

**NOTICE OF REQUEST FOR PROPOSALS FOR
ARCHITECTURAL AND RELATED SERVICES**

**This is a
REQUEST FOR PROPOSAL
by
UMATILLA SCHOOL DISTRICT**

**FOR ARCHITECTURAL AND RELATED SERVICES
IN RELATION TO THE 2016 BOND ISSUE**

The Umatilla School District invites sealed written proposals for architectural and related services to be provided for the work to be undertaken in connection with the District's 2016 Bond Issue. The scope of services may include, but is not necessarily limited to schematic design, design development, and architecturally-related Contract administration.

Prospective proposers may obtain a copy of the RFP, including the terms and conditions of the Agreement to provide the requested services, by visiting the District's web-page (www.umatilla.k12.or.us/announcements).

One original and five hard copies of the Proposal and supporting documentation as described in this RFP must be delivered to Heidi Sipe, at the Umatilla School District, 1001 6th Street, Umatilla, OR 97882 no later than 3:00 p.m., Pacific Daylight Time, on June 28, 2017. Proposers shall also provide one courtesy copy of the Proposal in PDF format on a USB storage or similar flash storage device. All packages and envelopes must be marked clearly with the note: "RFP-- Architectural and Related Services, 3:00 p.m., June 28, 2017."

NO ORAL, TELEPHONIC, ELECTRONIC, OR FACSIMILE PROPOSALS WILL BE ACCEPTED.

Please direct any questions regarding this RFP in writing only to Earl Eastman, Alliance Management & Construction Services, 59009 E. Main PR SE, Benton City, WA 99320.

Proposers should request clarification or additional information concerning this RFP in writing as soon as possible, but in no event will such requests be received by the District later than 3:00 p.m., Pacific Standard Time, on June 19, 2017. All questions will be answered by written addenda only, which will be posted on the District's web-page (www.umatilla.k12.or.us/announcements).

**TERMS AND CONDITIONS OF THE UMATILLA SCHOOL DISTRICT’S REQUEST
FOR PROPOSALS FOR
ARCHITECTURAL AND RELATED SERVICES**

I. GENERAL INFORMATION

A. INTRODUCTION

By way of this Request for Proposals (“RFP”), the Umatilla School District (“District”) is requesting proposals (“Proposals”) from qualified architects (“Proposers”) for architectural and related services (“Services”) associated with the design, regulatory compliance, permitting and construction of the work related to the District’s 2016 Bond Project, which is set out in Appendix A (the “Project”). The Project consists of safety, security, and facility repairs, renovations and additions to the District’s three schools: McNary Heights Elementary School (“MHES”), Clara Brownell Middle School (“CBMS”), and Umatilla High School (“UHS”). Services to be provided include, but are not necessarily limited to, schematic design, design development, project management services, and architecturally-related contract administration. The Project’s estimated construction cost is approximately \$9,438,750. The Services described in this RFP will be performed beginning in the summer of 2017. Construction will begin as soon as design allows. The Services described in this RFP will end after construction is completed.

This RFP is intended to provide Proposers with the opportunity to present their qualifications and approach clearly and succinctly, while providing the District with comparable information from each Proposer.

B. PROPOSED SCHEDULE

RFP Release:	June 14, 2017
Voluntary Pre-Proposal Conference:	June 15, 2017 (1:00 p.m. PDT)
Deadline for Requests for Clarification/Protests:	June 19, 2017 (3:00 p.m. PDT)
Proposals Due/Opening of Proposals:	June 28, 2017 (3:00 p.m. PDT)
Interviews (if any):	July 5-6, 2017
Notice of Intent to Award:	July 7, 2017
Deadline for Protests of Notice of Intent to Award:	July 10, 2017 (3:00 p.m. PDT)
District Board of Education Contract Approval:	July 11, 2017

The District may, in its sole discretion, revise these dates. This proposed schedule is intended to allow prospective Proposers sufficient time for requests for information, objections to the requirements of this RFP, and preparation of Proposals. Prospective Proposers who believe that the schedule is unreasonable should notify the District immediately. If the District receives a substantial number of adverse comments, the District will consider extending the schedule of events by issuing an addendum.

C. PRE-PROPOSAL CONFERENCE

Prospective Proposers are invited to attend a voluntary pre-proposal conference to be held at 1:00 p.m. PDT on June 15th, 2017 at the Umatilla High School, 1400 7th Street, Umatilla OR 97882. Attendance at this pre-proposal conference is not required. If a prospective Proposer is unable to attend this voluntary pre-proposal conference, the District may, in its sole discretion, amend this RFP to provide for an alternative date and time for a supplemental voluntary pre-proposal conference.

D. REQUESTS FOR CLARIFICATION OF RFP

Proposers are cautioned not to make any assumptions as to the implied meaning or intent of any part of this RFP. Proposers should request clarification or additional information concerning this RFP in writing as soon as possible, but in no event will such requests be received by the District later than the time and date specified in the Proposed Schedule, as modified by the District. Questions regarding this RFP should be addressed to Earl Eastman, Alliance Management & Construction Services, 59009 E. Main PR SE, Benton City, WA 99320.

ANY CORRECTIONS OR CLARIFICATIONS MADE IN ANY MANNER OTHER THAN BY A WRITTEN ADDENDUM ADDRESSED TO ALL PROPOSERS AND POSTED ON THE DISTRICT'S WEBSITE:

WWW.UMATILLA.K12.OR.US/ANNOUNCEMENTS

WILL NOT BE BINDING ON THE DISTRICT, AND PROPOSERS SHALL NOT RELY THEREON.

E. AMENDMENT OF RFP BY ADDENDA ONLY

If any part of this RFP is amended, addenda will be published on the District's website (www.umatilla.k12.or.us/announcements). Addenda may be downloaded from the District's website. Proposers should frequently check the District's website up to the date and time when Proposals are due, i.e., at least once weekly until the week the Proposals are due and at least once daily the week the Proposals are due. Each Proposer shall provide written acknowledgement of its receipt of all issued Addenda with its Proposal using the form attached as Appendix E.

G. ACCEPTANCE OF CONDITIONS AND CONTRACTUAL REQUIREMENTS

By submitting a Proposal, a Proposer expressly represents that the Proposer has read and understands the terms and conditions contained in this RFP, and that the Proposer agrees to be bound by such terms and conditions, including any and all changes to such terms and conditions contained in all written addenda.

A Proposer further represents that it takes no exception to any terms, conditions, obligations, or requirements of the form of modified AIA B102-2007 Standard Form of Agreement Between Owner and Architect and the exhibits attached thereto (collectively, the "Contract"), a copy of which is attached hereto as Appendix B. Dependent upon the District's approval of the architect selection, the District and Architect will finalize the Contract, and the Architect shall furnish Certificates of Insurance meeting the District specifications. The District's insurance specifications are set out in Exhibit B of the Contract.

The District may in its sole discretion negotiate any terms, conditions, obligations, or requirements of the Contract or of the form of Contract, but only to the extent the negotiated terms and conditions do not materially conflict with the applicable terms, conditions, obligations, or requirements of the form of Contract.

H. DURATION OF PROPOSALS

Any Proposal submitted shall be irrevocable and open for acceptance until the later of either: (1) the date when the District Board of Education formally approves a Contract for provision of the Services; or (2) the District cancels this RFP. A Notice of Intent to Award the Contract to any Proposer shall not constitute a rejection of any other Proposal.

H. WITHDRAWAL OR MODIFICATION OF PROPOSALS

The District takes the proposal process seriously, and it is its intent to solicit Proposals that are accurate and that each Proposer intends to honor. Proposers are expected to submit Proposals that are accurate, complete, and responsive to the requirements set forth in this RFP. If after submitting a Proposal, the Proposer finds changes are necessary, the Proposer may change or withdraw their Proposal by delivering a written request to the District at any time prior to the time set for opening Proposals. The request shall be executed by a duly authorized representative of the withdrawing Proposer. However, after the opening, a Proposal MAY NOT be withdrawn, changed, or altered in any way. If accepted, a Proposal is considered non-cancellable and the Proposer will be expected to honor a binding contract. If for any reason the Proposer does not perform, the District can be expected to take whatever action it believes appropriate, including, but not limited to, the disqualification of that Proposer from future public contracts.

I. PUBLIC RECORDS

This RFP, including all addenda, and one copy of each Proposal received in response to it, together with copies of all documents pertaining to the award of a contract, shall be kept by the District and made part of a file or record. Pursuant to ORS 279C.107, that file or record will not be disclosed and will not be made a part of the public record until after the District and the successful Proposer have executed the Contract. Said files including the evaluation report will then be available for public review. Furthermore, the District will open

Proposals so as to avoid disclosing the contents of Proposals to competing Proposers during the negotiation process provided for in Section V.4.

If a Proposal contains any information that is considered a trade secret under ORS 192.501(2), each sheet of such information shall be marked with the following caption:

“This data constitutes a trade secret under ORS 192.501(2), and shall not be disclosed except in accordance with the Oregon Public Records Law, ORS Chapter 192.”

Sheets identified as containing trade secret information shall not contain non-trade secret material. A violation of this requirement shall result in the entire sheet being subject to public disclosure. The District shall have no liability for the disclosure of trade secret material and especially so when the material is not properly marked or separated from non-trade secret material.

J. PROTESTING CONTENTS OF RFP

Any prospective Proposer who contends that the terms and conditions of this RFP, including but not limited to the Contract, or any aspect of the selection process: (1) will encourage favoritism in the award of the Contract; (2) will substantially diminish competition; (3) will violate any other statute, regulation (including, but not limited to, OAR Chapter 137), policy, or law of any kind; and/or (4) is ambiguous, insufficient, or unfair for any reason, must file a written protest to this RFP consistent with the procedures provided for in OAR 137-048-0240, as modified in this RFP. Protests must set forth the basis of the protest or request for clarification along with any proposed changes to the RFP provisions, specifications, or Contract terms. Any protest that does not meet these requirements will not be considered. Protests must be received by the District no later than the time and date specified in the Proposed Schedule, as modified by the District. Protests must be submitted to Heidi Sipe, 1001 6th Street, Umatilla, OR 97882. Failure to file a protest by the above-noted deadline time will be deemed a waiver of any claim by a Proposer that the selection process violates any of the items (1)-(4) of the foregoing sentence.

The District will issue a written disposition of each such protest no less than three (3) business days before Proposals are due. If the District upholds the protest, in whole or in part, the District may, in its sole discretion, issue an addendum reflecting its disposition or take other appropriate action.

K. RESERVATION OF RIGHTS

The District reserves the right, in its sole discretion:

1. to amend this RFP as it may deem necessary or desirable prior to the Proposal opening;
2. to extend the deadline for submitting Proposals;
3. to determine whether a Proposal does or does not substantially comply with the requirements of this RFP;

4. to waive any minor irregularity, informality, or nonconformance with this RFP;
5. to obtain information from or provide information to other public agencies, upon request, regarding the Proposer's performance;
6. to consider the competency and responsibility of Proposers and of their proposed sub-consultants in making the award;
7. to determine which, if any, Proposers will be interviewed;
8. to seek clarifications regarding any Proposer's Proposal or request additional information necessary to evaluate, rank, and select a Proposer;
9. to determine whether a Proposer should be permitted to submit supplemental information;
10. to determine whether the Evaluation Team should reconvene and collectively review the scoring, making changes as the Evaluation Team deems appropriate;
11. to determine whether to negotiate with any Proposer or multiple Proposers in any manner necessary to serve the best interests of the District;
12. at any time prior to the Contract execution (including after announcement of the apparent awardee):
 - (a) to reject any Proposal that fails to substantially comply with all prescribed RFP requirements and procedures; and/or
 - (b) to reject all Proposals received and cancel this RFP upon a finding by the District that there is good cause therefore and that such cancellation would be in the best interests of the District;
13. to hold meetings, exchange correspondence, and obtain data from any source or party, including a Proposer, to seek an improved understanding and evaluation of the Proposals;
14. to negotiate the terms and conditions of the Contract, including but not limited to the statement of and schedule for performance of the services and contract price, in order to meet the District's expectations and in the best interest of the District;
15. to make the award based on the District's best judgment as to which Proposal best meets the District's expectations of a program of the highest quality and innovation;
16. in the event any Proposer or Proposers to whom the contract is awarded shall default in executing said formal contract or in furnishing satisfactory insurance coverage within the time and in the manner hereinafter specified, to re-award the contract to another Proposer or Proposers;
17. to cancel the contract upon written notice at any time the District, in its sole judgment, determines that the provider is not meeting the needs of the District; and
18. to make any and all amendments to the Contract within the scope of the Services solicited in this RFP.

ALL PROPOSERS WHO SUBMIT A RESPONSE TO THIS RFP UNDERSTAND AND AGREE THAT THE DISTRICT IS NOT OBLIGATED TO AWARD A CONTRACT TO ANY PROPOSER. THE DISTRICT HAS NO FINANCIAL OBLIGATION TO ANY PROPOSER. IN ADDITION, EACH PROPOSER UNDERSTANDS AND AGREES THAT THE DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES, EXPENSES, AND COSTS INCURRED IN SUBMITTING A PROPOSAL IN RESPONSE TO THIS RFP, ATTENDING ANY

INTERVIEWS, AND NEGOTIATING A CONTRACT. EACH PROPOSER WHO SUBMITS A PROPOSAL IN RESPONSE TO THIS RFP DOES SO SOLELY AT THE PROPOSER'S OWN COST AND EXPENSE.

II. SCOPE OF WORK

A. OVERVIEW OF SERVICES REQUIRED

1. Scope of the Services. The Scope of Services is set out in the Contract.

III. PROPOSAL SPECIFICATIONS

A. PROPOSAL SPECIFICATIONS

1. Formatting Requirements. The following items explain the format requirements for Proposal preparation and submission. The District reserves the right to eliminate from consideration any Proposal received that does not follow this format.
 - a. Proposals must be printed, computer generated, or typewritten on 8.5" x 11" paper, using both sides of the paper. All pages must be numbered. Margins must be at least 1/2" on all sides. Font size can be no smaller than 12-point type. Any pages failing to comply with these requirements will be counted as two pages for purposes of the page limit specified below.
 - b. The submitted proposal shall include, but not be limited to, a divided and tabbed response to each of the items listed in Section IV, Part A, Sub-Part 2. This required format will provide the Proposers the best opportunity to compile their Proposal in a format that will be most easily understood and reviewed by the Evaluation Committee.
 - c. Proposals must be limited to 10 pages. One side of a double-sided page counts as one page for purposes of this 10-page limit. The Proposer's cover letter, the front and back covers, section dividers, table of contents (if included), all forms requested by this RFP, and detailed resumes are exempt from the 10-page limit.
2. Other Requirements.
 - a. Proposals must be submitted in the name of the legal entity registered with the State of Oregon, Corporations Division, to do business in the State of Oregon or an independent contractor.
 - b. Proposals must include a title page that lists the Proposer's contact information.

- c. The original Proposal must bear an original signature signed in ink and dated by the Proposer or a representative legally authorized by the Proposer, further defined as follows:
- i. In the case of an individual Proposer, by such individual Proposer.
 - ii. In the case of a partnership or limited liability partnership, the name of the partnership or limited liability partnership must appear on such Proposal and it shall be signed in the name of such partnership or limited liability partnership by at least one partner. In addition to such signature, the names of all partners shall be stated in the Proposal.
 - iii. In the case of a limited liability company, the name of the limited liability company must appear on such Proposal and it shall be signed in the name of such limited liability company by at least one member or manager. In addition to such signature, names of all members (and at least one manager, if applicable) shall be stated in the Proposal.
 - iv. In the case of a corporation, the corporate name must appear on such Proposal and it shall be signed by the president or other authorized officer, and there shall be set forth under the signature of such officer the name of the office he or she holds or the capacity in which he or she acts for such corporation.

“E-signed” Proposals may be rejected for failure to comply with this provision. The signature must clearly indicate the Proposer’s intent to be bound by the terms and conditions specified in this RFP and its Proposal.

3. Means of Submission. One original and five hard copies of the Proposal must be submitted in sealed packages or envelopes to Heidi Sipe, at the Umatilla School District, 1001 6th Street, Umatilla, OR 97882. All packages and envelopes must be marked clearly with the note: “RFP—Architectural and Related Services, 3:00 p.m., June 28, 2017.” Proposers shall also provide one courtesy copy of the Proposal in PDF format on a USB storage or similar flash storage device.

NO ORAL, TELEPHONIC, ELECTRONIC, OR FACSIMILE PROPOSALS WILL BE ACCEPTED.

4. Deadline for Submission of Proposals. Proposals must be received by the time and date specified in the Proposed Schedule, as modified by the District. Late Proposals or modifications will not be accepted.
5. Prohibition of Alterations. Proposals that are incomplete, or that contain any erasures, alterations, or that contain irregularities of any kind, or that are not in conformity with the law may be rejected by the District in its sole discretion or receive a lower rating in the evaluation process. A Proposer may not make its Proposal conditional or contingent upon the District’s acceptance of any terms and conditions other than those contained in this RFP.

IV. PROPOSAL CONTENTS AND EVALUATION PROCESS

A. PROPOSAL CONTENTS

In addition to the specifications listed above, Proposals for the Services must include the following:

1. Certifications and Acknowledgements
 - a. Proposals must include a certification by the Proposer of nondiscrimination in obtaining any required subcontractors in accordance with ORS 279A.110(4) (see Appendix C).
 - b. Proposals must include a statement as to whether the Proposer is a resident proposer as defined in ORS 279A.120 (see Appendix D).
 - c. Proposals must include written acknowledgement of Proposer's receipt of all issued addenda, unless the District otherwise specifies in the addenda (see Appendix E).

2. Description of Qualifications

Each Proposal must contain a narrative description that conveys, at a minimum, the following information:

- a. Firm's Background (if Proposer is a joint venture, provide this information for each of the firms involved)
 - i. Provide your firm's name, address, phone and fax numbers.
 - ii. Provide the name of the contact person submitting the Proposal.
 - iii. Briefly describe the history of your firm.
 - iv. Describe your firm's corporate mission and vision.
 - v. Provide evidence of your Professional Liability Insurance Policy (e.g., a Certificate of Insurance), including a description of annual per claim and aggregate limits and any claims history in the last 5 years.
 - vi. Provide the names and addresses of any of your firm's clients or any other persons or entities who have made claims against your firm within the last five years alleging that your firm breached a contract for services, was negligent in performance of services, or otherwise caused harm or damage to the claimant. Describe the nature and current status of the claims. Claims should be fully disclosed regardless of whether they involved litigation, arbitration or other formal or informal dispute resolution process. The disclosures required under this provision also apply to any claims arising out of services of any principal or officer of your firm or any member of the

project team regardless of whether the person was associated with your firm at the time of the claim.

- vii. Indicate whether your firm or any personnel have been involved in any litigation, arbitration or mediation, either as defendant or plaintiff, over the five years immediately preceding the closing date of the RFP. If your firm or any personnel has been involved in any such litigation, arbitration or mediation, provide a general description of the cause or nature and status of each case or claim, and the identity of the client.
- viii. Indicate whether your firm has ever been terminated from a project. If so, include the name(s) and address(es) of the client(s) and the nature of the termination.

b. Project Team and Staffing

- i. Clearly describe your organizational approach to providing the Services.
- ii. Describe current work load and priority of providing the Services as it relates to overall work load.
- iii. Provide a brief resume of key personnel to be assigned to provide the Services.
- iv. Describe responsibilities of personnel assigned to provide the Services.
- v. State whether your firm is capable of performing all Services described in this RFP and other Services recommended in the Proposal. If your firm intends to subcontract any of the Services to other consultants, the Proposal shall identify those consultants and describe the consultants' experience in providing the type of Services covered by this RFP
- vi. If your firm has multiple locations, please identify the offices in which the various components will originate.

c. Related Experience

- i. Please describe your previous experience on similar projects. Provide your firm's history of providing similar Services on time and within budget. Specifically identify projects of similar scope and scale, including project budget and change order utilization.
- ii. Provide a listing of all of your firm's lost or discontinued accounts in the State of Oregon within the last five years.
- iii. Describe your firm's previous experience administering and implementing Energy Trust of Oregon programs and projects. Specifically identify projects involving your firm's administration and implementation of Energy Trust of Oregon programs and projects.
- iv. Describe your firm's experience leveraging rebate and incentive programs to supplement existing project funding. Specifically identify projects involving

your firm's experience leveraging rebate and incentive programs to supplement existing project funding.

d. Overall Project Approach

- i. Describe your firm's knowledge and understanding of the Services and your overall approach to provide the Services. Outline the elements of service delivery, including deliverables, which you philosophically embrace as being crucial to achieving a successful outcome for owners such as the District.
- ii. Describe your firm's quality control approach to each phase of the process.
- iii. Provide information about the unique qualities of your firm's approach to service delivery that differentiates your firm from your competition.
- iv. Describe your firm's experience with project estimating and the process that would be used to provide Services of this scope.
- v. If your firm believes there are additional services not identified in this RFP that are necessary for successful completion of the Project, your firm's Proposal should include a description of the additional services recommended by your firm, describe how the additional services would benefit the District, describe your firm's ability to provide the additional services, and propose a cost for providing the additional services.

e. Approach to Schedule and Budget

- i. In addition to the examples discussed previously, describe your firm's process for achieving budget and schedule adherence and your success rate for achieving such on projects in the last three years.

f. Availability to and Familiarity with the District Locale

- i. Describe your firm's experience with architectural services that are unique to the Project location, including but not limited to; soil conditions, climate, and weather-related considerations and how you will use that experience to benefit this project.
- ii. Provide information regarding your firm's knowledge of the local area and the unique aspects of the region and community that will influence your process.
- iii. Discuss any previous experience your firm has providing architectural and related services in Eastern Oregon and/or Eastern Washington and how that experience will influence your approach to this project.

g. References

- i. Provide a listing of all school districts, if any, and entities in the state of Oregon for whom your firm currently provides architectural services. This listing must include a contact name and phone number.

- ii. Provide contact information for each any other project appropriate for use as a reference.
3. Proposers must clearly indicate within their Proposal any exceptions or recommended adjustments to the requested time frames or to the statement of services.

B. EVALUATION

1. Opening of Proposals. Proposals received in response to this RFP will be opened by the District at the District Administration Office, 1001 6th Street, Umatilla, OR 97882, at the time and date specified in the Proposed Schedule, as modified by the District. Proposers who wish to be present at that time will be informed of the number and names of Proposers. No other information will be made available at that time.
2. Evaluation Process. Each Proposal will be subjectively evaluated by an Evaluation Team appointed by the District. The Evaluation Team will score the Proposal based on its assessment of the requested Proposal contents. Those Proposals submitted that do not meet mandatory requirements outlined in the Instructions to Proposers and Specifications may, in the District's sole discretion, be rejected or receive a lower rating in the evaluation process. A Proposal submitted by a Proposer determined to be not Responsible shall be rejected.

The District may request supplemental information from a Proposer concerning the Proposer's ability to perform the Services. If a Proposer fails to provide supplemental information promptly after receiving a written request from the District, the District may, in its sole discretion, refuse to consider the Proposer's proposal.

The role of the committee shall include a complete review of all Proposals submitted and may include conferring with references provided by the Proposer(s). It may also involve interviews with selected Proposer(s) to review and discuss their Proposals and the Services. The District Board of Education will make the final decision about which firm will be awarded the Contract.

In the event the District receives two or more Proposals that are identical in terms of fitness, availability, and quality, preference will be given to Proposers residing in Oregon in accordance with ORS 279A.120. In the event that this does not resolve the tie among Proposers, the Evaluation Committee may reconvene and review the scoring, making changes as the Evaluation Committee deems appropriate until a candidate is selected.

3. Scoring System. Proposals will be evaluated using the categories and scoring indicated below. The final score will be calculated by computing an average of the total Evaluation Team's scores.
 - a. Background (10 Points)
 - b. Project Team & Staffing (15 Points)
 - c. Related Experience (20 Points)
 - d. Overall Project Approach (10 Points)
 - e. Approach to Schedule and Budget (15 Points)

- f. Availability to and Familiarity with the District Locale (25 Points)
 - g. References (5 Points)
4. Interviews. Proposers may receive a scheduling request for an interview that may be conducted as scheduled by the District. The District retains sole discretion to determine which Proposers, if any, will be interviewed and the number of interviews, if any, to be conducted. Interviews, if conducted, will not be scored; however, the Evaluation Team may reconvene and re-evaluate any interviewed Proposers and adjust the ranking of the Proposals as warranted. There is no guarantee of an interview for any one Proposer or all Proposers.
 5. Investigation of References. The District reserves the right to investigate the references and past performance of any Proposer with respect to its successful completion of similar projects, compliance with contractual obligations and specifications, and lawful payments of suppliers, contractors, and workers. The District may postpone the award or execution of the Contract after the announcement of the apparent successful Proposer in order to complete the investigation.
 6. Applicable Preferences. In its evaluation of Proposals, the District will apply preferences for: Oregon goods and services, as required by ORS 279A.120; the use of recycled materials, as required by ORS 279A.125; and the performance within the state of public printing, binding, and stationery work, as required by ORS 282.210.
 7. No Communications with Evaluation Team. Evaluation Team members may not be contacted or solicited by any firm or individual submitting Proposals, with the exception of the communications expressly authorized in this RFP for purposes of seeking clarification or submitting a protest.

V. SELECTION AND PROTEST OF AWARD

1. Selection of Award. Once the Evaluation Team has ranked the Proposals, the District shall either begin negotiations with the Proposer who in the District's judgment has submitted the Proposal that best meets the District's needs (i.e., the highest ranked Proposer) or it may cancel the RFP. As part of the negotiation process District staff will discuss and negotiate the scope of services and the selected Proposer will submit a written compensation Proposal.

The District may request supplemental compensation information from the selected candidate, including but not limited to number of hours proposed for services required, expenses, hourly rates, overhead, and profit. If the selected candidate refuses to provide this information promptly after the District's request, the District may terminate discussions.

If the District and the selected candidate are for any reason unable to reach agreement about the scope of services, compensation, or schedule, the District may terminate

discussions with the selected candidate. The District may then enter into discussions and negotiations with the next most qualified candidate. The discussion and negotiation process may continue in this manner through successive candidates until an agreement is reached or the District terminates the process. If and when the negotiations result in an agreement on the final terms a Contract, the District will issue a Notice of Intent to Award.

The Umatilla School District Board of Education will make the final decision on the award of the Contract.

2. Notification of Non-Acceptance. All Proposers not initially selected will be notified of the District's decision by receiving a copy of the Notice of Intent to Award sent to the selected Proposer. After the District and the successful Proposer have executed the Contract, any Proposer may review the evaluation documentation, except for information that the District determines to be exempt from disclosure under ORS 192.501 or 192.502.
3. Protest of Award. If there are disagreements with the outcome or questions regarding the selection process, adversely-affected or aggrieved Proposers must submit protests in writing to Heidi Sipe, 1001 6th Street, Umatilla, OR 97882. Such protests must be received by the District no later than the time and date specified in the Proposed Schedule, as modified by the District.

Protest procedures are set forth in OAR 137-048-0240 and this RFP. Such protests shall specify the grounds for the protest to be considered by the District. To be an adversely-affected or aggrieved Proposer, the Proposer must demonstrate that but for the District's (a) error in failing to reject a non-responsive higher-ranked Proposal, (b) substantial violation of a provision in the RFP or applicable procurement statute or administrative rule, or (c) error in evaluating and scoring the protesting party's Proposal, the protesting party would have been awarded the Contract. No protest of the award of the Contract shall be considered if submitted after the deadline established for submitting such protest. At the request of the protester, a hearing will be conducted before the District staff within seven calendar days after submission of the written protest. The District will either uphold or deny the protest, and a written response will be issued for all properly submitted protests. All such rulings shall be final. If the protest is denied, the District will proceed to award the Contract.

During the resolution of the protest, the District has the right and ability to continue negotiations with the selected Proposer, though contract execution may be delayed until resolution of the protest. If the protest is not resolved at the time when the contract is ready to be executed, the Superintendent may authorize the execution of interim 30-day letter agreements for a limited scope of the services with the selected Proposer. The District will not consider a protest of award submitted after the protest submission deadline.

4. Negotiation and Final Award. Final award will be subject to execution of the Contract. Negotiation of the Contract may, at the District's discretion and to the fullest extent permitted by law, include any aspect of the Proposal, this RFP, or the Contract. The District reserves the right to negotiate a final Contract that is in the best interest of the District. Award of the Contract may be withdrawn if the Contract negotiations are not concluded in time to execute a Contract by 60 days after Closing Date.

If the District and the Proposer initially selected are unable to negotiate a Contract, the District reserves the right to select another Proposer and negotiate a Contract with that Proposer.

Attachments:

- List of Bond Projects (Appendix A)*
- Form of the Agreement (Appendix B)*
- Certificate of Nondiscrimination (Appendix C)*
- Proposer Residency Statement (Appendix D)*
- Acknowledgement of Addenda (Appendix E)*