty (60) days from the Proposal Opening Date.

K. FORM OF CONTRACT

The City expects the selected proposer to negotiate and execute a contract identifying the terms and conditions of the agreement to perform the scope of work and method(s) of payment for services and any deliverables. The contract will incorporate the terms and conditions from the RFP document and the successful proposer’s response documents. Unsuccessful negotiation to develop a mutually agreeable contract will result in the City proceeding as specified in Section 6.E below.

L. TERM OF CONTRACT

The contract for this work is anticipated to commence on or around November 7, 2016. Work stemming from this contract must be completed no later than April 7, 2017.

M. TERMINATION

The contract may be terminated by mutual consent of both parties or by the City at its discretion with a 30 days’ written notice. If the agreement is so terminated, Contractor shall be paid in accordance with the terms of the agreement.

N. NON-COLLUSION

Proposer certifies that this proposal had been arrived at independently and has been submitted without collusion designed to limit independent bidding or competition.

O. PUBLIC RECORD

All bid material submitted by bidder shall become the property of the City and is public record unless otherwise specified. A bid that contains any information that is considered trade secret under ORS 192.501(2) should be segregated and clearly identified as such. This information will be kept confidential and shall not be disclosed except in accordance with the Oregon Public Records Law, ORS 192. The above restrictions may not include any subsequent cost or price information, which must be open to the public.

**SECTION 3
BACKGROUND**

The City of Newport is a community of 10,117 people located on the central Oregon coast. The City has made significant investment in infrastructure and plans to continue reinvesting in infrastructure in the foreseeable future to address aging infrastructure and creating sufficient capacity to service customers in the future. In recent years the City of Newport added a storm water fee to the utility bill and assessed infrastructure fee to raise revenue to fund various infrastructure needs. Over the past decade costumers of the City of Newport utility systems have seen a significant raise in utility costs to finance the reconstruction of the utility systems. In addition, the city historically had not raised rates to a sufficient level to cover operational costs. These additional costs have been added to a rate structure that has been in place for many years resulting in questions of whether the burdened of paying for the utility systems are equitably shared among the various utility users in the City. This task is compounded by the mix of customers in the City of Newport that include year round home owners, seasonal homes, resort properties, commercial seafood processing facilities, and beer brewing to name a few types of customers that impact water, sewer, and storm sewer utilities. The City Council has also expressed an interest in exploring some sort of cost break for low income residential users located in the City. The total number of water customers is 4543.

**SECTION 4
OBJECTIVES, SCOPE, AND SCHEDULE OF WORK**

A. STUDY OBJECTIVE

The City of Newport wishes to develop a utility rate structure that is fair, objective, and transparent to the utility customers and : 1) provide sufficient revenue to meet current operational, fixed costs, and current debt requirements for the utility systems; 2) takes into account the future capital needs as outlined in the water, waste water, and storm sewer master plans user rate; 3) evaluates the benefits of funding depreciation on an annual basis; 4) is easy to update on an annual basis as part of the City's budget process.

B. PROPOSED CALENDAR

- Commencement of services – November 28, 2016
- Kick-off meeting – December 2016
- Council work session on utility rates and fees – January 2017
- Presentation of final draft plan to the City Council – March 2017
- Completed project – April 7, 2017

C. SCOPE OF WORK

1. The recommended rate structures shall be based on cost of service and shall be sufficient to meet the operating capital and debt requirement of the City of Newport utility operations.
2. The study shall recommend rate structures that consider and provide for the following factors:
 - a) current and future costs of providing utility service in accordance with established and anticipated standards and regulations;
 - b) projected demands;
 - c) age and condition of the

- system and need to fund long-term capital projects; d) impact of current and future environmental regulations; e) other impacts as identified.
3. The recommended rate structures shall provide direct identification of revenues appropriate to fund operating activities and infrastructure.
 4. The rate study shall compare any proposed new rates to other utilities providing related services in the region.
 5. The recommended rate structures shall be consistent with industry practice for utility rate making in Oregon. The study shall recommend a rate structure based on standard rate practices that meet the criteria.
 6. Alternative rate structures can be suggested, addressing fixed costs and variable costs.
 7. The benefits of any proposed modification shall be weighed against any financial impact on the rate payers.
 8. Justification for any special classes of customers under the recommended rate structure shall be demonstrated.
 9. Consideration shall be given to funding past and future depreciation (replacement of capital assets).
 10. The recommended rate structure shall be easy to administer and understand and be transparent to the rate payers.
 11. Any proposed rate structure must take into consideration the City of Newport's automated billing system capabilities through Caselle.
 12. The rate study shall include an easy to use electronic model in Microsoft Office Excel to be used by the City of Newport for annual rate setting.

D. SERVICES TO BE PROVIDED BY CONSULTANT

1. Conduct a detailed review of existing utility rates in Newport and develop general familiarity with the City of Newport's billing system.
2. Meet or confer with staff as needed.
3. Attend two meetings with the City Council to review the rate options and final draft report.
4. Conduct analysis as required to address the scope of work.
5. Rate options presentation: a) prepare report outlining rate survey and option analysis results and suggest preferred options available to best accomplish stated objectives; b) submit 12 copies and a PDF of the report; c) meet with the City Council to obtain preferred options for further evaluation.
6. Preliminary report: a) prepare a preliminary study report and tentative rate structure; b) submit 12 copies of the report and a PDF of the report.
7. Draft final report: a) incorporate any changes pursuant to comments from the City of Newport relating to the preliminary report; b) submit 12 copies of the final report to the City and a PDF of the report; c) present final draft report to the City Council for their review.
8. Final report: a) incorporate changes pursuant to comments received at the City Council meeting; b) submit 12 copies plus 1 reproducible copy; c) provide a disk with report in MS Word format with spreadsheet in Excel format.
9. Supply a time schedule for developing a preliminary and final reports with the final report being delivered to the City by April 7, 2017.
10. Provide an easy to use electronic rate model in MS Excel for the City of Newport to use in annual rate setting.

E. SERVICES TO BE PROVIDED BY CITY OF NEWPORT

The services to be provided by the City of Newport include, but are not necessarily limited to the following:

1. Furnish all reasonable and available records and information including financial reports, budgets, consumption data, meter size, and customer classes for the City of Newport.

2. Provide copies of the water system master plan, sanitary sewer system master plan (draft), and storm water master plan (draft).
3. Provide a debt schedule for all bonds supported by utility rates.
4. Provide staff support and assistance as required and agreed to in advance of the study.

F. BUDGET

The City of Newport has appropriated \$50,000 to complete this rate study.

SECTION 5

PROPOSAL CONTENT AND FORMAT

A. FORMAT

To provide a degree of consistency in review of the written proposals, firms are requested to prepare their proposals in the standard format specified below.

1. Title Page

Proposer should identify the RFP Title, name and title of the proposer's contact person, address, telephone number, fax number, email address, and date of submission.

2. Transmittal Letter

The transmittal letter should be not more than two (2) pages long and should include as a minimum the following:

- a. A brief statement of the Proposer's understanding of the project and services to be performed;
- b. A positive commitment to perform the services within the time period specified, starting and completing the project within the deadlines stated in this RFP; and the names of persons authorized to represent the Proposer, their title, address, and telephone number (if different from the individual who signs the transmittal letter).

3. Table of Contents

The table of contents should include a clear and complete identification by section and page number of the materials submitted.

4. Firm and Project Team Qualifications

- a. Background of the firm. This should include a brief history of the firm and types of services the firm is qualified to perform.
- b. Qualifications of the firm in performing this type of work. This should include examples of related experience and references for similar studies and projects.
- c. Proposers must identify the anticipated members of their firm that will be assigned to meet the work scope and timelines. Proposers should identify individuals and subcontractors who will provide the services, their experience, their individual qualifications, and their roles throughout the project. Pertinent resumes of assigned personnel should be included.
- d. Proposers are encourage to provide details on the firm's and team member's experience with managing infrastructure financing models and projects.
- e. Firms should also provide details on their firm's or any project team member's previous experience with the City.
- f. References

Provide references for projects similar to the work described in this QBS packet that the firm has performed in the past 10 years. List contact name, address, phone number, fax number, and e-mail address for each reference and provide a brief description of the project. The City reserves the right to investigate the references and the past performance of any applicant with respect to its successful performance of similar projects, compliance with specifications and contractual obligations, and its completion of a project on schedule.

5. Project Understanding and Approach

Proposers should detail their understanding of the City’s needs and the approach they will take to ensure successful completion of the project and why they feel the approach will provide the best outcome for the City. This project is time sensitive. At minimum, project approach should include a general schedule of meetings, milestones, and deliverables and who from the proposed project team will address each step. The City encourages proposers to include details on their firm’s experience on project management from a perspective of a prime consultant. Proposers should detail how their firms will address the scope challenges of the project that may delay segments of projects. Proposers should also detail how their firm will address quality control throughout the project.

6. Project Samples

Provide at least five (5) project samples comparable to the requested services performed by the firm within the last five (5) years. For the sample projects –

- a. Describe the sample project’s relevance to the City’s project, including descriptions of how any outstanding issues and project constraints were addressed and resolved, and how work on the previous project illustrates ability to deliver desired outcomes on this project.
- b. Include a brief description of project goals, infrastructure type, annual revenue received, duration and objectives; a list of key project staff and their roles; tasks performed by the firm to fulfill the project objectives; and whether the schedule and budget were met.
- c. Include 2 reference contacts for each project with valid contact information.

7. Cost Proposal

Proposers shall submit a separate cost proposal outlining hourly rates, estimated hours to complete the work and a “not to exceed” cost to complete this work. This information should be placed in separate sealed envelope marked “Cost Proposal”. This envelop will only be opened if negotiations are to occur with the selected firm.

B. ADDITIONAL SERVICES

Provide a brief description of any other services that your firm could provide the City. Such services would be contracted for on an “as needed” basis likely via an amendment to the contract so long as not drastically altering the scope of work.

C. ADDITIONAL INFORMATION

Please provide any other information you feel would help the Selection Committee evaluate your firm for this project.

D. DISPUTES

Should any doubt or difference of opinion arise between the City and a Proposer as to the items to be furnished hereunder or the interpretation of the provisions of this RFP, the decision of the City shall be final and binding upon all parties.

E. CITY PERSONNEL

No Officer, agent, consultant or employee of the City shall be permitted any interest in the contract.

F. COMPLETION OF ATTACHED FORMS

Please complete Section 7, Proposal Certifications; Section 8, Signature Page; Attachment A, Acknowledgement of addenda (if any); Attachment B, Statement of Proposal.

G. PROPOSAL LENGTH

The total submittal shall not exceed 20 sheets printed front and back (40 pages at print). Forms that are to be completed as part of this proposal are not included in this count.

**SECTION 6
PROPOSAL EVALUATION PROCEDURES**

A. SELECTION AND EVALUATION PROCESS

A Selection Committee assembled by the City will review the written proposals. Proposals will be evaluated to determine which ones best meet the needs of the City. After meeting the mandatory requirements, the proposals will be evaluated on both their technical and fee aspects. The Selection Committee will select the Proposer which best meets the City's needs based upon its evaluation of a Proposer proposal. Proposals will be evaluated in accordance with the following:

1.	<u>Completed proposal submitted on time</u>	<u>Pass/Fail</u>
2.	<u>An original plus three (3) copies of the complete proposal</u>	<u>Pass/Fail</u>
3.	<u>Transmittal letter</u>	<u>Pass/Fail</u>
5.	<u>Firm and Project Team Qualifications</u>	<u>50 points</u>
6.	<u>Project Understanding and Approach</u>	<u>30 points</u>
7.	<u>Project Samples</u>	<u>20 points</u>
	<u>TOTAL EVALUATION POINTS</u>	<u>100 POINTS</u>

B. PRESENTATION/INTERVIEW

At the option of the City, the top two or three Proposers may be required to make a presentation of their proposal. This will provide an opportunity to clarify or elaborate on the proposal. The project manager will schedule the time and location of these presentations (if necessary) and notify the selected firms. Should one or more firms be selected for oral interviews, an additional 20 points in scoring will be assigned to the interview process.

C. INVESTIGATION OF REFERENCES

The City reserves the right to investigate references and the past performance of any Proposer with respect to its successful 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.

D. CLARIFICATION OF PROPOSALS

The City reserves the right to obtain clarification of any point in regards to 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 rejection of their proposal.

E. NEGOTIATIONS WITH TOP RANKED FIRM(S)

Upon this review of the proposals submitted, the City will open the sealed cost proposal and enter into negotiations with the top ranked firm. If the City and the top ranked firm for each area are unable after good faith negotiations to agree to a price, the City will move to the second ranked firm open the sealed cost proposal and enter into negotiations. The process shall repeat until either the City and a firm come to an agreed upon price or the City determines the project unfeasible at this time and elects to re-scope and resolicit the work.

F. PROTEST OF AWARD

In accordance with Newport Public Contracting Rule 30.135, any adversely affected Proposer has seven (7) calendar days from the date of the written notice of award to file a written protest.

G. PROPOSAL REJECTION

The City reserves the right to:

1. Reject any or all proposals not in compliance with all public procedures and requirements;
2. Reject any proposal not meeting the specifications set forth herein;
3. Waive any or all irregularities in proposals submitted;
4. Reject all proposals;
5. Award any or all parts of any proposal; and
6. Request references and other data to determine responsiveness.

**SECTION 7
PROPOSAL CERTIFICATIONS**

Non-discrimination Clause

The Contractor agrees not to discriminate against any client, employee or applicant for employment or for services, because of race, color, religion, sex, national origin, handicap or age with regard to, but not limited to, the following: employment upgrading, demotion or transfer; recruitment or recruitment advertising; layoffs or termination; rates of pay or other forms of compensation; selection for training; rendition of services. It is further understood that any contractor who is in violation of this clause shall be barred from receiving awards of any purchase order from the City, unless a satisfactory showing is made that discriminatory practices have terminated and that a recurrence of such acts is unlikely.

Agreed by: _____

Firm Name: _____

Address: _____

Oregon Resident Certificate

Please Check One:

Resident Vendor: Vendor has paid unemployment taxes and income taxes in this state during the last twelve calendar months immediately preceding the submission of this proposal.

Or

Non-resident Vendor: Vendor does not qualify under requirement stated above.
(Please specify your state of residence: _____)

Officer's signature: _____

Type or print officer's name: _____

**SECTION 8
SIGNATURE PAGE**

The undersigned proposes to perform all work as listed in the Specification section and that all articles supplied under any resultant contract will conform to the specifications herein,

The undersigned agrees to be bound by all applicable laws and regulations, the accompanying specifications, and by City policies and regulations.

The undersigned, by submitting a proposal, represents that:

- A) The Proposer has read and understands the specifications.
- B) Failure to comply with the specifications or any terms of the Request for Proposal may disqualify the Proposer as being non-responsive.

The undersigned certifies that the proposal has been arrived at independently and has been submitted without any collusion designed to limit competition.

The undersigned certifies that all addenda to the specifications has been received and duly considered and that all costs associated with all addenda have been included in this proposal:

Addenda: No. _____ through No. _____ inclusive.

We therefore offer and make this proposal to furnish services herein in fulfillment of the attached requirements and specifications of the City.

Name of firm: _____

Address: _____

Telephone Number: _____ Fax Number: _____

By: _____ Date: _____
(Signature of Authorized Official. If partnership, signature of one partner.)

Typed Name/Title: _____

If corporation, attest: _____
(Corporate Officer)

Corporation Partnership Individual

Federal Tax Identification Number (TIN): _____

**ATTACHMENT A
CITY OF NEWPORT, OREGON
ACKNOWLEDGMENT OF ADDENDA**

Project Title: Infrastructure Financing Services

Close: October 17, 2016 at 2:00 pm

I/WE HAVE RECEIVED THE FOLLOWING ADDENDA (*If none received, write "None Received"*):

1. _____ 3. _____

2. _____ 4. _____

Date

Signature of Proposer

Title

Corporate Name

**ATTACHMENT B
CITY OF NEWPORT, OREGON
STATEMENT OF PROPOSAL**

Name of Consultant: _____

Mailing Address: _____

Contact Person: _____

Telephone: _____ Fax: _____ Email: _____

accepts all the terms and conditions contained in the City of Newport's Qualification Based Request for Proposal for Infrastructure Financing Services for transportation and parks, water, sanitary sewer, and stormwater and the attached professional services agreement template (Attachment C):

Signature of authorized representative

Date

Type or print name of authorized representative

Telephone Number

Type or print name of person(s) authorized to negotiate contracts

Telephone Number

ATTACHMENT C
City of Newport Service Agreement