

CITY OF PORTLAND

**Professional, Technical &  
Expert Services**

CONTRACTING MANUAL

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Office of Management and Finance  
Bureau of Internal Business Services  
Procurement Services

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## Section 1 INTRODUCTION

The underlying objective of a fair procurement process is the premise that the public is best served and public funding is best spent only after being subjected to a fair, transparent and competitive selection process. Procurements of professional, technical and expert services by City of Portland bureaus are made in accordance with State law, City Code, City Council Resolutions, and established policies and practices.

This PTE Manual is intended to assist City employees in carrying out the professional, technical, and expert (PTE) service procurement responsibilities and provide procedures for selecting all types of PTE services. As required under City Code 5.68, Bureaus are required to adhere to the policies and procedures established in the PTE Services Contracting Manual (PTE Manual). While there may be more than one method to procure the desired services, City employees are encouraged to work with Procurement Services to determine the best method for selecting PTE services. The Chief Procurement Officer has the authority to waive minor irregularities and discrepancies, or make situational exceptions that will not affect the overall competitiveness or fairness of the solicitation and selection process, and will provide significant benefit to the City.

### **A. SCOPE**

PTE services are “any individual or group, excluding regular City employees, who, for a fee, provides services or give professional advice regarding matters in the field of their special knowledge or training. This includes but is not limited to: planners, architects, engineers, lawyers, accountants, doctors, dentists, ministers, and counselors in investments, insurance, advertising, graphics, training, public relations, communications, data processing and management systems.” [City Code Chapter 5.68.010](#)

- PTE services are frequently (but not always) services that are to be performed by certified or licensed professionals.
- Types of services not listed here may also be classified as PTE services. The Chief Procurement Officer has authority to make such determinations on a case-by-case basis.
- Cooperative procurements issued by other public agencies are generally not allowed for use by City bureaus unless it satisfies the requirement of providing opportunities to local PTE service providers and maximizes competition.
- Individual City bureaus and offices may handle certain aspects of the PTE procurement solicitation process; however, Procurement Services and the City Attorney’s Office can assist at various points along the way.

### **B. PROCUREMENT SERVICES AUTHORITY**

[City Code 5.68.015](#) directs the Chief Procurement Officer to create and publish a PTE Manual that shall govern selection and award of PTE contracts. The Chief Procurement Officer may amend the PTE Manual to ensure that the interests of the public and PTE contractors are fully served, and that the process promotes accountability and competition among all segments of the citizens of Portland. The PTE Manual shall include procedures providing for adequate notice of contract award to potential contractors and shall provide the exclusive means by which selection decisions may be protested before the contract is executed.

## **C. EXCEPTIONS**

[City Code 5.68.020](#) exempts the following professional, technical and expert services from the selection process outlined in this manual and can be made by direct appointment; however, the contracting and requisitioning requirements still apply:

- Processing of any claim for workers' compensation benefits
- Determining any prospective or current City employee's ability to work or return to work
- Determining any reasonable accommodation that may be made to any job classification in the City
- The City Attorney's retention of expert witnesses, consultants to assist the City Attorney's Office in providing legal advice to the City, and outside legal counsel
- The selection of bond counsel

If PTE services are required in conjunction with the acquisition of goods, services, public improvements, construction services or some combination thereof, the Chief Procurement Officer may authorize the procurement of such services under City Code 5.33 or 5.34.

## **D. SUSTAINABLE PROCUREMENT**

In accordance with the City of Portland's *Sustainable Procurement Policy*, the City is committed to procuring materials, products and services that integrate fiscal, environmental and social responsibility. The City recognizes that the types of products and services it procures have inherent social, human health, environmental and economic impacts. As such, the Policy directs City employees to make procurement decisions that embody the City's commitment to sustainability.

The *Sustainable Procurement Policy* applies to all procurements. While the *Sustainable Procurement Policy* directives are broad to accommodate the variety of purchases made by the City, there are some specific mandates related to sustainable procurement outlined in City Code and related City sustainability policies. Project managers should familiarize themselves with the City's various sustainability goals and mandates. Information specific to sustainable procurement mandates and resources is available at [www.portlandonline.com/buygreen](http://www.portlandonline.com/buygreen). For PTE contracts, consider what kind of deliverables are involved in the contract and whether the contract specifications can incorporate best practices in energy efficiency, waste reduction, emissions reduction, green building, sweatshop-free labor, and/or green product utilization. Sustainable procurement can be incorporated through specific contract requirements and/or evaluative criteria.

In addition to the sustainable procurement website, [www.portlandonline.com/buygreen](http://www.portlandonline.com/buygreen), direct technical assistance is available to project managers for incorporating green specifications into PTE solicitations. Related technical assistance for evaluation committees is also available. Contact the Sustainable Procurement Program at Procurement Services for more information.

## **E. ETHICS**

"Ethics" as defined by the National Institute of Governmental Purchasing (NIGP) are "the principles of conduct governing the behavior of an individual or a profession." Chapter 1.03 of the City Code clearly indicates that the purpose of City government is to serve the public and that all City officials must treat their office and position as one of public trust, thereby ensuring public respect by avoiding any appearance of impropriety. When contracting for goods or services on behalf of the City, ethical behavior is paramount in preserving the public trust and governmental integrity. All proposers will be treated fairly, without bias or favoritism. City employees or any of

their representatives working on behalf of the City will not receive personal benefit or gain from their position or their activities involved in the contracting process. Prior to commencing any contracting process, City personnel must become familiar with [City Code, Chapter 1.03](#) and the [Human Resource Administrative Rules 11.01, 11.02, and 11.03](#).

In order to avoid the appearance of impropriety, acceptance of gifts from vendors should not be considered. Chapter 1.03.020.7 of City Code indicates that "...no amount is too small to be ethically questionable. Even small promotional gifts such as imprinted pens, or T-shirts from profit-making entities should not be used on the job because they can create the impression that the vendor is regarded with particular favor by the official..." By accepting gifts or agreeing to accept gifts with company logos on them (i.e., pens, scratch paper, caps, jackets, sweatshirts, etc.), the City employee is tacitly indicating to all in view that the vendor has the City's support and any appearance of neutrality or objectivity may be compromised. Additionally, any larger, albeit intangible gifts such as golf games, dinners, athletic or concert events, etc. are also considered improper, regardless of whether the activity is performed on the employee's personal time or during work hours.

By remaining free from any conflict of interest, City officials are able to be independent, objective and base their decisions solely on the merits of the issue.

## **F. PURCHASING OF PTE SERVICES FROM CITY EMPLOYEES**

1. The Chief Procurement Officer shall not make any purchase of Goods and Services from any City employee, or any business with which a City employee is associated, except as follows:
  - When the purchase is expressly authorized by ordinance; or
  - During a state of Emergency as provided by PCC Chapters 15.04 and 15.08; AND when approved in writing by the Mayor, or the person performing the Mayor's duties, under those PCC Chapters.
2. "Business with which a City employee is associated" means any business in which the City employee is a director, officer, owner or employee, or any corporation in which the City employee owns or has owned 10 percent or more of any class of stock at any point in the preceding calendar year.

## **G. USING THE PTE MANUAL**

This PTE Manual is organized in thirteen (13) sections:

- Section 1 introduces you to this PTE Manual with some guidance.
- Sections 2 through 8 describe the procurement process from pre-procurement activities through contract award.
- Section 9 contains roles and responsibilities in managing the procurement process.
- Section 10 provides a list of items for the procurement file.
- Section 11 contains useful web addresses (URLs), hyperlinks, and tools to assist in the procurement process.
- Section 12 defines many terms mentioned in this PTE Manual
- Section 13 contains checklists to help users identify key procedures in the procurement process.

Additionally, throughout this PTE Manual there are links to the referenced forms, letters and resources that bureaus will use. In some cases, the information or forms are only available through the [portlandonline.com](http://portlandonline.com) intranet. Additionally, throughout this PTE Manual there are links to the referenced forms, letters and resources that bureaus will use. Some of these links will require you to have a "portlandonline" intranet authorization.

This manual establishes policies and procedures for the procurement of PTE services. It is not an exhaustive review for every PTE contracting situations. Nothing in this manual is intended to limit Procurement Services authority to act in accordance with State law, City Code, or policy.

**The [Procurement Services intranet webpage](#) contains the most current information, templates, and forms.**

This manual does not address specific internal approvals, review, and authorization procedures that bureaus may have in place. City employees should consult the appropriate manager or other personnel within their bureau to understand the proper internal procedures required (if any) to initiate a competitive solicitation for professional, technical or expert services or to access the [portlandonline.com](http://portlandonline.com) intranet.

## Section 2 SOLICITATION PHASE

### **A. PURPOSE**

PTE services are procured when the City requires professional, technical, or expert services from an outside consultant or professional service provider. The solicitation methods defined in this section are used when price is not the only determining factor, the project approach is not clearly defined, and/or the City does not have sufficient staffing or expertise to perform the service. The following are the competitive solicitation methods or “tools” available to procure professional, technical or expert services:

- Request for Proposal (RFP)
- Request for Qualifications (RFQ)
- Qualification Based Selection (QBS)
- Request for On-Call Services

The following non-competitive or limited solicitation methods are exceptions to the normal competitive processes and must be fully justified and documented before being used:

- Emergency
- Sole Source

To provide consistency and reliability to the contracting community, the templates, as found on the [Procurement Services intranet webpage](#), are the only acceptable forms to use for soliciting and contracting for PTE services. All required elements and criteria specified in the templates and forms must be used, unless otherwise authorized by Procurement Services.

If consultants are used to provide oversight, give technical advice, help draft specifications or develop the scope of work for any solicitation, their level of involvement must be disclosed in the solicitation document. Prior to the solicitation being issued, such technical advisors will be required to sign a [non-conflict of interest statement](#) declaring that they have written an open competitive specification or scope of work, and affirming they do not have any financial interest in any resulting contract. Non-Disclosure Agreements may be used as applicable; consult with the City Attorney’s Office.

### **B. PTE CATEGORIES**

There are three categories of PTE contracts, each with different forms and/or procedures, based on the amount of the contract:

- Small – \$5,000 or less
- Intermediate – \$5,000.01 - \$23,662
- Formal – More than \$23,662

The dollar thresholds of these PTE categories are subject to change; refer to the [Dollar Threshold](#) charts on the Procurement Services Intranet for the current spending limits. Bureaus must make good faith estimates on project costs in order to determine the appropriate PTE category. If the estimated project cost is close to a threshold limit, use the PTE category with the higher dollar threshold in order to avoid having to potentially repeat the solicitation process.



The Chief Procurement Officer and the City Attorney's Office must review and approve all solicitations, including Requests for Qualifications and Qualification Based Selections, resulting in single or multiple contracts where the cumulative value exceeds \$100,000.

## **C. SOLICITATION METHODS**

### **1. Request for Proposal (RFP)**

[Intermediate RFP Template](#)

[RFP Template <\\$100,000](#)

[RFP Template >\\$100,000](#)

The Request for Proposal method is used to procure most PTE services. It involves the evaluation and selection of a consultant based upon various factors including, but not limited to the consultant's expertise, experience, diversity in employment, licenses or certifications, work history, understanding of the scope of work and ability to resolve the issue or problem identified within the RFP document while providing a quantified cost for completing the work. Therefore, the RFP must provide sufficient information about the project's background, needs and constraints, expectations of the consultant and the desired outcome for prospective proposers to prepare complete proposals that satisfy the project's needs.

### **2. Architectural and Engineering (A/E) RFP for Leadership in Energy and Environmental Design (LEED) Projects**

[A/E LEED RFP Template](#)

The Architectural and Engineering RFP for LEED Projects is required for use by bureaus contracting for architectural and engineering services **for new construction and major retrofits**. This will ensure compliance with the green building requirements as required by the City's [Green Building Policy](#). Project managers for tenant improvement projects that are pursuing LEED for Commercial Interiors must use this template for such projects. For more information on the City's Green Building Policy requirements, please contact the Bureau of Planning and Sustainability (BPS) Green Building Program.

### **3. Request for Qualifications (RFQ)**

[RFQ Template](#)

The Request for Qualifications method is a "two-phase" process, which is intended to limit respondents for complex projects to only the most qualified; and/or to lessen the cost impact to respondents. **Contract award is dependent on both phases being completed.** The issuance of an RFQ is the first phase of the process and is used to short list the most qualified (highest scored) respondents. The first phase does not include cost as an evaluation criterion. The second phase is the issuance of a modified Request for Proposal to the short listed respondents and generally results in a contract award.

Based on evaluation and scoring of responses received per the criteria set forth in the RFQ document, those receiving the highest scores will be short listed and issued a Request for Proposal to determine the award of the contract. The number of respondents to be short listed will be defined in the RFQ. In the event that the City receives only one response to the RFQ, the City may forego the RFP process and begin direct negotiations if the respondent meets the City's minimum qualification requirements.

The second phase, the issuance of a modified Request for Proposal to the short listed respondents, focuses on further defining the project scope, schedule, and cost. The modified RFP will provide short listed respondents additional detailed evaluation criteria that the Evaluation Committee will use to review and score proposals received in order to make a final selection.

The criteria may include all or some of the criteria used to screen the RFQ's as well as information gathered from the interviews, which are a part of the RFP process. **Procurement Services must be contacted for assistance with developing and distributing the modified RFP.**

In determining whether to use the RFQ process, consideration should be given to the extended length of time required to complete this process since it involves two separate solicitations.

#### **4. Qualification Based Solicitation (QBS)**

[QBS template](#)

The Qualification Based Selection method is required for projects to select registered architectural, engineering, or land surveying services if 1) that process is required as a condition of receiving federal grant funds; or 2) the project exceeds \$900,000 and a minimum 10% or more of the funding is derived from the State of Oregon Highway Funds (ref. ORS 279C.110). The evaluation will be based solely on the qualifications of the respondents; cost will not be a factor in the selection process. With the approval of the Chief Procurement Officer, this process may be utilized for other PTE services if determined to be in the best interest of the City. All contracts must contain a maximum, not-to-exceed total compensation amount within the contract.

The Qualification Based Selection process is similar to the Request for Qualifications process in that respondents are evaluated based upon their qualifications, expertise, previous experience, and work history. They are distinctly different in that the RFQ is the first of the two-step process requiring the Evaluation Committee to develop a short list of qualified respondents and complete the second step via a modified Request for Proposal. In contrast, the QBS process requires the selection of the single most qualified respondent receiving the highest evaluation score, at which time the City will negotiate the scope of work, schedule, and project cost. Due diligence must be taken in the negotiation process to arrive at a favorable agreement. If negotiations with the selected respondent are unsuccessful, negotiations may commence with the next highest scored respondent. Consult with Procurement Services before terminating negotiations with the highest scored Respondent.

The Qualification Based Selection process must contain all the information necessary for the prospective respondents to prepare a concise, complete response. Emphasis should be placed on providing clear, concise information about the project, background, technical requirements, expectations of the consultant and the desired outcome. Respondents will have the opportunity to showcase the qualifications, expertise and experience of the Respondent, as well as the individuals within that firm.

#### **5. Request for On-Call Services**

[On-Call RFP Template <\\$100,000](#)

[On-Call RFP Template >\\$100,000](#)

Often, bureaus have routine needs for consultant services. Spending the time to obtain proposals from consultants on a repetitive basis for routine tasks is an inefficient use of City and contractor resources. On-Call Services contracts may be established through the RFP process to meet these needs. Accordingly, the procedures set forth herein establish a more efficient application of such contracts. On-Call Services contracts are intended to be used to procure routine PTE services whose specific Scope and Budget are not pre-determined, and not as a substitute procurement method for planned and budgeted PTE Services.

An On-Call Services contract covers basic contractual requirements without defining specific project requirements, and is designed to quickly and efficiently hire consultants to perform routine services by issuing individual Task Orders as needs are identified. The base contract establishes the general scope of services to be provided, contract language, and hourly rates. Task Orders

establish specific scopes of work, cost, and schedule, and are negotiated and issued for that specific need under the base contract's framework. Task Orders cannot contradict or amend the base contract; only executed contract amendments can amend the base contract (reference [Section 8.D](#)).

On-Call Services contracts are established so that they have a specific maximum dollar amount, which must be monitored by the bureau. Following contract award, consultants will be contacted in a fair process whenever work becomes available. If Task Orders are issued on a defined rotational basis, as each project is identified, then bureaus must ensure a systematic rotation among all consultants within each category of work.

For the Task Order, bureaus will negotiate a scope of work, project schedule, and fee schedule with the consultant from the list. Bureaus may review and approve the proposed project team and project approach for the specific Task Order to align with the submitted proposal. If the consultant and the bureau cannot reach an agreement, then the bureau has the option of using the next consultant on the list. Documentation for changing the selection rotation must be kept in the contracting file. Bureaus will not require consultants to resubmit their qualifications in selection for a Task Order.

### **General Requirements**

- Contracts should not exceed a three-year (3) term.
- The total value of any one on-call contract is limited to \$250,000 over the 3-year term of the contract, except for the following areas of work: Civil Engineering, Street Design, Pavement Testing, Land Surveying, Environmental Consulting (relative to regulatory compliance and contaminated site evaluation, and management), Planning and Design Work (for existing transmission and treatment facilities, existing water main replacement and service, water treatment, blending, and quality monitoring), and Water Testing and Analysis, in which case, the maximum allowed per contract is \$500,000.
- The total value of any one Task Order is limited to \$75,000 (\$250,000 for areas of work listed above). The limitation applies to each specific project; multiple Task Orders cannot be issued for the same project to circumvent the limitation.
- Task Orders may be amended as follows: 1) amendments not exceeding 25% of the original Task Order amount may be issued and authorized by the Bureau's approving authority; 2) amendments exceeding 25% of the original Task Order amount must be authorized by the applicable Bureau Director (or designee), or referred to City Council for approval per that Bureau Director's (or designee's) discretion. The 25% limitation is based on the cumulative total of all financial amendments to the original Task Order amount. This is not applicable to contract amendments.
- Task Orders shall be signed off by both the Bureau's approving authority and contractor's representative.
- Task Orders may only be issued for services stated in the original solicitation and contractual scope of work.
- Subcontractor(s) listed in the base contract must be used for the identified work as originally proposed and contracted for. A subcontractor that isn't expressly identified in the base contract can only be used if added through an amendment to the base contract. Consultants who wish to change an identified subconsultant may only do so through the amendment process and must demonstrate a compelling case for the change. Any change to an identified M/W/ESB subconsultant must be approved by the Chief Procurement Officer in accordance with [Resolution 36558](#).
- The base contract shall include a sample Task Order form as an Exhibit to the contract.
- All completed Task Orders must be kept in the contract file.
- Cross-bureau usage of an On-Call Services contract is prohibited without prior approval from the Chief Procurement Officer, unless the original solicitation provides for such usage and names each specific bureau to use the contract.

## 6. Sole Source Procurement

### [Sole Source Request](#)

It is the premise of public contracting that a competitive solicitation be used in order to maintain fair and open competition and provide opportunities for contractors to work for the City. Bureaus are expected to obtain as much competition as is reasonable and possible, therefore a sole source requires full justification and complete documentation.

Sole source procurement is one that awards a contract without competition. It is a declaration that the PTE services being contracted for are of such a unique nature, or the consultant possesses such a singular capability to perform the work that proceeding without competition is likely to provide a significant benefit to the City. Contracting by this method requires complete explanation and justification of: 1) the unique nature of the services; 2) the unique qualifications of the contractor; and 3) the basis upon which it was determined that there is only one known contractor able to meet the service needs (i.e., what makes them uniquely qualified to perform the service and what evidence was considered that resulted in that determination).

For sole source procurements not exceeding \$100,000, bureaus shall complete and submit to Procurement Services the [PTE Solicitation Transmittal Memo](#), the [Sole Source Request for PTE Services Approval and Justification Form](#), and any appropriate justification and supporting documentation. The Chief Procurement Officer is authorized to approve sole source requests for contracts valued at \$100,000 or less. However, per [Resolution 36558](#), sole source procurements greater than the intermediate procurement threshold and not exceeding \$100,000 require a public notice be posted on the Procurement Services website for at least seven (7) calendar days. Consultants who feel they are adversely affected by the award of the sole source will have seven (7) calendar days from the issuance of the sole source notice to file a protest in accordance with [Section 7](#) of this Manual. If a protest is received, the matter must be resolved before the Chief Procurement Officer will review the request for approval. **Approval must be obtained from the Chief Procurement Officer prior to execution of a contract;** however, bureaus may also have additional internal approval requirements that are not addressed here.

For sole source procurements exceeding \$100,000, the request must be submitted to Council for approval via the ordinance process. **The ordinance must clearly state, “This sole source contract is being acquired as an exception to the competitive selection process identified in PCC 5.68 and the PTE Services Contracting Manual.”**

By declaring a sole source, the bureau is only eliminating the competitive solicitation requirements; all other contracting requirements must be met (i.e., contract document, business license, EEO certification, Equal Benefits, insurance, PTE Contract Worksheet, subconsultant tracking, and final payment documentation). Negotiation with the sole source provider, including the use of M/W/ESB subcontractors, is encouraged to establish a favorable contract for the City.

## 7. Emergency Procurement

An emergency procurement is used to accommodate a **“circumstance creating a substantial risk of loss, damage, interruption of services or threat to public health or safety that could not have been reasonably foreseen and requires prompt award and execution of a contract to remedy the situation.”** An emergency procurement is a departure from the normal competitive process.

Emergency procurement procedures are not often used and are never intended to be a sole source. It is incumbent on City staff that as much competition as possible be obtained to the extent reasonable under the circumstances. Any measure(s) undertaken to obtain competition must be documented and made a part of the final contract file.

**The authority to declare an emergency shall be as follows:**

- **\$100,000 or less** – Declaration must be made by the Bureau Director
- **Over \$100,000** – Declaration must be made by the Commissioner-in-Charge who has responsibility for the bureau

The declaration must document the nature of the emergency and the method used to select the contractor. By doing so, the selected contractor may immediately begin work to alleviate the emergency situation. The declaration must clearly state that an emergency exists, identifying the specific emergency that has or would cause threat to public health and safety or a substantial risk of loss or damage and further specifying what work is intended to be done to alleviate the emergency.

If an emergency occurs during regular working hours (Monday through Friday, 8:00 A.M. to 5:00 P.M.) and is estimated to be not more than \$100,000, the bureau shall contact Procurement Services, notifying them of the emergency. The bureau will provide adequate written justification for an emergency contract addressed to the Chief Procurement Officer. If the emergency occurs during non-working hours, the bureau shall contact Procurement Services by the next business day following the emergency. For projects estimated to be greater than \$100,000, the bureau shall prepare an ordinance to file for hearing on the next available Council calendar authorizing the emergency declaration. If either the Chief Procurement Officer or the City Council does not approve the emergency declaration, the bureau must immediately advise the Contractor to stop work and submit a final invoice for work done up to that point.

In declaring an emergency, the bureau is declaring they will be foregoing the competitive solicitation requirements and that the contract will not be used for any more than what is required to mitigate the emergency situation. All other contracting requirements apply (i.e., contract document, business license, EEO certification, Equal Benefits, insurance, PTE Contract Worksheet, subconsultant tracking, and final payment documentation).

## **D. SOLICITATION EFFORTS**

### **1. Small (\$5,000 or less)**

At the Small contract level, use of an Intermediate or Formal template is not required. However, keeping a written record of the scope of services solicited and contacts made, providing consistent information to all proposers, recording responses received and maintaining a written copy of the successful proposer's response is required.

#### General Requirements

- Incorporate sustainable procurement best practices (see Section 1.D of this Manual)
- Proposals must be solicited from a sufficient number of qualified consultants to obtain a minimum of three (3) proposals. One of the consultants solicited must be an Oregon State certified minority-owned (MBE), woman-owned (WBE) or emerging small business (ESB). The State's directory of certified consultants may be queried at <http://www4.cbs.state.or.us/ex/dir/omwesb/>, or you may contact the PTE Outreach Program Coordinator in Procurement Services for assistance at 503.823.6860. If an M/W/ESB business is not or cannot be contacted, an explanation must be provided on the PTE Contract Worksheet when submitted to Procurement Services.
- Project manager should compile a list of potential proposers and distribute the small solicitation, preferably via email. The number of potential proposers should be sufficient to receive at least three responses, and all potential proposers contacted must be documented on the PTE Contract Worksheet.



- Each consultant must be given the same information and allowed the same amount of time to respond. At a minimum, the scope of work, period of performance, and contracting requirements (EEO certification, business license and insurance requirements) must be provided.
- Any changes to project requirements must be communicated to all prospective proposers prior to the deadline for submitting proposals.
- The consultants may be contacted in writing (preferably via email) or by phone, and may respond via phone, e-mail, fax or mail. If an initial phone response is received from the selected consultant, a follow-up written record will be required for contracting.
- Select the consultant that best meets the bureau's needs. Selection is normally made by the Project Manager.

Services in the Small range may be acquired by direct appointment, without competition, if contracting with a local, State of Oregon certified M/W/ESB consultant; this will not count as sole source procurement. However, bureaus are encouraged to solicit responses from multiple certified consultants. Please note by entering into a direct contract with a State of Oregon certified M/W/ESB consultant, the bureau is only eliminating the Small competitive solicitation requirements; all other contracting requirements remain in place (i.e., business license, EEO certification, insurance, PTE Contract Worksheet, Independent Contractor Certification Statement).

## **2. Intermediate (\$5,000.01 - \$23,662)**

At the Intermediate contract level, use of the Intermediate Request for Proposal (IRFP) is required. Due to the type and amount of information provided in the IRFP and the level of effort required to respond, telephone or verbal offers are not acceptable.

### General Requirements

- Project managers must use the Intermediate RFP template.
- Incorporate sustainable procurement best practices (see Section 1.D of this Manual)
- Proposals must be solicited from a sufficient number of qualified consultants to obtain a minimum of three (3) proposals. One of the consultants solicited must be an Oregon State certified minority-owned (MBE), woman-owned (WBE) or emerging small business (ESB). The State's directory of certified consultants may be queried at <http://www4.cbs.state.or.us/ex/dir/omwesb/>, or you may contact the PTE Outreach Program Coordinator in Procurement Services for assistance. If an M/W/ESB business is not or cannot be contacted, an explanation must be provided on the PTE Contract Worksheet when submitted to Procurement Services.
- Project manager should compile a list of potential proposers and distribute the IRFP document, preferably via email. The number of potential proposers should be sufficient to receive at least three responses, and all potential proposers contacted will be documented on the PTE Contract Worksheet. In addition the Project Manager may request that the IRFP be posted on Procurement Services website.
- Any changes to the IRFP documents must be provided to all prospective proposers and made by written addenda using the standard RFP Addendum template prior to the deadline for submitting proposals.
- An Evaluation Committee is required to evaluate and score proposals received based on the evaluation criteria specified in the IRFP (reference [Section 6](#) of this manual). The consultant will be selected based on receiving the highest score.

## **3. Formal (greater than \$23,662)**

At the Formal contract level, use of the Request for Proposal (RFP) or Request for Qualifications (RFQ) is required. Use of the Architectural and Engineering RFP for LEED Projects, On-Call Services RFP or Qualification Based Selection (QBS) is required as applicable.

### General Requirements

- Project managers must use the appropriate solicitation template.
- Incorporate sustainable procurement best practices (see Section 1.D of this Manual)
- Complete solicitation documents will be transmitted to Procurement Services to be released via the Procurement Services website. Transmit final RFP documents, [PTE Solicitation Transmittal Memo](#), and [PTE Legal Advertisement](#) to the PTE Web Postings email address, [ptepostings@ci.portland.or.us](mailto:ptepostings@ci.portland.or.us).
- Solicitations whose value is greater than \$100,000 require the Chief Procurement Officer and City Attorney's review and approval prior to releasing the solicitation; bureaus are required to make any necessary legal or policy changes based on review comments. Procurement Services will forward all draft solicitation documents to the City Attorney's Office for their review.
- Procurement Services will publicly solicit proposals on the Procurement Services website, and distribution of the solicitation documents is confined to this site. Interested proposers must be directed to Procurement Services website to download the documents.
- Solicitations will be advertised in the DJC for a minimum of three (3) consecutive days; however, bureaus are encouraged to advertise in other minority or trade publications (i.e., Asian Reporter, The Skanner, Observer, and El Hispanic News). The contracting bureau is responsible for paying all advertising costs.
- Upon issuance of the solicitation, bureaus should perform outreach to the contracting community, particularly to State of Oregon M/W/ESB certified consultants. The State's directory of certified consultants may be queried at <http://www4.cbs.state.or.us/ex/dir/omwesb/>, or you may contact the PTE Outreach Program Coordinator in Procurement Services for assistance.
- Any changes to the solicitation documents must be made by written addenda using the standard [RFP Addendum template](#) and posted on the Procurement Services website prior to the deadline for submitting proposals (reference Sections [2.F](#) and [2.G](#)).
- An Evaluation Committee is required to evaluate and score proposals received based on the evaluation criteria specified in the solicitation document (reference [Section 6](#) of this manual).
- Issue appropriate notices depending on the intended outcome of the solicitation document (i.e., Notice to Short List or Notice of Intent to Award).
- Protests of City decisions are addressed under [Section 7](#).

The City will begin negotiations with the proposer receiving the highest score and, if successful, award a contract, unless the RFQ process is being used (reference [Section 2, Paragraph C.3](#) Request for Qualifications above). In the case of an RFQ, the highest scored proposers will be issued a modified RFP and proceed with the second phase of the solicitation process, thus the following General Requirements also apply:

### Additional RFQ General Requirements

- Select highest scored respondents based on established criteria specified in the RFQ document to create a short list. In most instances it is appropriate to create a short list with at least three respondents. For further information on evaluation see [Section 6](#).
- Project manager must contact Procurement Services for assistance with developing the modified RFP. If over \$100,000, the modified RFP must be reviewed and approved by the Chief Procurement Officer and City Attorney's Office.
- Transmit final modified RFP documents and contact information for short listed respondents to [ptepostings@ci.portland.or.us](mailto:ptepostings@ci.portland.or.us) for distribution.
- Project manager should organize an Evaluation Committee per [Section 6](#) of this manual to evaluate and score the modified RFP responses.
- Select the highest scored Proposer based on the criteria specified in the modified RFP document, and then negotiate to award a contract.
- Issue Notice of Intent to Award.

## **E. PRE-SUBMITTAL MEETINGS**

Depending upon the complexity of the project, the bureau will need to determine if a pre-submittal meeting would be beneficial to proposers. Pre-submittal meetings are held with prospective proposers prior to the due date for the solicitation, and are utilized to acquaint the proposers with the projects' scope of work, location, parameters, technical aspects, restrictions or constraints, specific site conditions, and required deliverables. These meetings allow prospective proposers to ask questions, clear up any ambiguities, and ensure that all prospective proposers have the same basis of understanding regarding the proposed project. All attendees of these meetings need to be informed that none of the information shared at these meetings changes the solicitation document unless that information is published in the form of an addendum. Meetings are either mandatory or non-mandatory and must be designated as such within the solicitation documents. If a mandatory meeting is held, only those who attend will be allowed to submit a response to the solicitation document.

The facilitator will identify the type of pre-submittal meeting being held (i.e., mandatory/non-mandatory). Self-introductions will include bureau staff and any other project representatives, personnel from Procurement Services and all proposers in attendance. The facilitator will either discuss or have the appropriate staff address the following information:

- sign-in requirements
- remind attendees to ensure that they are on the Plan Holders list by downloading the solicitation documents from Procurement Services website
- a further explanation of the competitive process
- identify the submittal due date and advise that late responses will not be accepted
- deadlines for receipt of questions and clarifications and the procedures for such requests
- provide an overview of the solicitation document(s)
- contracting requirements (i.e., EEO certification, business license, insurance requirements, Equal Benefits)
- Diversity in Employment and Contracting requirements
- evaluation criteria and weighting
- outline when addenda will most likely be available on Procurement Services website
- discuss any proprietary requirements for submittal of the documents, explain the requirements for submitting the proposal response
- approximate date of when selection of consultant will be made public (following issuance of Notice of Intent to Award)
- outline the award review process and advise that certain proposal documents do not become public record until after the Notice of Intent to Award is issued
- outline the protest procedures

The project manager will outline the project background, issues relating to the project, challenges or requirements inherent to the project, and scope of work. Additionally, the project manager or other project member will provide such information regarding:

- certifications or permitting required
- potential project exceptions, constraints, challenges, or restrictions without directing how the work is to be performed (NOTE: refrain from providing solutions since what is desired is consultants' knowledge, innovation, or experience for the resolution of the project)
- visit the project site as appropriate

Statements made by project representatives about the project or solicitation at the pre-submittal meeting are not considered binding on the City nor a responsibility of prospective proposers. The solicitation document shall not change unless the City confirms the statements, clarifications or changes to all prospective proposers by way of a written addendum. If a substantive change or



clarification is in order, an addendum must be issued no later than seventy-two (72) hours prior to the proposal due date to all recorded holders of the solicitation document or to those who attended a mandatory meeting. Additionally, sign-in sheets identifying those firms or individuals who attended must be issued via the addendum process.

**Mandatory** pre-submittal meetings require that all proposers have a representative attend if they plan to submit a proposal. Therefore, at the mandatory pre-submittal meeting, all prospective proposers will sign in and only those identified from the sign-in sheet will be considered for the project and be eligible to have their proposals accepted. City personnel and other technical experts will answer the questions posed during the meeting. Any information provided at the meeting that will change the requirements of the solicitation document must be issued in the form of an addendum to all eligible proposers. Additionally, it is required that substantive questions and resulting responses from the pre-submittal meeting be documented and provided to all eligible proposers in the form of an addendum. It is important to specify in the addendum which items are changes or modifications to the original solicitation document. NOTE: By making the pre-submittal meeting mandatory you automatically disqualify any firms who do not attend.

**Non-mandatory** pre-submittal meetings are considered optional and prospective proposers are not required to attend. Thus, proposals will not be rejected from those prospective proposers failing to attend the non-mandatory meeting. Although the meeting is non-mandatory, a sign-in sheet is still required. Any substantive questions posed during the meeting will be collected and responses provided to all recorded holders of the solicitation in the form of an addendum to ensure that all prospective proposers of record receive the same information in accordance with the procedures within this manual.

## **F. SOLICITATION CLARIFICATION**

It is not unusual for questions and requests for clarification to arise from prospective proposers, thus the solicitation document must identify where questions and requests for clarification are to be directed. In order to ensure fairness in the competition, all proposers of record must receive the same information, therefore such questions and requests must be responded to via the addenda process. Questions and requests for clarification must be addressed in a timely manner; however, you are not required to respond to questions which are not pertinent to the proposal development. Only questions and requests for clarification that result in a substantive clarification or require a revision to the solicitation documents must be responded to fully through the addenda process. The person to whom questions are directed will be responsible for maintaining a communication log that will include the date, firm, person calling or writing, their question and the resulting response. The solicitation document must also define the time period during which questions will be accepted; usually no later than seven (7) calendar days prior to the proposals' deadline.

## **G. ADDENDA**

Addenda will be posted on the Procurement Services electronic bidding system, notices will be sent via email to the list of registered vendors for that solicitation (plan holders list), and are available on the web to registered vendors. If a substantive clarification or change to the solicitation documents is deemed necessary, it must be issued no later than seventy-two (72) hours prior to the solicitation closing date and time. It is imperative that all prospective proposers receive the same information. Addenda will be identified by the solicitation document number and kept in order by consecutive addendum number. The [Solicitation Addendum](#) template is available on the Procurement Services website.

The City shall make a reasonable effort to notify prospective proposers of issued addenda. However, it is the responsibility of prospective proposers to ascertain the issuance of and be

responsive to all addenda. All addenda for formal solicitations must be sent to the [PTE Web Postings](#) email address for posting to Procurement Services website.

## **H. RECEIPT OF PROPOSALS**

It is vital that proposals be received by the date, time, and at the location noted within the solicitation documents. All proposals must be date-stamped by City personnel with the date and time received. It is recommended that proposals be placed in a designated secure storage area as they arrive to ensure against loss. Proposals received prior to the designated due date and time must NOT be opened, and the contents must remain secure until the appropriate closing date and time.

Following the closing date and time, bureaus shall complete the [Proposal Receipt Record form](#) listing proposers/respondents, and shall submit it to Procurement Services via the PTE Web Postings email address for posting to the web.

Upon receipt of the proposals, each proposal shall be kept secure, remain confidential and not be subject to public record until the consultant has been selected and the [Notice of Intent to Award](#) has been issued.

If a late proposal is hand-delivered by a proposer or by a courier, it should be received, then time and date stamped. DO NOT OPEN. It must be returned to the proposer unopened with a letter stating that it was rejected due to late arrival. The project manager must record the proposer's name, address, and the date and time the proposal was received; and must keep this documentation in the procurement file.

## **Section 3 DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIREMENTS**

### **A. GOALS**

The City of Portland seeks to extend contracting opportunities to State of Oregon certified Minority, Women and Emerging Small Business enterprises (M/W/ESB) in order to promote their economic growth and to provide additional competition for City contracts. Therefore, the City has established an overall 20% utilization goal in awarding PTE contracts to State of Oregon certified ESB enterprises. No goal is set for the use of minority (MBE) and women business (WBE) enterprises, but the City is committed to ensuring that such consultants receive opportunities and equal consideration to be awarded City PTE contracts. To achieve the 20% utilization goal and provide opportunities to M/W/ESB consultants, Diversity in Employment and Contracting criteria will be used in the selection of all PTE services. All Intermediate and Formal solicitations distributed by City Bureaus must contain evaluation criteria for Diversity in Employment and Contracting to be weighted no less than 15% of the total scores used in evaluating proposals.

### **B. M/W/ESB CERTIFICATION**

The City uses the State of Oregon's Office of Minority, Women, and Emerging Small Business (OMWESB) database to identify potential M/W/ESB consultants. Individual consultants or specific categories of listed certified consultants may be accessed at the [State's OMWESB website](#).

If you need assistance finding State of Oregon Certified consultants or navigating the website feel free to contact the PTE Contract Compliance Specialist.

### **C. SMALL REQUISITIONS/CONTRACTS**

Solicitations within the Small range have different requirements for extending contracting opportunities to M/W/ESB consultants. In the Small contracting process, unless directly contracting with a State of Oregon certified M/W/ESB consultant, bureaus are required to contact at least one State of Oregon certified M/W/ESB consultant for the area of work; however, project managers are highly encouraged to contact more than one. To maximize M/W/ESB utilization for your Bureau in the Small procurement range, the best and most effective practice is to contact state certified M/W/ESB consultants for small solicitation outreach projects. Bureau personnel should search the OMWESB database of certified consultants for availability or contact Procurement Services for assistance. Outreach efforts will be documented on the PTE Contract Worksheet, and if an M/W/ESB consultant is not or cannot be contacted, a justification must be provided on the worksheet.

### **D. INTERMEDIATE AND FORMAL CONTRACTS**

For those solicitations in the Intermediate and Formal ranges, the required diversity evaluation criteria are contained within each PTE solicitation template and are required for use by Bureaus. At a minimum, each solicitation shall contain the following language:

The City is committed to increasing contracting opportunities for State of Oregon certified minority, women and emerging small business (M/W/ESB) enterprises. The City values, supports and nurtures diversity, and encourages any firm contracting with the City to do the same,

maximizing M/W/ESB business participation with regard to all City contracts. As such, the City has established an overall 20% utilization goal in awarding PTE contracts to State of Oregon certified emerging small business (ESB) enterprises. No goal is set for the use of minority (MBE) and women business (WBE) enterprises, but the City is committed to ensuring that such firms receive opportunities and equal consideration to be awarded City PTE contracts. The City has assigned at least 15% of the total points available on this solicitation to this criterion to determine the award of this contract.

All Proposers shall address the following in their proposals:

- a. Indicate if your firm is currently certified in the State of Oregon as an MBE, WBE and/or ESB, or if your firm has applied for certification with the State of Oregon's Office of Minority, Women and Emerging Small Business (OMWESB). Provide a copy of the State of Oregon certification letter confirming receipt of application or copy of the approval letter certifying your firm (a copy of this letter does not affect the page-limit identified under Part II, Section B.2 of this document).
- b. Identify your current diversity of workforce and describe your firm's commitments to providing equal employment opportunities. Include in your response:
  - Number of total employees and description of type of work performed.
  - Number of minorities and women within your current workforce, broken out by ethnicity and positions held.
  - Any underutilization of minorities or women within your workforce and your firm's efforts to remedy such underutilization.
  - Any plans to provide innovative mentoring, technical training or professional development opportunities to minorities and women in your workforce in relation to this project, or plans to employ minorities and women to work on this project.
  - Description of the process your firm uses to recruit minorities and women.
- c. Have you subcontracted or partnered with State of Oregon certified M/W/ESB firms on any project within the last 12 months? If so, please describe the history of the firm's subcontracting and partnering with certified M/W/ESB firms. Include in your response:
  - List of State of Oregon certified M/W/ESB firms with which your firm has had a contractual relationship during the last 12 months.
  - Any innovative or successful measures that your firm has undertaken to work with M/W/ESB firms on previous projects.
  - Any mentoring, technical or other business development services your firm has provided to previous or current M/W/ESB subconsultants or partners, or will provide in relation to this project.
- d. Are you subcontracting any element of your proposal? Describe your firm's plan for obtaining maximum utilization of State of Oregon certified M/W/ESB firms on this project. Include in your response:
  - Subcontracting opportunities your firm has identified in the scope of this project.
  - Efforts made relating to outreach and recruitment of certified M/W/ESB firms. Did your firm advertise contracting opportunities in the *Daily Journal of Commerce*, *Skanner*, *Oregonian*, *Observer*, *El Hispanic News*, *Asian Reporter*, and/or other trade publications? Did your firm conduct any outreach meetings? Did your firm use the State's OMWESB certification list, or other source, as a basis for direct outreach? What were the actual results of any of the above efforts?
  - Any proposals received from certified M/W/ESB firms. If any such proposals were rejected, provide reasons for rejection.
  - Other efforts your firm used or proposes to use in relation to this project.
- e. If your firm will be utilizing State of Oregon certified M/W/ESB firms on this project, please list

those firms and detail their role within your proposal.

The City expects thoughtful consideration of all of the above Diversity in Employment and Contracting criteria in the preparation of proposals, and will enforce all diversity in workforce and M/W/ESB commitments submitted by the successful proposer.

**NOTE: For Formal solicitations resulting in contract(s) over \$100,000, the following shall replace Paragraph “e” above and the immediate paragraph that follows:**

- e. If your firm will be utilizing State of Oregon certified M/W/ESB firms on this project, please list those firms and detail their role within your proposal. In addition, **all Proposers must submit Exhibit A - First Tier Subconsultant Disclosure Form 1** with their proposal, which requires Proposers to identify the following:
- The names of **all** subconsultants to be used on this project with subcontracts greater than or equal to \$10,000.
  - The names of all State of Oregon certified MBE, WBE and ESB firms. If firms have more than one certification (i.e., ESB and MBE, and/or ESB and WBE) note that on the form so that proper credit can be given for the ESB goal and for tracking MBE and WBE utilization.
  - The proposed scope or category of work for each subconsultant.
- If Proposers will not be using any subconsultants that are subject to the above disclosure requirements, Proposers are required to indicate “**NONE**” on the First Tier Subconsultant Disclosure Form 1.

The City expects thoughtful consideration of all of the above Diversity in Employment and Contracting criteria in the preparation of proposals. The City will enforce all diversity in workforce and M/W/ESB commitments submitted by the successful Proposer, and the successful Proposer will be required to submit a completed Monthly Subconsultant Payment and Utilization Report to ensure that subconsultants are utilized to the extent originally proposed and submitted in its proposal. The successful Proposer will not be permitted at any time to substitute or add a subconsultant without the prior written approval of the Chief Procurement Officer. ALL subconsultants, including M/W/ESB firms, and first tier subconsultants shall be reported on the Monthly Subconsultant Payment and Utilization Report as well as contract amounts and payments. For reference, a copy of this form may be obtained at:  
<http://www.portlandonline.com/shared/cfm/image.cfm?id=119851>.

**Section 4 PTE TARGETED OUTREACH AND SUPPORT STRATEGY**

**A. PURPOSE**

\*\*\*\*\*PLACE HOLDER\*\*\*\*\*

**B. REQUIREMENTS**

## Section 5 CONTRACTOR REQUIREMENTS

### **A. CERTIFICATION AS AN EEO AFFIRMATIVE ACTION EMPLOYER**

All contractors are required to be certified as an Equal Employment Opportunity (EEO) employer as prescribed by Chapter 3.100 of the Code of the City of Portland prior to contract award. It specifically requires any employer who supplies goods and/or services to the City in excess of \$2,500 in any fiscal year (July 1 through June 30) to be certified as an EEO Affirmative Action Employer. Details of [EEO certification requirements](#) are available from Procurement Services.

Certification status may be verified at the [Vendor EEO Lookup](#) intranet webpage.

### **B. NON-DISCRIMINATION IN EMPLOYEE BENEFITS**

All contractors in the Formal solicitation range, in order to receive a contract from the City, are required to provide benefits to their employees with domestic partners equivalent to those provided to employees with spouses. All Contractors must submit an Equal Benefits Compliance Worksheet/Declaration Form prior to contract award. Even if a vendor does not currently comply with the Equal Benefits Ordinance but may comply at a later time (seeks a Delayed Compliance Waiver) or does not intend to comply with the Equal Benefits requirement, they must still submit the Form. The specific requirements and procedures are contained within the Formal PTE solicitation templates, and additional information, including the Equal Benefits Compliance Worksheet/Declaration Form, can be obtained from the [Procurement Services intranet webpage](#).

### **C. BUSINESS LICENSE**

All contractors must be in compliance with the City of Portland Business License requirements as prescribed by [Chapter 7.02](#) of the Portland City Code prior to contract award. Details of compliance requirements are available from the [Revenue Bureau License and Tax Division](#).

Business license status may be verified at [Revenue Bureau: Business Lookup](#) intranet webpage. Note: You must be signed-in to get the business license number.

### **D. INSURANCE REQUIREMENTS**

Project managers shall review the prospective PTE services for risk and liability, and consult with Risk Management and the City Attorney's Office when drafting a solicitation to determine the appropriate liability insurance requirements. The City Attorney may waive some requirements when not necessary, or increase/reduce the type or amount of coverage on a case-by-case basis. Changes to the standard insurance requirements must be approved by the City Attorney prior to the solicitation being issued. Workers Compensation insurance is required by law and cannot be waived. Unless waived by the City Attorney's Office, the insurance coverages in the PTE solicitation and contract templates are required for all PTE services.

Contractors shall agree to maintain continuous, uninterrupted coverage of all insurances as required by the City. There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without a 30-day written notice, or a 10-day written notice for non-payment from the contractor or its insurer(s) to the City. As evidence of the insurance coverages, contractors shall furnish acceptable insurance certificates to the City at the time signed contracts are returned to the City. If requested by the City, the contractor must provide complete policy copies to the City. The certificate will specify all of the parties who are "Additional Insureds" and will include the 30-day cancellation clause and a 10-day notice for non-payment as

identified above. Insuring companies or entities are subject to City acceptance. Contractors shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

For **mediation services contracts only**, the professional liability insurance requirements are specific to mediation malpractice and are only subject to a combined single limit of not less than \$100,000 each claim, incident, or occurrence.



## **Section 6 EVALUATION PHASE**

The evaluation phase as described below must be carried out for all solicitations, even if only one proposal/response is received.

### **A. REVIEW FOR RESPONSIVENESS**

Prior to evaluating and scoring proposals, the responses must first be examined to determine whether they meet the minimum requirements stated in the solicitation documents. The evaluation of these minimum requirements will be undertaken by the person responsible for conducting the solicitation process and will consider the following questions:

- Were the proposals received by the filing deadline?
- Was there a mandatory pre-submittal meeting? If so, did someone representing the firm attend the pre-submittal meeting? Are they a registered vendor on the eBid system (plan holder list)?
- Was a cover letter included with the response and signed?
- If the evaluation criterion for the cover letter was pass/fail, did the information contained within the cover letter satisfy the requirements?
- Did they include responses for all criteria?

Proposers who fail to meet minimum requirements may be considered non-responsive and may be disqualified from further consideration (e.g., if a mandatory pre-submittal meeting was held and the firm's representative did not attend, their response must be disqualified and rejected). This preliminary evaluation is a measure of the potential contractor's ability to follow instructions. The soliciting bureau will designate the appropriate person to make the determination as to responsiveness and/or rejection.

Responses/Proposals that are rejected due to their lack of responsiveness or non-conformity to the mandatory requirements will not be reviewed or evaluated by the Evaluation Committee.

The bureau will provide a written notice by mail to all proposers removed from consideration as part of the initial review for responsiveness. For Formal procurements, proposers shall have seven (7) days from the date of notice to file a protest. If a protest is received, the bureau will follow the *AWARD REVIEWS AND PROTESTS* procedures as provided in [Section 7](#) of this manual. The evaluation process will continue during the protest period but no final determination may be made. The bureau must document these actions in the procurement file.

### **B. EVALUATION COMMITTEE**

Evaluation Committee members perform a service for the project manager, the bureau and the general public. They should be selected based on their knowledge of the subject matter, marketplace, City regulations, and understanding of the project, as well as for their ability to fulfill their time commitments and obligations as a member of the committee.

The committee must be formed no later than the solicitation due date. The typical number of voting members for Formal and Intermediate solicitations is five (5), but the minimum required is three (3). There is no maximum limit on the number of committee members that can be used to evaluate proposals. The number of members and the make-up of the committee will depend upon the size and complexity of the project. Following are the minimum requirements for Evaluation Committees:

- **Small:** one (1) evaluator is required (usually the project manager)

- **Intermediate:** three (3) evaluators are required. All members of the committee may be City of Portland employees. However, it is recommended that diverse community evaluators be included as practical.
- **Formal:** three (3) or more evaluators are required, with at least one (1) member of the committee selected from the Minority Evaluator Program (MEP) through the Alliance of Minority Chambers per [Resolution 36757](#). The number of Minority Evaluators is dependent on the size of the Evaluation Committee.

“...5 or fewer members, there shall be a minimum of one minority panelist provided by the Alliance; for panels of 6 -8 members, there shall be a minimum of two minority panelists provided by the Alliance; for panels of 9-11 members, there shall be a minimum of three minority panelists provided by the Alliance; and so on...”

The Project Manager must use the area on the PTE Contract Worksheet referring to the Evaluation Committee members to designate which member(s) of the Evaluation Committee fulfilled the MEP requirement.

In addition, bureaus must allow the Evaluation Committee a minimum of ten (10) days to review the RFP if the estimated value of the work exceeds \$150,000 and five (5) days if the estimated value of the work is less than \$150,000. You must factor these review time frames into your solicitation when establishing the evaluation timelines. Contact Procurement Services if assistance is needed with selecting a minority panelist for the Evaluation Committee.

The evaluation process, from review through interview and/or to contract negotiation must be completed by each of the committee members. Evaluation Committees are short-term, highly focused, and often tightly scheduled. It is hard to predict how long it will take to conduct the evaluations of the responses, as that is dependent on how many responses are received and the corresponding quality and depth of the responses. It is important that all committee members understand the level of commitment and follow-through required in serving on the committee, as committee operations are in addition to regular work assignments. If a member determines that they are unable to complete the evaluation due to time or scheduling commitments, it would be best to replace that member at the onset; should a member not complete the evaluation process, any evaluations completed by this committee member must be discarded to eliminate any skewing of the final scores.

**NOTE: If a committee member withdraws from the evaluation process midstream, the minimum number and make-up of the committee as identified herein must be maintained.**

**TECHNICAL ADVISORS:** Whenever the Buyer/Project Manager anticipates using technical advisors in any capacity during the evaluation process, the solicitation document **must** specify that they may be used. Failure to include this information in the solicitation document will preclude advisors from any contact with committee members. Advisors are **not** authorized to be voting members of the Evaluation Committee; they may only be used to support the committee.

If a technical advisor is used to assist with the solicitation development, the solicitation document must identify the specific company affiliation, and the specific role they performed.

Any advisors participating in the evaluation process must sign a [Technical Advisor's Non-Conflict of Interest form](#).

When technical advisors will be present for interviews/presentations, all short-listed Proposers must be notified of their presence. A clear explanation must be provided of what the advisor's role will be during and after the interviews.

### **C. EVALUATION COMMITTEE FOR INTERVIEWS/PRESENTATIONS**

In the case of an evaluation process utilizing an interview, it is possible to have one committee for the written submittals and an entirely different committee for the interview. This is ONLY allowed if the solicitation document stipulates that the scores from the interviews/presentations are to stand alone and that the successful proposer(s) are to be selected solely on the basis of the interview/presentation scores. Otherwise, the same Evaluation Committee will evaluate both the written submittals and the interview phase. Committee members cannot delegate their responsibility to others. If a separate Evaluation Committee is formed for the interviews, the requirements of Resolution 36757 continue to be applicable.

### **D. EVALUATION COMMITTEE ACTIVITIES**

Following the formation of the Evaluation Committee, the project manager should identify the approximate amount of time required for the effort and provide members with a tentative schedule of events and meetings required for the project. Members of the Evaluation Committee are expected to read all responses, review the information provided in relation to that requested in the solicitation, and evaluate written submittals in relation to the stated criteria. Committee members who are City of Portland employees are required to take on the evaluation review duties in addition to their regular work assignments; therefore, it is imperative that an appropriate and reasonable amount of time be allocated under which the committee members are allowed to discharge their duties. If rushed, the evaluation criteria and weighting process could be compromised and result in a protest. The committee members must be able to review the submittals in an orderly and unhurried fashion to be assured that objectivity and impartiality are an integral part of the evaluation process.

Depending upon project complexity, project managers should consider holding their first meeting of the Evaluation Committee sometime after the release of the solicitation document and before the submission of the proposals. The project manager should meet with the Evaluation Committee members to discuss any concerns about the project, provide copies of the [Evaluators Guide](#), review evaluation criteria and weighting, and discuss questions or concerns being raised or issues presented by any of the committee members. During the course of the solicitation process, should an addendum be prepared that will extend the solicitation due date, this information must also be forwarded to the Evaluation Committee members as these changes may impact their schedules.

Best practice dictates that the names of the Evaluation Committee members should not be released to prospective proposers. Should it be the desire of the bureau to identify the make-up of the Evaluation Committee, there should be a stipulation in the solicitation document that the Evaluation Committee members are not to be contacted regarding the project during the solicitation and evaluation processes. It is not appropriate for individual Evaluation Committee members to have direct communication concerning the solicitation or evaluation process with any proposers outside of scheduled meetings of the Evaluation Committee. Any communications between proposers and Evaluation Committee members shall be scheduled by the project manager or Procurement Services so all members can benefit from receiving the communication at the same time. Any attempt, by one of the proposers, to have direct or indirect communication with a member of the Evaluation Committee outside of a committee session should be avoided and reported immediately to Procurement Services.

Each Evaluation Committee member will be provided with the proposal receipt record and a copy of the [Evaluator's Statement of Independence and Non-Conflict of Interest form](#). Evaluators should review the receipt record for potential conflicts. Once the evaluator has signed and returned the non-conflict of interest statement, the written submittals will be provided. Each evaluator will be required to sign a non-conflict of interest statement for each project in which they

are involved. The form found on Procurement Services website is the only authorized non-conflict of interest statement for the City of Portland.

The Evaluator's Statement of Independence and Non-Conflict of Interest form clearly addresses the fact that committee members cannot expect nor demand economic benefit or an offer of employment in connection with the decision before the committee. By signing, each committee member is acknowledging the importance of confidentiality during the evaluation process, affirming they will not divulge any information concerning the discussions during the evaluation, and have no conflict of interest relative to any of the submittals under review by the committee. Any committee member unable or unwilling to sign the statement will be automatically disqualified from participating on the evaluation committee, including member(s) selected through the Minority Evaluator Program.

During the course of the evaluation, evaluators shall use caution and not disclose information from the responses such as consideration proposed, content information and materials, individual scoring, interview questions, etc. Upon completion of the evaluation of proposals, evaluators will return the completed scoring sheets, and proposals to the project manager within the established deadline.

## **E. EVALUATION OF PROPOSALS**

Evaluation is the process of comparing responses to the criteria identified within the solicitation document. In addition, it involves evaluating all responses for their completeness and quality of content relative to the solicitation document. Each proposal will be scored based upon a numerical scoring system and as such the Evaluation Committee members will not be required to provide a written explanation of the individual scores. Members must evaluate each response using the same criteria and numerical scoring system identified in the solicitation documents. The process for assigning scores is based on well-defined, measurable factors that provide for more objectivity and fairness. Responses are NOT directly compared to each other; they are always compared to the requirements stated within the solicitation documents and the noted criteria.

**Excluding reference checks, information not provided by proposers may not be considered or used in scoring. For example:**

- Information available to the general public that is not contained in the proposal cannot be considered in the evaluation scoring.
- Omitted responses to the solicitation criteria cannot be accepted after the closing date and time or considered in the evaluation scoring.

In this way, the evaluations are objective and the process can be defended. The Evaluation Committee members must evaluate all responses independent of the other committee members and bring their evaluations to the committee deliberations for compilation and final scoring. From receipt of proposals through award, all proposal evaluation documents and deliberations are considered confidential and will not be divulged to the public until an award determination has been made.

As each Evaluation Committee member begins to read the responses, the member should be familiar with the established evaluation criteria and weighting as it was presented in the solicitation document. Committee members will be required to assimilate a great deal of technical and detailed information. If a committee member chooses to evaluate only some of the responses, the entire process could be considered suspect and challenged as being a departure from standard procedures. Therefore, if an Evaluation Committee member does not complete all of his/her assigned evaluations, then any evaluations he/she has done will be discarded and not considered in the final award process.

Some portions of the evaluation process will be subjective; that is, each reviewer may have different opinions regarding the relative strengths and weaknesses of any given response, and those opinions are scored and quantified. The evaluation criteria and weighting described in the solicitation document will be the only criteria the Evaluation Committee will use to judge the merits of the respective proposers.

NOTE: Small solicitation responses will be evaluated and awarded based upon the most qualified consultant offering the best response considering cost and availability to perform the work.

## **F. CLARIFICATION OF PROPOSALS**

During the evaluation process, clarification of certain points in a proposal/response may be necessary in order to understand the Proposer's/Respondent's view, approach to the project, scope of the work, and cost. The City may ask for such clarification however, no additions, deletions or substitutions to the Proposer's/Respondent's submittal will be permitted.

In order to minimize confusion and assure all clarification statements are posed in the same manner, the project manager or a designated member of the Evaluation Committee should be the only person to contact the proposer(s) for clarification. All contact with the proposer(s) must be from the designated individual. Questions posed as well as responses received from this communication will be documented and filed with the proposal documents, and distributed as appropriate to all members of the Evaluation Committee. All documents and information provided for clarification shall be retained as part of the solicitation file and will become part of the public record after contract award.

## **G. REFERENCE CHECKS**

Most solicitation documents require the proposers to provide references and other supporting documentation such as previous work history, projects that are similar to the one proposed, and the name and phone number of contact persons as outlined in the solicitation document. These references will be checked by the Project Manager, or a person(s) designated by the Project Manager and/or Evaluation Committee. It is important that the Evaluation Committee develop a standard list of questions that will be posed to each reference identified by the proposer(s). Some sample questions may include:

- Describe the projects they've worked on for you.
- Would you hire them again?
- Was there a frequency and rationale for change orders?
- Were their preliminary estimates accurate throughout the project?
- Did they provide any special services?
- Did they provide all the closeout documents?
- Did they meet their diversity requirements?

The City is not restricted to using only those references provided by the proposers, but may also check other references as they become available through the original reference check or as provided by the proposer during the interview phase. Comments and information provided by the reference checks will be documented, shared with the Evaluation Committee members, and become a part of the permanent procurement file.

## **H. CONDUCTING INTERVIEWS/PRESENTATIONS**

Based upon the evaluation scores of the written responses, proposers receiving the highest scores may be selected for further review. Interviews or presentations will be conducted as indicated in the solicitation document. Each proposer will be allowed an equal amount of time for their interviews or presentations. In order to facilitate this process, an agenda will be developed as well as a listing of the questions to be addressed by the Evaluation Committee. The project manager and Evaluation Committee members will develop interview questions in advance. All proposers in this phase of the process must be asked the same set of questions. Clarifying questions or questions designed to elicit additional information than what was in the written proposal may not be included during the oral phase, as the additional information may alter the original written response. However, Evaluation Committee members may ask follow-up questions to specific responses from oral questions. This process presents the project in an organized fashion, makes sure all proposers are asked the same questions and no questions are forgotten. These interviews are not intended to be marketing presentations but rather intended to be a structured and controlled presentation.

In preparation for the interviews/presentations phase, short listed proposers should be provided with specific instructions of the process with one to two weeks advance notice. Additional notice may be warranted depending on how far the proposers will have to travel in order to attend the interviews. A pre-interview/presentation meeting with the Evaluation Committee will be held in order to develop the agenda, develop formal questions, discuss the results of the reference checks (if applicable), review the scoring procedures, and identify the allocation of time for the interviews/presentations. At a minimum, instructions should include the following:

- Logistical information: date, time, location, the total amount of time allotted for the interview/presentation, and any equipment and/or material resources available
- Proposer's key personnel required to participate, and any limitations on the participation of additional representatives
- Description of the topics that the proposer must address and the technical and management factors that must be covered
- Description of the format and content of presentation documentation, and their delivery
- The anticipated number of City attendees
- Notification of the presence of any technical advisors not on the Evaluation Committee with an explanation of their role during the interviews/presentations, consistent with the disclosure specified in the solicitation document
- Depending on the nature of the project, interview questions may be provided in advance of the interviews

Some suggestions for scheduling the interview or presentation and facilitating the process include:

- Arrange for a room that is large enough to accommodate the Evaluation Committee, Technical Advisors (if any), and the consultant's team and their presentation materials
- Allow sufficient time for the interview or presentation, and for set-up and take-down of their equipment and materials
- Allow enough time for questions and answers
- Start and end on time
- Make sure all introductions are made for the consultant's team, Technical Advisors, and the Evaluation Committee
- Create a sign-in sheet for the procurement file (DO NOT provide a copy to proposers)
- Be fair and impartial to all proposers.
- Follow the predetermined agenda and schedule
- Rate and score each consultant team immediately following the interview; allow enough time for Evaluation Committee debriefing

It is the facilitator's responsibility to ensure the proposer(s) follow the agenda and complete the presentation in the allotted time. The Evaluation Committee will utilize the scoring method identified within the proposal as they proceed to score the presentation or interview; interview scores will either stand alone, or the scores for the written responses will be adjusted according to the procedure stipulated in the solicitation document. Once the deliberations have concluded, the proposer(s) with the highest score(s) will be selected as the most qualified candidate(s) to perform the work.

## **Section 7 AWARD REVIEWS AND PROTESTS**

### **A. NOTIFICATIONS**

Anytime proposers are eliminated from advancing to the next phase of the evaluation process, a written notice (i.e., short list notice), with protest language, will be sent to all proposers. This notice provides proposers an opportunity to protest their exclusion from advancing in the evaluation process.

Once a successful proposer has been selected, a Notice of Intent to Award a contract will be sent to short listed proposers. Those proposers previously excluded from advancing in the evaluation process and given the opportunity to protest **should not** be sent a second notice.

Bureaus shall email notifications to the PTE Web Postings email address for posting and distribution. Procurement Services shall post notifications on the Procurement Services website. Along with the Notice, bureaus shall send a copy of signed [Evaluator's Statement of Independence and Non-Conflict of Interest](#) forms and all submitted PTE First Tier Subconsultant Disclosure Forms (Form 1).

### **B. AWARD REVIEWS**

Following the Notice of Intent to Award, the public may view solicitation and proposal documents. However, any proprietary information contained within submitted proposals designated by the proposer(s) as confidential or a trade secret and meeting the requirements of federal or state law will not be disclosed unless it has been determined that disclosure is required. If a request to inspect proposal documents is made, the City will notify the proposer(s) of the request and give them the opportunity to redact any portions of their proposals that are exempt from disclosure under federal or state law.

Proposers not awarded the contract may seek additional clarification or debriefing, and request time to review the selection procedures, discuss the scoring methods utilized by the Evaluation Committee, and review proposal documents. Proposers should be given the opportunity to review the solicitation, final summary score sheet showing points awarded for the written proposals and interviews, and proposal documents after all proposers have been given the opportunity to submit redacted proposals. Allowing unsuccessful proposers to view successful proposals helps them to better understand the process, gather information about how other proposals are presented, recognize the positive contribution of each proposal, and identify what they can do to improve their future contract opportunities.

In some circumstances, proposers will ask to debrief with the Project Manager. The Project Manager should review the contents in the procurement file to fully understand the requirements of the solicitation. During the debrief, the Project Manager should recap the information required by the original proposal in relation to what was provided by the proposer; identify areas where information and responsiveness could be improved; and identify what information or documentation might have been missing or incomplete. Just as Evaluation Committee members evaluate proposals only in relation to the criteria stated in the solicitation, the Project Manager should be careful not to compare the information provided by various respondents during the debrief. The focus needs to be on the written submittal and presentation done by the proposer who is seeking clarification (debrief) in relation to the original solicitation.



### **C. PROTESTS**

Unsuccessful Proposers may believe they have been adversely affected or aggrieved by a PTE selection process and may decide to protest the City's award decision. Protests may be submitted to the Chief Procurement Officer only for formal contracts, and only from those Proposers who would receive the contract if their protest were successful. If a Bureau anticipates that a protest may be filed, they may wish to confer with Procurement Services as to next steps to help expedite the protest process.

Protests must be in writing and received by the Chief Procurement Officer within seven (7) calendar days, UNLESS OTHERWISE NOTED, following the date the City's [Notice of Intent to Award](#) was issued. The protest must specifically state the reason for the protest and show how its proposal or the winning proposal was mis-scored or show how the selection process deviated from that described in the solicitation document. No contract will be awarded until the protest has been resolved.

Protests must be timely and must include all legal and factual information regarding the protest, and a statement of the form of relief requested. Protests received later than specified or from other than the Proposer who would receive the contract if the protest was successful will not be considered. The exercise of judgment used by the evaluators in scoring the written proposals and interviews, including the use of outside expertise, is not grounds for appeal.

The Chief Procurement Officer may waive any procedural irregularities that had no material affect on the selection of the proposed contractor, invalidate the proposed award, amend the award decision, request the evaluation committee re-evaluate any proposal or require the bureau to cancel the solicitation and begin again to solicit new proposals. In the event the matter is returned to the evaluation committee, the Chief Procurement Officer shall issue a notice canceling the Notice of Intent to Award.

Decisions of the Chief Procurement Officer are final and conclude the administrative appeals process. Any further redress sought by the proposer shall be pursuant to state law.

Regardless whether Procurement Services was involved in the initial selection process or not, they are responsible for receipt of protest notifications for all PTE contracts in the Formal range and will investigate, prepare, and respond to all such protests.

## Section 8 CONTRACT/REQUISITION PHASE

### **A. SMALL PURCHASE ORDER/CONTRACT DEVELOPMENT**

For small PTE procurements, the standard Purchase Order can be used as the contract document and is issued and encumbered through Procurement Services via the standard purchase requisition (PR type) process. The standard Purchase Order cannot exceed, or be amended to exceed, \$5,000. Distributed Purchase Orders (DPOs) cannot be used without reference to a PTE contract.

At the bureau's discretion, the Contract for Professional, Technical, or Expert Services may be used in lieu of the standard Purchase Order, but the request for payment must still be processed through the City's central accounting system (SAP), thereby requiring the bureau to initiate a Distributed Purchase Requisition (DPR) and Distributed Purchase Order (DPO).

**The Independent Contractor Agreement is not a substitute for a PTE services contract, and does not apply to services procured under PCC Chapter 5.68.**

Accompanying the standard Purchase Requisition or PTE Contract will be the following:

- Scope of Work
- Workers Compensation Insurance Certificate (signed by the City Attorney's Office)
- Completed [Independent Contractor Certification Statement](#)
- EEO Certification ([Vendor EEO Lookup](#))
- Liability insurance, including General, Auto, Professional, and (if applicable) Technology E&O insurance certificate(s) signed by the City Attorney's Office
- Business License ([Business License Lookup](#))
- [PTE Contract Worksheet](#) – completed by the project manager and signed by Bureau Director or designee

If an M/W/ESB business is not contacted during the solicitation process, a justification must be provided on the PTE Contract Worksheet. Procurement Services cannot process a PTE contract or standard Purchase Order without ALL of the above information. The Chief Procurement Officer will sign all Small contracts when contracting requirements are met.

### **B. INTERMEDIATE/FORMAL CONTRACT DEVELOPMENT**

The [PTE Model Contract](#) template is required for contracting Intermediate and Formal PTE services. Bureaus will use the contract document that has been provided on Procurement Services website. Please note there is a contract document specific to mediation services that contains differing confidentiality Terms and Conditions, and insurance requirements applicable to mediation agreements only—bureaus must request this contract document from Procurement Services if contracting for mediation services.

Contracts for PTE services are given a “not-to-exceed” dollar amount. This amount should include all costs the City expects to incur for the related services within the scope of work, such as travel and other reimbursable expenses. Using the [PTE Model Contract](#) template, the project manager will prepare the contract document as follows:

1. Complete page 1. Contracts should be written for the total number of years services will be needed and with the total not-to-exceed amount for the life of the contract.
2. Initial the required insurance as identified in the Standard Contract Provisions.

3. Select the applicable Optional Provisions as identified in the Standard Contract Provisions.
4. Add the contractor's scope of work and deliverables, key personnel, and compensation schedule in the STATEMENT OF THE WORK AND PAYMENT SCHEDULE section of the contract.
5. Add subconsultant(s) included in the proposal. If there are changes to the subconsultant(s) listed in the original proposal, approval by the Chief Procurement Officer is required per [Resolution 36558](#).
6. Have the contractor complete and sign the INDEPENDENT CONTRACTOR CERTIFICATION STATEMENT of the contract and have the project manager sign section B, if applicable.
7. Obtain the contractor's signature.
8. Obtain applicable insurance certificates from the contractor.
9. Have the contractor complete and sign the Equal Benefits Compliance Worksheet/Declaration (for Formal category).
10. Contractors must be in compliance with EEO, Equal Benefits, and Business License requirements to receive a contract from the City.
11. Route the contract with all required attachments and exhibits to the respective bureau SAP Contract Administrator for processing.

Select signature routing method (hard copy or electronic) and route as follows:

A. Via Hard Copy (paper signature routing)

- **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
- **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Contract Administrator – preferably a hard copy.
- **City Attorney's Office** "Approves as to Form" the contract and insurance certificates.
- **Bureau Contract Administrator** files ordinance if contract is over \$100,000, Otherwise, forwards to the Chief Procurement Officer with all required attachments.
- **Chief Procurement Officer** signs contract when contracting requirements are met.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory "08," and releases the outline agreement.
- **City Auditor's Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

B. Via SAP (electronic signature routing)

- **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
- **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Bureau Contract Administrator – preferably a hard copy.
- **Bureau Contract Administrator** files ordinance if contract is over \$100,000.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory "05" if contract is \$100,000 or less, or the correct City Signatory code per the ordinance. Then Bureau Contract Administrator releases the outline agreement. SAP will automatically route to the City Attorney's Office, the Chief Procurement Officer or designee per ordinance, and the City Auditor's Office for their signatures.
- **City Attorney's Office** electronically releases the contract and insurance certificates as "Approved as to Form."
- **Chief Procurement Officer or Designee Per Ordinance** electronically releases contract when contracting requirements are met.
- **City Auditor's Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

Any changes to the prospective contractor's originally proposed M/W/ESB sub-consulting plan must be approved by the Chief Procurement Officer prior to the contract being executed. Bureaus will require prospective contractors to submit a substitution request to Procurement Services for any changes from the proposal to the contract related to M/W/ESB participation in accordance with [Resolution 36558](#).

One original copy of the final contract is required, signed first by the contractor then reviewed and approved as to form by the City Attorney's Office prior to obtaining the final necessary City signatures on the contract document as follows:

- For **contracts \$100,000 and under**, route to Procurement Services the contract for signature and the completed PTE Contract Worksheet, signed by the Bureau Director
- For **contracts over \$100,000**, attach to the filed Ordinance package the contract and completed PTE Contract Worksheet, signed by the Bureau Director. The Ordinance shall authorize one of the following to sign the contract: the Mayor, Commissioner or Chief Procurement Officer.

Depending upon the requirements of the contract, the attachments and exhibits to the Contract for PTE Services will include some or all of the following documents and information:

- Workers Compensation Insurance Certificate and completed Independent Contractor Certification Statement (included in the [PTE Model Contract](#))
- EEO Certification ([Vendor EEO Lookup](#))
- Liability insurance, including General, Auto, Professional, and (if applicable) Technology E&O insurance certificate(s)
- Business License ([Business License Lookup](#))
- [Equal Benefits Compliance Worksheet & Declaration](#) (applies to Formal contracts only)
- [PTE Contract Worksheet](#) – completed by the project manager and signed by the Bureau Director or designee (Procurement Services cannot process a PTE contract without this worksheet)

The bureau's SAP Contract Administrator will create an Outline Agreement in SAP; attach the contract with all required attachments and/or exhibits and route for required approvals.

Procurement Services and the City Attorney's Office are both available to help the bureau by reviewing the contract documents or the City Council ordinance as needed.

### **C. ORDINANCE REQUIREMENTS**

An ordinance is required for all professional, technical and expert service contracts that exceed \$100,000. All Council documents must be submitted in accordance with the requirements of the City Auditor's Office. Ordinances filed as a result of a Formal competitive solicitation process should be so indicated within the text of the ordinance, including the solicitation number. Special attention should be given that the people authorized in the ordinance to sign the contract must be the same people whose titles appear on the signature block of the contract. Procurement Services and the City Attorney's Office are both available to help review draft contract documents, including City Council ordinances, as needed.

Ordinances shall clearly identify the percentage of State of Oregon certified M/W/ESB participation in the contract, either as a prime contractor or subconsultant participation, as required by [Resolution 36558](#).

[Resolution 36430](#) directs all bureaus to use the [Project Estimate Confidence Level Rating Index](#) whenever Council approval is necessary for public improvements, major maintenance of public improvements and related PTE services whenever the project estimate exceeds \$500,000. The bureaus must identify in the ordinance a specific level of confidence on project estimates to reflect the certainty that the project's scope of work has been thoroughly researched and developed, and that market fluctuations and other cost factors have been taken into account. The Project Estimate Confidence Level Rating Index provides the levels of confidence, ranging from "LOW," to "MODERATE," "HIGH," "OPTIMAL," and "COMPLETE."

For ordinance preparation procedures, refer to the [Drafting Manual for Ordinances, Resolutions & Reports](#) prepared by the Council/Contracts Division of the City Auditor's Office.

## **D. CONTRACT AMENDMENTS**

There are two (2) general types of contract amendments: changes/modifications and renewals/extensions. While it is possible that both types of amendments occur concurrently, for purposes of this manual, they will be discussed separately. **All PTE amendments must be routed with the signed original contract and any previous amendments.** It is the responsibility of the bureau to maintain current insurance documents for amended contracts.

Hard copy signature routing:

- Consultant
- City Attorney's Office
- Chief Procurement Officer (or designee per ordinance)
- City Auditor's Office

~ OR ~ Via electronic signature routing via SAP

**AMENDING ON-CALL SERVICES CONTRACTS:** It is not a standard practice to amend On-Call Services contracts. If an amendment is required and more than one contract was awarded, Procurement Services will need to know the status of the other contracts (the amount awarded and the balance left on each contract), and the reason for not amending all contracts awarded in that service category.

### **1. Changes/Modifications**

If unforeseen issues arise, the project manager must be in a position to quickly and efficiently develop a course of action to properly initiate changes to the contract through an amendment process; however, changes must meet the original intent of the contract and solicitation document. Any change beyond what is allowed by the contract's original scope of work requires an amendment to the contract and approval by either the Chief Procurement Officer or by ordinance. If the contract requires changing at some point, it is important that the scope of work and work requirements be amended in a way that clarifies what services were changed and correlates to the description provided in the original scope of work. The [PTE Contract Amendment](#) as found on the [Procurement Services intranet webpage](#) must be used. In cases where amendment language is complex, it is recommended that bureaus contact the City Attorney's Office in order to draft the final language for the document.

The project manager is responsible for ensuring that language contained in the amendment does not conflict with that of the original contract, duplication of work does not occur, work performance is on schedule, quality is maintained at the appropriate level, deliverables are received and all corresponding timelines are maintained. Contractual parties signing the original contract are expected to sign the amendment.

Financial amendments to increase the original contract amount by 25% or less must be signed by the Chief Procurement Officer; amendments over 25% of the original contract amount must be

approved by City Council (and signed by the designee per ordinance), except as provided in PCC Chapter 5.68.035(B). The 25% amendment limit is based on the cumulative total of all financial amendments to the original contract amount. Non-financial amendments, such as time extensions, scope of work changes, etc. must be signed by the Chief Procurement Officer.

Example for creating an amendment when a new vendor ID in SAP is required (e.g., assignment of interest to another contractor or change in EIN):

- a. Amendment should include the following items:
  - OLD contract number at the top of the amendment form
  - Effective date of the contract for the NEW vendor
  - Reason for having to create a NEW outline agreement number (e.g., Contractor A assigns contract to Contractor B)
  - This language, "CHANGE OF CITY OF PORTLAND CONTRACT NUMBER [OLD contract number]. By this notice, effective as of [Enter Effective Date for this NEW Contract], the City of Portland hereby changes contract number [OLD contract number] to a NEW contract number [NEW contract number]. All invoices, shipping documents, information requests will carry the NEW contract number."
  - All other needed changes.
  - This language, "All other terms and conditions shall remain unchanged and in full force and effect."
  - Be sure to include a signature line for the OLD Contractor and the NEW Contractor.
- b. Collect from the NEW Contractor all required contracting documents, such as EEO, Business License, EBO, Insurance Certificates, etc.
- c. Route completed amendment for paper signatures as you would any other amendments.

**Contracts under \$5,000 and originally completed via a standard Purchase Order cannot be financially amended in excess of the \$5,000 standard Purchase Order limit.**

## 2. Time Extensions

In addition to changes or modifications to the scope of work, bureaus may need to change the schedule and/or period of the contract in order to accommodate the changes to the scope of work. If there is no cost associated with the extension of time, the Chief Procurement Officer has authority to sign the amendment.

On occasion, bureaus may determine that the contract should be renewed for another year, at the same cost as the previous year and with the same scope of work. Contracts should be written for the total number of years services are needed/intended and with the total not-to-exceed amount for the life of the contract.

At the time of solicitation, should the bureau be unclear whether a renewal will be requested at a later date, they must understand that any renewal that results in an amendment in excess of 25% of the original contract amount will require Council authorization, such as in the examples below:

### Example #1

Original contract*	First Renewal	Second Renewal
\$25,000	\$25,000	\$25,000
(Chief Procurement Officer signs)	(Council via ordinance)	(Council via ordinance)

\*Contract for one year at \$25,000 per year with the option to renew for two additional one-year terms.

Example #2

Multi-year contract* (3 years NTE \$75,000 – Chief Procurement Officer signs)	Year Two No Action	Year Three No Action
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\*Contract is written for all three years with the NOT-TO-EXCEED contract amount of \$75,000. Use the distributed purchase requisition process to manage the annual spend amount. For example, issue a distributed purchase requisition for \$25,000 each year.

Example #3

Original contract* \$150,000 (Council via ordinance)	First Renewal \$37,500 (Chief Procurement Officer signs)	Second Renewal \$37,500 (Council via ordinance)
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\*Contract is for some scheduled time at \$150,000 for completion of the project. Time and money may be needed due to unforeseen circumstances, such as scope changes requiring more time and money.

### 3. Equal Benefits Compliance

[Resolution 36584](#) expanded the requirement to provide Equal Benefits to cover contract amendments that exceed 12 months and independently trigger the formal threshold.

The amendment process cannot be used to circumvent the application of the equal benefit requirements by intentionally reducing the time needed to complete the work or to lessen the additional contract amount in order to avoid triggering the formal threshold amounts. The Chief Procurement Officer may require the contractor to comply with the equal benefit requirements if it is in the best interest of the City to do so.

Additional [Equal Benefits](#) information may be viewed on the Procurement Services website.

## E. CONTRACT TERMINATION

There are several types of contract termination: (1) for convenience in whole or in part; (2) due to contractor default; or (3) by mutual agreement. Contract terminations can be complex issues and should be reviewed with the City Attorney's Office prior to proceeding.

### 1. Termination for Convenience

This option may only be initiated by the City with proper written notice to the contractor. Often the reason for this type of action is a direct result of budgetary constraints or other factors that are not always due to any fault of the contractor. The Standard Contract Provisions contained in the PTE Services Contract template gives clear guidance regarding the remedies in such an instance and the project manager is responsible for referring to the original contract documents as well as consulting with the City Attorney's Office prior to initiating any action. A written notice must be provided to the contractor indicating the type of termination and whether the termination will be considered in whole or in part. Payment is often provided to the contractor for work performed in accordance with the contract.

### 2. Termination for Default

In the event the contractor fails to perform in some way, the project manager must thoroughly document the nature of the failure. A serious failure to perform may be considered a breach of contract and the City may terminate the contract without the contractor's consent. The project



manager will be responsible for referring to the original contract documents as well as consulting with the City Attorney's Office before initiating any such action against the contractor.

### **3. Termination by Mutual Agreement**

This option may be initiated by either the City or the contractor but must be agreed to by both parties. Often the reason for this type of action is a direct result of budgetary constraints or other factors that are not always due to any fault of the contractor. Again, consult with the City Attorney's Office prior to taking any action.

Regardless of the type of termination, all of the contractor's work product resulting from this contract shall become and remain the property of the City of Portland. Please keep in mind, contracts terminated must be closed per Section F Contract Completion.

## **F. CONTRACT COMPLETION**

Upon contract completion, bureaus are required to complete a [Final Payment Authorization form](#) as found on Procurement Services website for the Chief Procurement Officer's approval. Forward the signed documents with all required attachments and any necessary documentation to Procurement Services. Procurement Services will review the final payment documentation to confirm that work has been completed, any contract amendments were properly executed and the prime consultant and subcontractors have been paid. If there are any issues, Procurement Services will take appropriate action and follow-up with the prime consultant, project manager, City Attorney's Office or Auditor's Office as necessary. Upon a satisfactory review and completion, the Chief Procurement Officer will sign the document and forward copies of the signed form to the Auditor's Office and the originating bureau. The contract will be closed in SAP. The above noted process usually takes approximately 3-4 working days.

## **G. CONTRACT ADMINISTRATION**

In the PTE process, contract administration is the responsibility of the bureau and is a critical function to having a successful project. It is the responsibility of the project manager to not only monitor the work progress of the contractor and ensure that the work is being completed on schedule, but also to provide technical assistance and represent the interests of the City regarding the project. In addition, the project manager is responsible for maintaining all contractual documents on behalf of the bureau, making sure all technical requirements and deliverables have been received. Documents in the contract file must be kept current at all times.

- Legal contractual documents (contract, amendments, ordinances, etc.)
- Current Insurance Certificates (contractors' insurance policies typically renew on an annual basis; for multiple year contracts, you should receive or will need to follow up on renewal certificates)
- If applicable, independent contractor status ([Independent Contractor Certification Statement](#))
- State of Oregon M/W/ESB certifications (ref. <http://www4.cbs.state.or.us/ex/dir/omwesb/>)
- Equal Employment Opportunity (EEO) certifications ([Vendor EEO Lookup](#))
- Business License ([Business License Lookup](#))
- [Equal Benefits Compliance Declaration/Worksheet](#)
- Contract correspondence

Prior to commencing work, the project manager will review the scope of work, deliverables and schedule with the contractor to establish mutual understanding, and will assist the contractor throughout the project in interpreting the contract requirements. The project manager is responsible for determining if the scope of work is being followed and making adjustments as



needed. The project manager is the person to properly initiate any changes to the contract via an amendment. Throughout the contract, the project manager may perform work that will include but is not limited to:

- Review the contractor's work to ensure compliance with the contract terms and conditions
- Ensure that the scope of work is being applied correctly
- Attend project meetings
- Perform or have performed, any inspections necessary for the acceptance of deliverables identified within the contract
- Require that any deficiencies be corrected by the contractor
- Maintain positive communications and a good project management/contractor relationship throughout the contract period
- Resolve any day-to-day matters with the contractor
- Evaluate any contract amendment requests
- Review the deliverables and reports as provided by the contractor
- Monitor invoices in relationship to work performed against invoiced amount
- Process invoices in accordance with payment terms
- Review all progress schedules
- Ensure Invoices and [Monthly Subconsultant Payment and Utilization Reports \(MURs\)](#) are submitted to the project manager and Procurement Services by the 15<sup>th</sup> of each month, as applicable
- Maintain files of correspondence, data, etc.

By monitoring the contractor's progress, resolving day-to-day issues, reviewing invoices promptly, reporting any contractual discrepancies, and dealing proactively with issues that arise, the project manager can be a positive force to ensure that the project is completed on budget, and in a timely and satisfactory manner.

The project manager will ensure that timely payments are being made to the contractor. As a rule, payments to the contractor are made in increments based on the amount of work completed, as described in the scope of work and technical requirements section of the contract. The amount paid on a contract should be roughly equivalent to the amount of work completed to date, therefore if the bureau is invoiced for 50% of the contract amount, the contractor's work should be at least half completed.

Upon closeout of the project, the project manager will prepare all correspondence, drawings, data and final project documents, including the [Final Payment Authorization form](#).

## Section 9 ROLES AND RESPONSIBILITIES

Following the rules and procedures set forth in this manual is key to a successful procurement, and it is the responsibility of the project manager to manage and ensure the integrity of the solicitation and contracting process. The following is a checklist outlining the roles and responsibilities of the soliciting bureau and project manager:

- Obtain latest solicitation and contracting templates from the [Procurement Services intranet webpage](#).
- Conduct pre-procurement data gathering specific to the project to ascertain services needed
- Obtain any bureau specific approvals necessary to conduct the procurement
- Organize the Evaluation Committee, paying special attention to the requirements of [Resolution 36757](#) (the Minority Evaluator Program).
- Draft the solicitation document(s)
- Prepare the issuance package for the solicitation (i.e., [PTE Solicitation Transmittal Memo](#), and [DJC Ad](#) if applicable)
- Submit the solicitation document and issuance package to Procurement Services for review and approval as required, and for processing (for Formal solicitations only)
- Advertise solicitation in the DJC for a minimum of three (3) consecutive days (for Formal solicitations only); the soliciting bureau will be responsible for the cost
- Advertise in any other trade and/or community publications if funding is available (i.e., Asian Reporter, The Skanner, Observer, and El Hispanic News); the soliciting bureau will be responsible for the cost
- Identify and conduct outreach to potential proposers, including M/W/ESB consultants
- Direct interested proposers to [Procurement Services website](#) to download solicitation documents (for Formal solicitations only)
- Conduct pre-submittal meeting, if applicable
- Prepare [addenda](#) in response to questions and requests for clarification
- Conduct kick-off meeting with Evaluation Committee
- Receive and date & time stamp proposals/responses, and store them in a secure location; Responses **are not to be opened until the due date and time**
- Prepare a [receipt record](#) of all proposals/responses received
- Review submitted proposals/responses for responsiveness, verifying compliance with mandatory requirements
- Prepare and distribute written rejection letters for non-responsive proposals/responses, if applicable
- Distribute receipt record to the Evaluation Committee for their determination of potential conflicts of interests, and collect evaluators' [Statement of Independence and Non-Conflict of Interest declaration forms](#)
- Distribute responsive proposals to the Evaluation Committee
- Conduct the evaluation phase
- Obtain proposal clarifications as necessary, and provide clarifications received to the Evaluation Committee
- Conduct debriefing meeting of written submittals' evaluation with Evaluation Committee
- Short list proposers/respondents as applicable
- Prepare and send to Procurement Services the [Notice to Short List](#) letter as applicable. Procurement Services shall post this Notice to the Procurement Services website and distribute a notice to all proposers/respondents. Bureau shall forward this Notice, along with a copy of signed [Evaluator's Statement of Independence and Non-Conflict of Interest](#) forms and all submitted PTE First Tier Subconsultant Disclosure Forms (Form 1) to Procurement Services via the PTE Web Postings email address
- Prepare interviews/presentations agenda and questions as applicable

- Schedule interviews/presentations as applicable, and provide finalists with agenda, logistical information and broad questions
- Conduct interviews/presentations as applicable
- Conduct debriefing meeting of interviews/presentations with Evaluation Committee
- Determine highest scored Proposer, and prepare a summary of final scores
- Negotiate contract with highest scored Proposer
- Prepare and send to Procurement Services the [Notice of Intent to Award](#) letter. Procurement Services shall post this Notice to the Procurement Services website and distribute a notice to all finalists. Bureau shall forward this Notice, along with a copy of signed [Evaluator's Statement of Independence and Non-Conflict of Interest](#) forms and all submitted PTE First Tier Subconsultant Disclosure Forms (Form 1) to Procurement Services via the PTE Web Postings email address, if this hasn't been done with the Short List notification.
- Prepare contract documents, ensure proposer's compliance with all contracting requirements, and collect required insurance certificate(s)
- Prepare [PTE Contract Worksheet](#) with required attachments
- Obtain contract signatures
- Prepare and file Ordinance as required
- Establish and maintain a procurement file, and prepare for potential public inspection
- Facilitate award reviews and debriefings requested by unsuccessful proposers/respondents
- Assist with protests, if necessary
- Manage contract administration

## **Section 10 PROCUREMENT FILES**

### **A. CONTENT**

A properly documented procurement file provides an audit trail from the initiation of the solicitation process to the beginning of the contract. The file provides the complete background, including the basis for the decisions at each step in the procurement process. A well-documented file supports actions taken, provides information for reviews and investigations, and furnishes essential facts needed in the event of a protest. At a minimum the procurement file should include:

- Solicitation documents including addenda (i.e., RFP, RFQ, QBS, etc.)
- DJC advertisement and any other advertisement notices
- Documentation of diversity in employment and contracting outreach efforts
- Plan holders list
- Pre-submittal meeting agenda, attendance sheets and minutes
- Questions from proposers and responses provided
- Receipt record of proposals
- Copies of proposals received
- Evaluator's Statement of Independence and Non-Conflict of Interest forms
- Evaluators' individual scoring sheets and documentation for written and interview phases, including interview questions and evaluations; reference checks documentation; and any clarification of proposal requests and responses
- Summary of scores for written and interview phases
- Notice to Short List, if applicable
- Notice of Intent to Award
- Record of any protest, and resolution documentation
- Contract negotiations documentation
- Copy of executed contract, and passed ordinance if applicable
- Required insurance certificates
- Equal Benefits Compliance Worksheet/Declaration, if applicable
- PTE Contract Worksheet
- Notice to proceed, if applicable

Procurement Services may request copies of information or review of the information in the procurement and contract files. The project manager/or contract administrator will be responsible for providing this information in a timely manner.

### **B. RETENTION SCHEDULE**

In accordance with the records retention and disposition schedules established by the Office of the City Auditor's Archives and Records Management Program and in force on the date of this manual revision, PTE services records will be retained as follows:

- Retain accepted solicitation documentation six (6) years after solicitation awarded
- Retain rejected solicitation documentation two (2) years after solicitation awarded
- Retain canceled solicitation documentation two (2) years after solicitation canceled

Retention schedules are reviewed and updated every five (5) years. The full text of the retention schedules pertaining to the competitive solicitation documentation of PTE services is specified in paragraphs *8501-01(B) Bid Records: Non-Public Improvement Contracts* and *8501-01(C) Bid*

*Records: Exemptions and Rejected Bids* under the 8500 Series of the schedules. Refer to the City Auditor's Office website for the most up to date [retention schedules](#).

## **Section 11 REFERENCE TOOLS**

### **A. LINKS USED IN THIS MANUAL**

Procurement Services – <http://www.portlandonline.com/omf/purchasing>

Procurement Services - Contact Information -  
<http://www.portlandonline.com/omf/index.cfm?&c=45662&a=158064>

Bureau of Planning & Sustainability Green Building Program –  
<http://www.portlandonline.com/bps/index.cfm?c=41481>

Business License – Vendor lookup: <http://www.portlandonline.com/licenses/lookup/>

City Auditor's Office - <http://www.portlandonline.com/auditor/index.cfm?c=27173&>

Dollar Thresholds – <http://www.portlandonline.com/omf/index.cfm?c=44169&a=74585>

Drafting Manual for Ordinances, Resolutions & Reports –  
<http://www.portlandonline.com/auditor/index.cfm?&a=52340&c=34447>

EEO – Vendor EEO Registration - <http://www.portlandonline.com/omf/index.cfm?c=45665&>

EEO – Vendor lookup - <http://www.portlandonline.com/omf/index.cfm?c=45666&a=10561>

Equal Benefits Program – <http://www.portlandonline.com/omf/index.cfm?c=43774&>.

Green Building Policy Update –  
<http://www.portlandonline.com/auditor/index.cfm?&c=34835&a=80338>

Ordinance 180077 (Equal Benefits) –  
<http://www.portlandonline.com/shared/cfm/image.cfm?id=176322>

Oregon State Office of Minority, Women, and Emerging Small Business (OMWESB) –  
<http://www.oregon4biz.com/Grow-Your-Business/Business-services/Minority-Owned-Business-Certification/>

OMWESB Searchable Directory of Oregon State Certified M/W/ESB consultants –  
<http://www4.cbs.state.or.us/ex/dir/omwesb/>

PCC Chapter 1.03 – Code of Ethics –  
<http://www.portlandonline.com/auditor/index.cfm?a=1243&c=26653>

PCC Chapter 3.100 – Equal Opportunity –  
<http://www.portlandonline.com/auditor/index.cfm?c=28463>

PCC Chapter 5.68 – <http://www.portlandonline.com/auditor/index.cfm?&c=28801>

PCC Chapter 7.02 – Business License Law –  
<http://www.portlandonline.com/auditor/index.cfm?c=28807>

Project Estimate Confidence Level Rating Index –  
[http://efiles.ci.portland.or.us/webdrawer/rec/2778157/view/City Auditor - City Recorder - Council Resolutions - 36430 Level of confidence rating for project cost estimates exhibit A.doc](http://efiles.ci.portland.or.us/webdrawer/rec/2778157/view/City%20Auditor%20-%20City%20Recorder%20-%20Council%20Resolutions%20-%2036430%20Level%20of%20confidence%20rating%20for%20project%20cost%20estimates%20exhibit%20A.doc)

Resolution 36430 – [http://efiles.ci.portland.or.us/webdrawer/rec/2778156/view/City Auditor - City Recorder - Council Resolutions - 36430 Level of confidence rating for project cost estimates resolution.doc](http://efiles.ci.portland.or.us/webdrawer/rec/2778156/view/City%20Auditor%20-%20City%20Recorder%20-%20Council%20Resolutions%20-%2036430%20Level%20of%20confidence%20rating%20for%20project%20cost%20estimates%20resolution.doc)

Resolution 36558 – [http://efiles.ci.portland.or.us/webdrawer/rec/2969089/view/City Auditor - City Recorder - Council Resolutions - 36558 Minority Women and Emerging Small Business PTE resolution.DOC](http://efiles.ci.portland.or.us/webdrawer/rec/2969089/view/City%20Auditor%20-%20City%20Recorder%20-%20Council%20Resolutions%20-%2036558%20Minority%20Women%20and%20Emerging%20Small%20Business%20PTE%20resolution.DOC)

Resolution 36584 – <http://www.portlandonline.com/shared/cfm/image.cfm?id=188077>

Resolution 36757 –  
[http://efiles.ci.portland.or.us/webdrawer/rec/3731643/view/City Auditor - City Recorder - Council Resolutions - 36757 Minority Women and Emerging Small Business PTE evaluation and selection panels resolution.PDF](http://efiles.ci.portland.or.us/webdrawer/rec/3731643/view/City%20Auditor%20-%20City%20Recorder%20-%20Council%20Resolutions%20-%2036757%20Minority%20Women%20and%20Emerging%20Small%20Business%20PTE%20evaluation%20and%20selection%20panels%20resolution.PDF)

Retention Schedule as published by the Auditor's Office –  
<http://www.portlandonline.com/auditor/index.cfm?c=27201&a=104607>

Revenue Bureau, Taxes and Fees (License and Tax Division) –  
<http://www.portlandonline.com/omf/index.cfm?c=29320>

Sustainable Procurement – <http://www.portlandonline.com/buygreen>

## **B. LINKS TO PTE FORMS**

**A/E LEED RFP Template** – <http://www.portlandonline.com/shared/cfm/image.cfm?id=65310>

Email forms to PTE – [ptepostings@ci.portland.or.us](mailto:ptepostings@ci.portland.or.us)

Equal Benefits Compliance Declaration/Worksheet -  
<http://www.portlandonline.com/shared/cfm/image.cfm?id=143966>

Evaluators Guide – <http://www.portlandonline.com/shared/cfm/image.cfm?id=148057>

Evaluator's Statement of Independence and Non-Conflict of Interest form –  
<http://www.portlandonline.com/shared/cfm/image.cfm?id=119852>

Final Payment Authorization form –  
<http://www.portlandonline.com/shared/cfm/image.cfm?id=18533>

First Tier Subconsultant Disclosure Form –  
<http://www.portlandonline.com/omf/index.cfm?a=18529&c=27573>

Intermediate RFP Template - <http://www.portlandonline.com/omf/index.cfm?c=27573&a=18530>

Internal Procurement Forms on Procurement Services intranet webpage –  
<http://www.portlandonline.com/omf/index.cfm?c=27573>

Legal Advertisement – <http://www.portlandonline.com/shared/cfm/image.cfm?id=10258>

Monthly Subconsultant Payment and Utilization Report (MUR) –  
<http://www.portlandonline.com/shared/cfm/image.cfm?id=119851>

Notice of Intent to Award – <http://www.portlandonline.com/shared/cfm/image.cfm?id=18531>

Notice to Short List – <http://www.portlandonline.com/shared/cfm/image.cfm?id=147145>

On-Call RFP Template <\$100,000 –  
<http://www.portlandonline.com/omf/index.cfm?c=27573&a=301138>

On-Call RFP Template >\$100,000 –  
<http://www.portlandonline.com/omf/index.cfm?c=27573&a=301134>

PTE Contract Amendment – <http://www.portlandonline.com/omf/index.cfm?c=27573&a=27074>

PTE Contract Worksheet – <http://www.portlandonline.com/shared/cfm/image.cfm?id=10263>

PTE Model Contract – <http://www.portlandonline.com/omf/index.cfm?c=27573&a=224881>

PTE Solicitation Transmittal Memo –  
<http://www.portlandonline.com/omf/index.cfm?c=27573&a=212818>

QBS template – <http://www.portlandonline.com/omf/index.cfm?c=27573&a=10264>

RFP Receipt Record – <http://www.portlandonline.com/shared/cfm/image.cfm?id=10266>

RFP Template <\$100,000 – <http://www.portlandonline.com/omf/index.cfm?c=27573&a=53121>

RFP Template >\$100,000 – <http://www.portlandonline.com/omf/index.cfm?c=27573&a=98575>

RFQ Template – <http://www.portlandonline.com/omf/index.cfm?c=27573&a=36498>

Sample Scoring Sheet – <http://www.portlandonline.com/shared/cfm/image.cfm?id=147144>

Sole Source Request – <http://www.portlandonline.com/omf/index.cfm?a=18532&c=27573>

Solicitation Addendum – <http://www.portlandonline.com/shared/cfm/image.cfm?id=10259>

Technical Advisor's Non-Conflict of Interest Statement –  
<http://www.portlandonline.com/shared/cfm/image.cfm?id=147146>



## **Section 12 DEFINITIONS**

### **Addendum or Addenda**

Additions or deletions to, material changes in, or general interest explanations of the City's solicitation documents.

### **Advertisement**

The public announcement inviting proposals or qualifications for work to be performed or materials to be furnished.

### **Amendment**

A mutually agreed written change or modification to a contract executed in accordance with this PTE Services Contracting Manual.

### **Assignment**

Legal transfer of a claim, right, interest or property.

### **Audit**

A formal examination of an individual's or organization's accounting records, financial situation, or compliance with some other set of standards:

Compliance Audit - an audit conducted by a regulatory agency, an organization, or a third party to assess compliance with one or more sets of laws and regulations.

Independent Audit - an audit conducted by an outside person or firm not connected with the person or organization being audited.

### **Award**

The decision of the City to enter into a Contract with a Proposer or Respondent.

### **Cancel**

To terminate a promise, obligation, right, or solicitation.

### **Cancellation Clause**

A contractual provision allowing one or both parties to annul their obligations under certain conditions.

### **Certificate of Insurance**

A certificate issued by an insurance company or its producer verifying that a certain insurance policy is in effect for stated amounts and coverages and naming those insured, submitted by the contractor as evidence that the contractor's insurance complies with the insurance requirements stated in the proposal and contract documents.

### **Chief Procurement Officer (Purchasing Agent)**

The individual designated by the Portland City Council to act as the City's Chief Procurement Officer or the individual to whom the Chief Procurement Officer has delegated the powers of the Chief Procurement Officer. The Chief Procurement Officer is authorized to enter into contractual agreements on behalf of the City.

### **City**

The City of Portland, Oregon or designee.

### **City Council**

The governing body that exercises the power and authority given to the municipal corporation of the City of Portland by Portland City Charter, consisting of a Mayor and four (4) Commissioners.

**Closing**

The date and time announced in the City's solicitation document as the deadline for submitting proposals or qualifications.

**Competitive Negotiation**

A method of contracting in which proposal evaluation and contract award result from an open and competitive procedure, typically through the Request for Proposal process, in which evaluation criteria in addition to price are considered in contractor selection.

**Competitive Process**

An open process where prospective proposers are given the opportunity to provide proposals or qualifications in response to a bureau's solicitation, and where the bureau endeavors to obtain at least three (3) or more responses.

**Competitive Range**

The number of proposers the City will conduct discussions or negotiate with if the City intends to conduct discussions or negotiations in accordance with PCC 5.68.

**Conflict of Interest**

An actual or potential situation in which the personal interest of a vendor, employee, or public official is, or appears to be, in conflict with the best interest of the jurisdiction; an actual or potential familial or financial relationship between a vendor and a City representative.

**Consideration**

Something of value that is exchanged by at least two parties and which serves to form or bind a contract.

**Consultant**

Any individual or group, excluding regular City employees, who, for a fee, provides services or gives professional advice regarding matters in the field of their special knowledge or training.

**Contract**

A sale or other disposal, or a purchase, lease, rental or other acquisition, by the City of personal property, services, including personal services, public improvements, public works, minor alterations, or ordinary repair or maintenance necessary to preserve a public improvement, but does not include "grants."

**Contract Administration**

Actions taken to assure compliance with the terms of the contract after the award of the contract.

**Contract Amount**

The total of the awarded proposal amount, including any approved alternates. The "original" contract amount is the maximum not to exceed amount that the City will pay for work performed pursuant to the contract. The "final" contract amount is the amount that the City actually pays the contractor after execution of any contract amendments that cause the original contract price to increase or decrease.

**Contract Execution**

Contract execution occurs when the contract is signed by any mark, word, or symbol, in ink, by an authorized representative of a proposer and the City.

**Contract Number**

The number assigned to an executed contract.

**Contractor**

The person with whom the City executes a contract.

**Copyright**

A property right in an original work of authorship (i.e., literary, musical, artistic, photographic, film work) fixed in any tangible medium of expression, giving the holder the exclusive right to reproduce, adapt, license, distribute, perform, and display the work.

**Day(s)**

Calendar days, including weekdays, weekends and holidays, beginning at midnight and ending at midnight twenty-four hours later, unless otherwise specified by these rules or the solicitation document.

**Debriefing**

A meeting held with unsuccessful proposers to review their standing in the solicitation process for the purpose of identifying how they may improve upon their future proposal submissions and presentations.

**Deliverable(s)**

Materials or work products to be received from the consultant during the course of the contract; may include such items as reports, data, evaluations, recommendations, analysis, estimates, specifications, drawings, maps, training, facilitation of meetings with resulting reports, documentation and other reports.

**Descriptive Literature**

Informational materials concerning available products or services submitted by proposers in response to the City's solicitation document.

**Emergency**

Circumstances that: a) could not have been reasonably foreseen; and b) create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and c) require prompt execution of a contract to remedy the condition.

**Equal Employment Opportunity (EEO)**

A certification program administered by the City as prescribed by [Chapter 3.100](#) of the Code of the City of Portland requiring all contractors to be certified as EEO Affirmative Action employers in order to obtain most City contracts.

**Evaluation Committee**

A committee, usually made up of five independent evaluators, selected by the City to review, evaluate and score proposals or qualifications for the purpose of selecting a contractor.

**Evaluation Criteria**

Specific elements and their respective weighting as identified in a solicitation against which proposals will be scored.

**Evaluation Form(s)**

Form used by the Evaluation Committee to evaluate submitted proposals. The forms will include the evaluation criteria and corresponding point value as identified in the solicitation and will be completed by each committee member as they evaluate the submitted proposals.

**Exhibit**

A document attached to and made part of a pleading, motion, contract, solicitation document or other instrument.

**Indemnification**

The agreement of a contracting party to hold the other party harmless, to secure the other party against loss or damage, or to give security for the reimbursement of the other party in case of an anticipated loss.

**Insurance**

Coverage by contract whereby one party undertakes to indemnify or guarantee another against loss by a specified contingency or peril.

**Intergovernmental Agreement (IGA)**

A contractual agreement binding two or more public agencies.

**Liability**

The quality or state of being legally obligated or accountable; legal responsibility to another or to society, enforceable by civil remedy or criminal punishment for injuries caused by negligence; a financial or pecuniary obligation.

**Local Business**

A business that is an independent and continuing business that 1) has fixed offices and distribution points within the geographical boundaries of the State of Oregon and Clark County, Washington where a commercially useful function is performed; 2) is registered to do business in the State of Oregon; 3) possesses a current City of Portland business license; and 4) pays taxes in the State of Oregon or Clark County, Washington.

**M/W/ESB**

Minority-owned, woman-owned, and emerging small businesses certified as such by the State of Oregon Office of Minority, Women, and Emerging Small Business (OMWESB).

**Negotiation**

A process between the City and a potential contractor to reach a mutually satisfactory agreement regarding scope of work, technical requirements, deliverables, schedule and contract price in order to finalize contractual documents.

**Notice of Intent to Award**

A written notice issued by the City to proposers/respondents identifying the City's intent to award a contract to one or more proposers/respondents.

**Offer**

A written response to a solicitation document.

**Offeror**

A person that submits an Offer.

**Ordinance**

A formal document by which the City Council conducts its legislative, quasi-judicial and administrative business. An ordinance carries the binding force of law. It is passed by the City Council in accordance with rules of procedure set forth by the Charter.

**Overhead**

The regular operating expenses of a business. Costs that cannot be allocated, either properly or accurately, to a specific task, but are necessary for the overall operation of the business.

**Party**

One who takes part in a transaction (i.e., *party of the first part* is the party named first in a contract - usually the owner or seller; *party of the second part* is the party named second in a contract - usually the buyer).

**Person**

An individual, corporation, business trust, estate, partnership, limited liability company, association, joint venture, government agency, public corporation or any other legal or commercial entity who has the legal capacity to enter into a contract.

**Portland City Code (PCC)**

The Code of the City of Portland, Oregon.

**Principal**

One who authorizes another to act on his/her behalf as an agent.

**Procurement**

The act of purchasing, leasing, renting or otherwise acquiring goods or services. Procurement includes each function and procedure undertaken or required to be undertaken by the City to enter into a contract, administer a contract and obtain the performance of a contract under the State Public Contracting Code.

**Professional**

A person who belongs to a learned profession or whose occupation requires a high level of education, training and proficiency.

**Project Manager**

The authorized representative of the City assigned to administer the contract for each project.

**Proposal**

A written response to a Request for Proposal or other solicitation document.

**Proposer**

A person who submits a response or proposal in response to a solicitation document.

**Proprietary**

Of or relating to a business owner; license rights.

**Protest**

A written objection by an interested party to the specifications included in a solicitation, or a written objection to a notice of intent to award by an aggrieved proposer.

**Qualification**

The possession of qualities, capabilities, competencies or properties (i.e., fitness or capacity) inherently or legally necessary to perform a duty or function.

**Qualification Based Selection (QBS)**

Competitive proposal process used for soliciting engineers', architects' and land surveyors' services pursuant to PCC 5.68 and in accordance with these rules. Emphasis is on the qualifications of the respondents; compensation requirements will not be an element of the selection process.

**Reasonable / Reasonableness**

Fair, proper, or moderate under the circumstances; according to reason; having the faculty of reason.

**Recuse**

To remove oneself (i.e., as a judge or Evaluation Committee member) in a particular case because of prejudice, conflict of interest or other reasons that would prevent someone from impartially and objectively reviewing and scoring a proposal.

**Request for Proposal (RFP)**

All documents used for soliciting proposals; pursuant to PCC Chapter 5.68 and in accordance with these rules.

**Request for Qualifications (RFQ)**

A written document, issued by the City to prospective proposers, that seeks a description of their experience and qualifications to perform certain identified work that may or may not lead to the issuance of an RFP.

**Respondent**

A person who submits a response to a solicitation document.

**Responsible Proposer**

A person who has submitted a proposal and who meets the standards set forth in PCC Chapter 5.68, as applicable, and who has not been debarred or disqualified.

**Responsive Proposal**

A proposal that substantially complies in all material respects with applicable solicitation procedures and requirements and the solicitation document.

**Scope of Work**

A description of the services to be provided by the contractor.

**Short List**

A listing of a specified number of proposers who have been determined to be qualified under the evaluation criteria and weighting of the proposal solicitation; those proposers on the short list will be invited to move to the next level in the evaluation process.

**Sole Source**

Contract awarded without competitive solicitation; services are available from only one source.

**Solicitation**

A request by the City for prospective proposers to submit proposals or qualifications.

**Solicitation Document**

Any document issued to invite submission of proposals or qualifications from prospective proposers pursuant to PCC Chapter 5.68 and in accordance with these rules. All documents referenced by the solicitation document are included in, and part of, the solicitation document.

**Subcontract**

A contract made by a party to another contract for carrying out the other contract, or a part of it.

**Subcontractor or Subconsultant**

A person, other than the contractor's employee, hired by the contractor to perform a portion of the work required by the contract.

**Terminate**

The act of putting an end to, or bringing to an end; to conclude.

**Value Engineering**

An independent analysis of the separate functions or tasks of a project, program, service, product, building, etc. as proposed by a consultant which is directed at improving performance, quality, safety, price, life-cycle costs, outcome or reliability.

**Work**

The furnishing of all materials, equipment, labor, and incidentals necessary to successfully complete any individual item in a contract or, in context, the entire contract and the timely successful completion of all duties and obligations imposed by the contract.

## Section 13 CHECKLISTS

The intent of this section is to help users identify key procedures outlined in this PTE Manual. Please review the PTE Manual first.

### A. SMALL CONTRACTS (\$5,000 OR LESS)

1. DETERMINE NEED AND OBTAIN BUREAU APPROVAL(S) \_\_\_\_\_
2. ESTIMATE COSTS \_\_\_\_\_
3. DRAFT AND SOLICIT PROPOSAL(S) \_\_\_\_\_  
Contact at least three (3) potential proposers via phone, email, fax, etc.  
[including an MBE/WBE/ESB, if available]  
Proposal to include:
  - Identified scope of work
  - Period of performance
  - Sustainable procurement best practices
  - Diversity in contracting
  - Sustainable procurement best practices
  - Consideration
  - Verbally discuss any requirements – should clarification be necessary, provide information to all who were contacted
  - Receive simple, written cost proposal from successful Proposer
  - Document on the PTE Contract Worksheet all consultants contacted
4. REVIEW PROPOSALS AND SELECT MOST QUALIFIED CONSULTANT \_\_\_\_\_
5. CONFIRM EEO CERTIFICATION, VALID PORTLAND BUSINESS LICENSE, INSURANCE CERTIFICATIONS, INDEPENDENT CONTRACTOR CERTIFICATION, AND VENDOR NUMBER OF THE SUCCESSFUL PROPOSER (See item #8 for all required attachments) \_\_\_\_\_
  - Contact Procurement Services for assistance with EEO and business license
  - Work with the successful Proposer to get insurance certificates, and signed Independent Contractor Certification Statement and any other missing requirements
  - Work with Accounts Payable if a vendor number is needed in SAP
6. OBTAIN BUREAU DIRECTOR'S/COMMISSIONER'S APPROVAL VIA THE [PTE CONTRACT WORKSHEET](#) \_\_\_\_\_
7. PREPARE PURCHASE REQUISITION (PR TYPE) OR CONTRACT AND SUBMIT TO PROCUREMENT SERVICES (if using contract instead of STANDARD PO, follow Checklist for Intermediate Contracts below) \_\_\_\_\_
8. PREPARE REQUIRED ATTACHMENTS: (Attach to PR requisition or to outline agreement in SAP) \_\_\_\_\_
  - A. Signed [Evaluator's Statement of Independence and Non-Conflict of Interest](#) \_\_\_\_\_
    - Individual forms must be signed by all evaluators (usually just one)
    - If you had a Technical Advisor, you will need a signed [PTE Technical Advisor's Non-Conflict Of Interest](#) form
  - B. Bureau to complete all information requested on the [PTE Contract Worksheet](#) \_\_\_\_\_
    - Identify other proposers considered, or explain why this is sole source
    - Include M/W/ESB information
    - If contracted with the successful Proposer before, explain reasons why the successful Proposer was selected again



- Obtain signature of Bureau director or Commissioner
- NOTE: only use the worksheet form provided on the Procurement Services website

C. Successful Proposer to sign [Independent Contractor Certification Statement](#) form and Submit the Workers Compensation Insurance Certificate, if applicable \_\_\_\_\_

- Successful Proposer subject to Workers Compensation sign Section A of the Independent Contractor Certification Statement form
- Successful Proposer NOT subject to Workers Compensation sign Section C at the bottom of the form and check at least four applicable items on the form (City Project Manager must read and sign Section B of this form)

D. Insurance Requirements (unless waived by the City Attorney's Office\*) \_\_\_\_\_

\*On a case-by-case basis and upon discussion with the project manager, the City Attorney's Office may waive certain insurance requirements based upon special circumstances, limited risk exposure, and other factors. Conversely, situations and projects may present themselves that make increased requirements appropriate.

**Required on ALL certificates (additional items are listed below):**

- **Must include valid effective and expiration dates**
- **Limits of coverage in accordance with the contract**
- **30-day cancellation notice / 10-day non-payment notice**
- **City listed as certificate holder**

General Liability Insurance Certificate \_\_\_\_\_

- Endorsement naming City as additional insured

Auto Liability Insurance Certificate \_\_\_\_\_

- Most important when operation of a motorized vehicle is specifically required within the scope of work

Professional Liability Insurance Certificate \_\_\_\_\_

Technology E&O Liability Insurance Certificate \_\_\_\_\_  
**(if applicable)**

9. NOTIFY CONSULTANT TO BEGIN WORK AFTER PURCHASE ORDER HAS BEEN ISSUED OR CONTRACT HAS BEEN EXECUTED \_\_\_\_\_

**B. INTERMEDIATE CONTRACTS – Standard & On-Call (\$5,000.01 - \$23,662)**

1. DETERMINE NEED AND OBTAIN BUREAU APPROVAL(S) \_\_\_\_\_
2. ESTIMATE COSTS \_\_\_\_\_
3. WRITE/COMPLETE THE [INTERMEDIATE REQUEST FOR PROPOSAL](#) TEMPLATE \_\_\_\_\_  
 (Use of the Intermediate RFP template is required)
4. SOLICIT AND OBTAIN PROPOSALS \_\_\_\_\_  
 Bureau must solicit to obtain a minimum of three (3) proposals. At least one (1) proposer contacted must be an Oregon State certified minority-owned, woman-owned or emerging small business ([click here for search of certified consultants](#))
  - Issue addendum for responses to substantive questions \_\_\_\_\_
  - Establish Evaluation Committee per Section 6 of this Manual \_\_\_\_\_
  - Securely store all proposals received (do not open until after RFP closes) \_\_\_\_\_
5. COMPLETE THE [PROPOSAL RECEIPT RECORD](#) FORM \_\_\_\_\_  
**(If IRFP was posted to the web, forward this completed form to Procurement Services for posting to web)**
6. PROJECT MANAGER EVALUATES PROPOSALS FOR RESPONSIVENESS \_\_\_\_\_  
 (Follow all steps outlined in this Manual from receipt of proposals to selection)
7. EVALUATION COMMITTEE EVALUATES PROPOSALS RECEIVED \_\_\_\_\_
8. SELECT HIGHEST SCORED PROPOSER AND NEGOTIATE A TOTAL NOT-TO-EXCEED COST WITH CONSULTANT \_\_\_\_\_
9. ISSUE THE [NOTICE OF INTENT TO AWARD](#) TO ALL PROPOSERS \_\_\_\_\_
  - **Remove protest language from the Notice**
  - **Forward to Procurement Services via the PTE Web Postings email address**
    - **Notice of Intent to Award ((If IRFP was posted to the web, Procurement Services will post Notice to web and distribution)**
    - **A copy of signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) form from each evaluator**
10. CONFIRM EEO CERTIFICATION, VALID PORTLAND BUSINESS LICENSE, INSURANCE CERTIFICATIONS, INDEPENDENT CONTRACTOR CERTIFICATION, AND VENDOR NUMBER OF THE CONSULTANT (See step #14 for all required attachments) \_\_\_\_\_
  - Contact Procurement Services for assistance with EEO and business license
  - Work with the successful Proposer to get insurance certificates, signed Independent Contractor Certification Statement and any other missing requirements
  - Work with Accounts Payable if a vendor number is needed in SAP
11. OBTAIN BUREAU DIRECTOR’S/COMMISSIONER’S APPROVAL VIA THE [PTE CONTRACT WORKSHEET](#) \_\_\_\_\_
12. PREPARE THE [PTE MODEL CONTRACT](#) (see step #13 for signature routing) \_\_\_\_\_  
 (Consult with Procurement Services and/or City Attorney for assistance)
  - Complete all areas of the template with options
  - Complete the Scope of Work and Payment Schedule
13. ROUTE FOR SIGNATURE AS FOLLOWS: \_\_\_\_\_
  - A. Via Hard Copy (paper signature routing) \_\_\_\_\_
    - **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
    - **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Contract Administrator – preferably a hard copy.

- **City Attorney’s Office** “Approves as to Form” the contract and insurance certificates.
- **Chief Procurement Officer** signs contract when contracting requirements are met.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “08,” and releases the outline agreement.
- **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

B. Via SAP (electronic signature routing) \_\_\_\_\_

- **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
- **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Contract Administrator – preferably a hard copy.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “05,” and releases the outline agreement. SAP will automatically route to the City Attorney’s Office, the Chief Procurement Officer or designee, and the City Auditor’s Office for their signatures.
- **City Attorney’s Office** electronically releases the contract and insurance certificates as “Approved as to Form.”
- **Chief Procurement Officer** electronically releases contract when contracting requirements are met.
- **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

14. PREPARE REQUIRED ATTACHMENTS: \_\_\_\_\_  
(Attach to outline agreement in SAP)

A. Signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) \_\_\_\_\_

- Individual forms must be signed by all evaluators
- If you had a Technical Advisor, you will need a signed [PTE Technical Advisor’s Non-Conflict Of Interest](#) form

B. Bureau to complete **ALL** information requested on the [PTE Contract Worksheet](#) \_\_\_\_\_

- Identify other consultants considered, or explain why this is sole source
- Include M/W/ESB information
- Include Evaluation Committee info
- Explain how award was determined (should be based on highest score)
- If contracted with this consultant before, explain reasons why this consultant was selected again
- Obtain signature of Bureau Director or Commissioner
- NOTE: only use the worksheet form provided on Procurement Services website

C. Successful Proposer submit [Workers Compensation Insurance Certificate](#), if applicable \_\_\_\_\_

- If successful Proposer is subject to Workers Compensation, then sign Section A of the Independent Contractor Certification Statement (within contract template)
- If successful Proposer is NOT subject to Workers Compensation, then sign Section C at the bottom of the form and check at least four applicable items on the form (City Project Manager must read and sign Section B of this form)

D. [Insurance Requirements \(unless waived by the City Attorney’s Office\\*\)](#) \_\_\_\_\_

\*On a case-by-case basis and upon discussion with the project manager, the City Attorney’s Office may waive certain insurance requirements based upon special circumstances, limited risk exposure, and other factors. Conversely, situations and projects may present themselves that make increased requirements appropriate.

**Required on ALL certificates (additional items are listed below):**

- **Must include valid effective and expiration dates**
- **Limits of coverage in accordance with the contract**
- **30-day cancellation notice / 10-day non-payment notice**
- **City listed as certificate holder**

General Liability Insurance Certificate \_\_\_\_\_

- Endorsement naming City as additional insured

Auto Liability Insurance Certificate \_\_\_\_\_

- Most important when operation of a motorized vehicle is specifically required within the scope of work

Professional Liability Insurance Certificate \_\_\_\_\_

Technology E&O Liability Insurance Certificate \_\_\_\_\_  
**(if applicable)**

15. NOTIFY CONSULTANT TO BEGIN WORK AFTER CONTRACT HAS BEEN EXECUTED \_\_\_\_\_  
OR TASK ORDER HAS BEEN ISSUED FOR ON-CALL CONTRACTS

**C. FORMAL CONTRACTS - Standard & On-Call (\$23,662.01 AND OVER)**

1. DETERMINE NEED AND OBTAIN BUREAU APPROVAL(S) \_\_\_\_\_
2. ESTIMATE COSTS \_\_\_\_\_
3. SELECT & COMPLETE THE APPROPRIATE REQUEST FOR PROPOSAL TEMPLATE \_\_\_\_\_  
 (Use of correct RFP template is required. [Click Here](#) to access templates on the intranet.)
4. FORWARD TO PROCUREMENT SERVICES FINAL RFP DRAFT FOR REVIEW AND APPROVAL BY THE CHIEF PROCUREMENT OFFICER \_\_\_\_\_  
**[RFP's estimated to be over \$100,000 requires review and approval of Chief Procurement Officer and City Attorney].**  
 After Chief Procurement Officer's approval, Procurement Services will forward the "clean" RFP draft to City Attorney's Office for review and approval. Attach these documents:
  - Final RFP draft and all attachments \_\_\_\_\_
  - [PTE Solicitation Transmittal Memo](#) \_\_\_\_\_
  - [PTE Legal Ad](#) \_\_\_\_\_
5. SOLICIT AND OBTAIN PROPOSALS \_\_\_\_\_
  - Procurement Services will post your solicitation on the web \_\_\_\_\_
  - Advertise in *Daily Journal of Commerce* for three consecutive days \_\_\_\_\_
  - Advertise in other local papers as your budget permits (e.g., *Skanner Observer, El Hispanic News, Asian Reporter, etc.*) \_\_\_\_\_
  - Notify consultants already known to have interest in this type of work (refer them to Procurement Services website) \_\_\_\_\_
  - Seek out Oregon certified consultants (e.g., minority-owned, woman-owned) \_\_\_\_\_
  - Issue addendum for responses to substantive questions via Procurement Services website \_\_\_\_\_
  - Establish Evaluation Committee per Section 6 of this Manual \_\_\_\_\_
  - **(NOTE: Must meet PTE requirements and requirements of [Resolution 36757](#) )**
  - Securely store all proposals received (do not open until after RFP closes) \_\_\_\_\_
6. PRE-SUBMITTAL MEETING [if stated in the RFP] \_\_\_\_\_
  - Project manager to develop the [Pre-submittal Meeting Agenda](#) \_\_\_\_\_
  - Copy of agenda to be filed with Procurement File \_\_\_\_\_
  - Issue an addendum containing the attendee list and clarifications deemed substantive by the project manager \_\_\_\_\_
7. COMPLETE THE [PROPOSAL RECEIPT RECORD](#) FORM \_\_\_\_\_  
**(Forward to Procurement Services for posting to web and distribution)**
8. PROJECT MANAGER EVALUATES PROPOSALS FOR RESPONSIVENESS \_\_\_\_\_  
 (Follow all steps outlined in this Manual from receipt of proposals to selection)
9. EVALUATION COMMITTEE EVALUATES PROPOSALS RECEIVED \_\_\_\_\_
  - Follow procedures outlined in the [Evaluator's Guide](#) and Section 6 of this Manual \_\_\_\_\_
  - Evaluation must be based solely upon criteria established in RFP \_\_\_\_\_
  - Check references (if required or specified in the RFP) \_\_\_\_\_
    - Develop list of questions to ask all references \_\_\_\_\_
    - Project Manager or one designated person calls all references \_\_\_\_\_
    - Share information with Evaluation Committee members \_\_\_\_\_
  - Determine if interviews are required \_\_\_\_\_
  - Schedule time for interviews, scoring, and evaluation \_\_\_\_\_
10. ISSUE [NOTICE TO SHORT LIST](#) IF INTERVIEWS ARE NEEDED \_\_\_\_\_
  - **Allow time for Proposers who did not make the Short List to protest**
  - **Forward to Procurement Services via the PTE Web Postings email address**
    - **Notice to Short List for posting to web and distribution**

- A copy of signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) form from each evaluator
  - All submitted PTE First Tier Subconsultant Disclosure Forms (Form 1)
11. PROVIDE FORMAT OF INTERVIEWS TO SHORT LISTED PROPOSERS \_\_\_\_\_
12. CONDUCT INTERVIEWS WITH SHORT-LISTED PROPOSERS \_\_\_\_\_
13. SELECT HIGHEST SCORED PROPOSER AND NEGOTIATE A TOTAL NOT-TO-EXCEED COST WITH CONSULTANT \_\_\_\_\_
14. ISSUE THE [NOTICE OF INTENT TO AWARD](#) TO ALL PROPOSERS NOT YET GIVEN AN OPPORTUNITY TO PROTEST \_\_\_\_\_
- Allow time for unsuccessful Proposers to protest
  - Forward to Procurement Services via the PTE Web Postings email address
    - Notice of Intent to Award for posting to web and distribution
    - A copy of signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) forms , if not sent previously
    - All submitted PTE First Tier Subconsultant Disclosure Forms (Form 1) , if not sent previously
15. CONFIRM EEO CERTIFICATION, VALID PORTLAND BUSINESS LICENSE, INSURANCE CERTIFICATIONS, INDEPENDENT CONTRACTOR CERTIFICATION, EQUAL BENEFITS DECLARATION AND VENDOR NUMBER OF THE SUCCESSFUL PROPOSER \_\_\_\_\_  
(See step #19 for all required attachments)
- Contact Procurement Services for assistance with EEO, EBO, and business license
  - Work with the successful Proposer to get insurance certificates, and signed independent contractor certification form, and any other missing requirements
  - Work with Accounts Payable if a vendor number is needed in SAP
16. OBTAIN BUREAU DIRECTOR’S/COMMISSIONER’S APPROVAL VIA THE [PTE CONTRACT WORKSHEET](#) \_\_\_\_\_
17. PREPARE THE [PTE MODEL CONTRACT](#) (see step #18 for signature routing) (Consult with Procurement Services and/or City Attorney for assistance) \_\_\_\_\_
- Complete all areas of the template with options \_\_\_\_\_
  - Complete the Scope of Work and Payment Schedule \_\_\_\_\_
  - **If contract is \$100,000 or less (ordinance is not required)** \_\_\_\_\_
  - **If contract is over \$100,000 (ordinance is required)** \_\_\_\_\_
18. ROUTE FOR SIGNATURE AS FOLLOWS: \_\_\_\_\_
- A. Via Hard Copy (paper signature routing) \_\_\_\_\_
- **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
  - **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Contract Administrator – preferably a hard copy.
  - **City Attorney’s Office** “Approves as to Form” the contract and insurance certificates.
  - **Bureau Contract Administrator** files ordinance if contract is over \$100,000, otherwise forwards to **Chief Procurement Officer** with all required attachments.
  - **Chief Procurement Officer** signs contract when contracting requirements are met.
  - **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “08,” and releases the outline agreement.
  - **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
  - **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.
- B. Via SAP (electronic signature routing) \_\_\_\_\_

- **Bureau Contract Administrator** creates an outline agreement in SAP.  
Put this number on the contract and send PDF to successful Proposer.
- **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Bureau Contract Administrator – preferably a hard copy.
- **Bureau Contract Administrator** files ordinance if contract is over \$100,000.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “05” if contract is \$100,000 or less, or the correct City Signatory code per the ordinance. Then Bureau Contract Administrator releases the outline agreement. SAP will automatically route to the City Attorney’s Office, the Chief Procurement Officer or designee per ordinance, and the City Auditor’s Office for their signatures.
- **City Attorney’s Office** electronically releases the contract and insurance certificates as “Approved as to Form.”
- **Chief Procurement Officer or Designee per Ordinance** electronically releases contract when contracting requirements are met.
- **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

19. PREPARE REQUIRED ATTACHMENTS: \_\_\_\_\_  
(Attach to outline agreement in SAP)

A. Signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) \_\_\_\_\_

- Individual forms must be signed by all evaluators
- If you had a Technical Advisor, you will need a signed [PTE Technical Advisor’s Non-Conflict Of Interest](#) form

B. Bureau to complete **ALL** information requested on the [PTE Contract Worksheet](#) \_\_\_\_\_

- Identify other consultants considered, or explain why this is sole source
- Include M/W/ESB information
- Include Evaluation Committee info
- Explain how award was determined (should be based on highest score)
- If contracted with this consultant before, explain reasons why this consultant was selected again
- Obtain signature of Bureau Director or Commissioner
- NOTE: only use the worksheet form provided on Procurement Services website

C. Successful Proposer submit Workers Compensation Insurance Certificate, \_\_\_\_\_  
if applicable

- If successful Proposer is subject to Workers Compensation, then sign Section A of the Independent Contractor Certification Statement (within contract template)
- If successful Proposer is NOT subject to Workers Compensation, then sign Section C at the bottom of the form and check at least four applicable items on the form (City Project Manager must read and sign Section B of this form)

D. Insurance Requirements (unless waived by the City Attorney’s Office\*) \_\_\_\_\_

\*On a case-by-case basis and upon discussion with the project manager, the City Attorney’s Office may waive certain insurance requirements based upon special circumstances, limited risk exposure, and other factors. Conversely, situations and projects may present themselves that make increased requirements appropriate.

**Required on ALL certificates (additional items are listed below):**

- **Must include valid effective and expiration dates**
- **Limits of coverage in accordance with the contract**
- **30-day cancellation notice / 10-day non-payment notice**
- **City listed as certificate holder**

General Liability Insurance Certificate \_\_\_\_\_

- Endorsement naming City as additional insured

Auto Liability Insurance Certificate \_\_\_\_\_

- Most important when operation of a motorized vehicle is specifically required within the scope of work

Professional Liability Insurance Certificate \_\_\_\_\_

Technology E&O Liability Insurance Certificate \_\_\_\_\_  
**(if applicable)**

E. Signed [Equal Benefits Compliance Worksheet/Declaration](#) form \_\_\_\_\_

20. NOTIFY CONSULTANT TO BEGIN WORK AFTER CONTRACT HAS BEEN EXECUTED \_\_\_\_\_  
OR TASK ORDER HAS BEEN ISSUED FOR ON-CALL SERVICES CONTRACTS



**D. TWO-PHASE PROCESS CONTRACTS (RFQ/MODIFIED RFP)**

1. DETERMINE NEED AND OBTAIN BUREAU APPROVAL(S) \_\_\_\_\_
2. ESTIMATE COSTS \_\_\_\_\_
3. COMPLETE THE [REQUEST FOR QUALIFICATIONS](#) TEMPLATE \_\_\_\_\_
4. FORWARD TO PROCUREMENT SERVICES FINAL RFQ DRAFT FOR REVIEW AND APPROVAL BY THE CHIEF PROCUREMENT OFFICER \_\_\_\_\_  
**[only for RFQ’s estimated to be over \$100,000]**  
 After Chief Procurement Officer’s approval, Procurement Services will forward the “clean” RFQ draft to City Attorney’s Office for review and approval. Attach these documents:
  - Final RFQ draft and all attachments \_\_\_\_\_
  - [PTE Solicitation Transmittal Memo](#) \_\_\_\_\_
  - [PTE Legal Ad](#) \_\_\_\_\_
5. SOLICIT AND OBTAIN PROPOSALS \_\_\_\_\_
  - Procurement Services will post your solicitation on their website \_\_\_\_\_
  - Advertise in *Daily Journal of Commerce* for three consecutive days \_\_\_\_\_
  - Advertise in other local papers as budget permits (e.g., *Skanner Observer, El Hispanic News, Asian Reporter, etc.*) \_\_\_\_\_
  - Notify consultants already known to have interest in this type of work (refer them to Procurement Services website) \_\_\_\_\_
  - Seek out Oregon certified consultants (e.g., minority-owned, woman-owned) \_\_\_\_\_
  - Issue addendum for responses to substantive questions via Procurement Services website \_\_\_\_\_
  - Establish Evaluation Committee per Section 6 of this Manual \_\_\_\_\_
  - **(NOTE: Must meet PTE requirements and requirements of [Resolution 36757](#))** \_\_\_\_\_
  - Securely store all proposals received (do not open until after RFP closes) \_\_\_\_\_
6. PRE-SUBMITTAL MEETING [if stated in the RFQ] \_\_\_\_\_
  - Project Manager to develop the [Pre-submittal Meeting Agenda](#) \_\_\_\_\_
  - Copy of agenda to be filed with Procurement File \_\_\_\_\_
  - Issue an addendum containing the attendee list and clarifications deemed substantive by the project manager \_\_\_\_\_
7. COMPLETE THE [RESPONSES RECEIPT RECORD](#) FORM \_\_\_\_\_  
**(Forward to Procurement Services for posting to web and distribution)**
8. PROJECT MANAGER EVALUATES PROPOSALS FOR RESPONSIVENESS \_\_\_\_\_  
 (Follow all steps outlined in this Manual from receipt of proposals to selection)
9. EVALUATION COMMITTEE EVALUATES PROPOSALS RECEIVED \_\_\_\_\_
  - Follow procedures outlined in the [Evaluator’s Guide](#) and Section 6 of this Manual \_\_\_\_\_
  - Evaluation must be based solely upon criteria established in RFP \_\_\_\_\_
  - Check references (if required or specified in the RFP) \_\_\_\_\_
    - Develop list of questions to ask all references \_\_\_\_\_
    - Project Manager or one designated person calls all references \_\_\_\_\_
    - Share information with Evaluation Committee members \_\_\_\_\_
  - Determine if interviews are required \_\_\_\_\_
  - Schedule time for interviews, scoring, and evaluation \_\_\_\_\_
10. ISSUE [NOTICE TO SHORT LIST](#) (Respondents on Short List will receive RFP) \_\_\_\_\_
  - **Allow time for Respondents who did not make the Short List to protest**
  - **Forward to Procurement Services via the PTE Web Postings email address**
    - **Notice to Short List for posting to web and distribution**
    - **A copy of signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) form from each evaluator**

- **All submitted PTE First Tier Subconsultant Disclosure Forms (Form 1)**
11. PROJECT MANAGER MUST CONTACT PROCUREMENT SERVICES FOR ASSISTANCE WITH DEVELOPMENT OF THE MODIFIED RFP (If over \$100,000, the modified RFP will be reviewed and approved by the Chief Procurement Officer and City Attorney’s Office) \_\_\_\_\_
  12. TRANSMIT FINAL MODIFIED RFP AND SHORT LISTED RESPONDENTS’ CONTACT INFORMATION TO PROCUREMENT SERVICES FOR RFP DISTRIBUTION \_\_\_\_\_
  13. PROJECT MANAGER TO ORGANIZE EVALUATION COMMITTEE PER SECTION 6 OF THIS MANUAL TO EVALUATE AND SCORE PROPOSALS \_\_\_\_\_
  14. SELECT HIGHEST SCORED PROPOSER AND NEGOTIATE A TOTAL NOT-TO-EXCEED COST WITH CONSULTANT \_\_\_\_\_
  15. ISSUE THE [NOTICE OF INTENT TO AWARD](#) TO ALL PROPOSERS NOT YET GIVEN AN OPPORTUNITY TO PROTEST \_\_\_\_\_
    - **Allow time for unsuccessful Proposers to protest**
    - **Forward to Procurement Services via the PTE Web Postings email address**
      - **Notice of Intent to Award for posting to web and distribution**
      - **A copy of signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) form from each evaluator, if not sent previously**
      - **All submitted PTE First Tier Subconsultant Disclosure Forms (Form 1) , if different from response to RFQ**
  16. CONFIRM EEO CERTIFICATION, VALID PORTLAND BUSINESS LICENSE, INSURANCE CERTIFICATIONS, INDEPENDENT CONTRACTOR CERTIFICATION, EQUAL BENEFITS DECLARATION AND VENDOR NUMBER OF THE CONSULTANT (See step #20 for all required attachments) \_\_\_\_\_
    - Contact Procurement Services for assistance with EEO, EBO, and business license
    - Work with the consultant to get insurance certificates, and signed independent contractor certification form, and any other missing requirements
    - Work with Accounts Payable if a vendor number is needed in SAP
  17. OBTAIN BUREAU DIRECTOR’S/COMMISSIONER’S APPROVAL VIA THE [PTE CONTRACT WORKSHEET](#) \_\_\_\_\_
  18. PREPARE THE [PTE MODEL CONTRACT](#) (see step #19 for signature routing) (Consult with Procurement Services and/or City Attorney for assistance) \_\_\_\_\_
    - Complete all areas of the template with options \_\_\_\_\_
    - Complete the Scope of Work and Payment Schedule \_\_\_\_\_
    - **If contract is \$100,000 or less (ordinance is not required)** \_\_\_\_\_
    - **If contract is over \$100,000 (ordinance is required)** \_\_\_\_\_
  19. ROUTE FOR SIGNATURE AS FOLLOWS: \_\_\_\_\_
    - A. Via Hard Copy (paper signature routing) \_\_\_\_\_
      - **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
      - **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Contract Administrator – preferably a hard copy.
      - **City Attorney’s Office** “Approves as to Form” the contract and insurance certificates.
      - **Bureau Contract Administrator** files ordinance if contract is over \$100,000, otherwise forwards to **Chief Procurement Officer** with all required attachments.
      - **Chief Procurement Officer** signs contract when contracting requirements are met.
      - **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “08,” and releases the outline agreement.
      - **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).

- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

B. Via SAP (electronic signature routing) \_\_\_\_\_

- **Bureau Contract Administrator** creates an outline agreement in SAP.  
Put this number on the contract and send PDF to successful Proposer.
- **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Bureau Contract Administrator – preferably a hard copy.
- **Bureau Contract Administrator** files ordinance if contract is over \$100,000.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “05” if contract is \$100,000 or less, or the correct City Signatory code per the ordinance. Then Bureau Contract Administrator releases the outline agreement. SAP will automatically route to the City Attorney’s Office, the Chief Procurement Officer or designee per ordinance, and the City Auditor’s Office for their signatures.
- **City Attorney’s Office** electronically releases the contract and insurance certificates as “Approved as to Form.”
- **Chief Procurement Officer or Designee Per Ordinance** electronically releases contract when contracting requirements are met.
- **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

20. PREPARE REQUIRED ATTACHMENTS:  
(Attach to outline agreement in SAP) \_\_\_\_\_

A. Signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) \_\_\_\_\_

- Individual forms must be signed by all evaluators
- If you had a Technical Advisor, you will need a signed [PTE Technical Advisor’s Non-Conflict Of Interest](#) form

B. Bureau to complete ALL information requested on the [PTE Contract Worksheet](#) \_\_\_\_\_

- Identify other consultants considered, or explain why this is sole source
- Include M/W/ESB information
- Include Evaluation Committee info
- Explain how award was determined (should be based on highest score)
- If contracted with this consultant before, explain reasons why this consultant was selected again
- Obtain signature of Bureau Director or Commissioner
- NOTE: only use the worksheet form provided on Procurement Services website

C. Successful Proposer submit Workers Compensation Insurance Certificate, if applicable \_\_\_\_\_

- If successful Proposer is subject to Workers Compensation, then sign Section A of the Independent Contractor Certification Statement (within contract template)
- If successful Proposer is NOT subject to Workers Compensation, then sign Section C at the bottom of the form and check at least four applicable items on the form (City Project Manager must read and sign Section B of this form)

D. Insurance Requirements (unless waived by the City Attorney’s Office\*) \_\_\_\_\_

\*On a case-by-case basis and upon discussion with the project manager, the City Attorney’s Office may waive certain insurance requirements based upon special circumstances, limited risk exposure, and other factors. Conversely, situations and projects may present themselves that make increased requirements appropriate.

**Required on ALL certificates (additional items are listed below):**

- **Must include valid effective and expiration dates**
- **Limits of coverage in accordance with the contract**
- **30-day cancellation notice / 10-day non-payment notice**
- **City listed as certificate holder**

General Liability Insurance Certificate \_\_\_\_\_  
• Endorsement naming City as additional insured

Auto Liability Insurance Certificate \_\_\_\_\_  
• Most important when operation of a motorized vehicle is specifically required within the scope of work

Professional Liability Insurance Certificate \_\_\_\_\_

Technology E&O Liability Insurance Certificate \_\_\_\_\_  
**(if applicable)**

E. Signed [Equal Benefits Compliance Worksheet/Declaration](#) form \_\_\_\_\_

21. NOTIFY CONSULTANT TO BEGIN WORK AFTER CONTRACT HAS BEEN EXECUTED \_\_\_\_\_

**E. QUALIFICATION BASED SELECTION CONTRACTS (QBS)**

1. DETERMINE NEED AND OBTAIN BUREAU APPROVAL(S) \_\_\_\_\_
2. ESTIMATE COSTS \_\_\_\_\_
3. COMPLETE THE [QUALIFICATION BASED SELECTION](#) TEMPLATE \_\_\_\_\_
5. FORWARD TO PROCUREMENT SERVICES FINAL QBS DRAFT FOR REVIEW AND APPROVAL BY THE CHIEF PROCUREMENT OFFICER \_\_\_\_\_  
 After Chief Procurement Officer’s approval, Procurement Services will forward the “clean” QBS draft to City Attorney’s Office for review and approval. Attach these documents:
  - Final QBS draft and all attachments \_\_\_\_\_
  - [PTE Solicitation Transmittal Memo](#) \_\_\_\_\_
  - [PTE Legal Ad](#) \_\_\_\_\_
5. SOLICIT AND OBTAIN RESPONSES \_\_\_\_\_
  - Procurement Services will post your solicitation on their website \_\_\_\_\_
  - Advertise in *Daily Journal of Commerce* for three consecutive days \_\_\_\_\_
  - Advertise in other local papers as your budget permits (e.g., *Skanner Observer, El Hispanic News, Asian Reporter, etc.*) \_\_\_\_\_
  - Notify consultants already known to have interest in this type of work (refer them to Procurement Services website) \_\_\_\_\_
  - Seek out Oregon certified consultants (e.g., minority-owned, woman-owned) \_\_\_\_\_
  - Issue addendum for responses to substantive questions via Procurement Services website \_\_\_\_\_
  - Establish Evaluation Committee per Section 6 of this Manual \_\_\_\_\_
  - **(NOTE: Must meet PTE requirements and requirements of [Resolution 36757](#))** \_\_\_\_\_
  - Securely store all responses received (do not open until after RFP closes) \_\_\_\_\_
6. PRE-SUBMITTAL MEETING [if stated in the QBS] \_\_\_\_\_
  - Project Manager to develop the [Pre-submittal Meeting Agenda](#) \_\_\_\_\_
  - Copy of agenda to be filed with Procurement File \_\_\_\_\_
  - Issue an addendum containing the attendee list and clarifications deemed substantive by the project manager \_\_\_\_\_
7. COMPLETE THE [RESPONSES RECEIPT RECORD](#) FORM \_\_\_\_\_  
**(Forward to Procurement Services for posting to web and distribution)**
8. PROJECT MANAGER EVALUATES PROPOSALS FOR RESPONSIVENESS \_\_\_\_\_  
 (Follow all steps outlined in this Manual from receipt of proposals to selection)
9. EVALUATION COMMITTEE EVALUATES PROPOSALS RECEIVED \_\_\_\_\_
  - Follow procedures outlined in the [Evaluator’s Guide](#) and Section 6 of this Manual \_\_\_\_\_
  - Evaluation must be based solely upon criteria established in RFP \_\_\_\_\_
  - Check references (if required or specified in the RFP) \_\_\_\_\_
    - Develop listing of questions to ask all references \_\_\_\_\_
    - Project Manager or one designated person calls all references \_\_\_\_\_
    - Share information with Evaluation Committee members \_\_\_\_\_
  - Determine if interviews are required \_\_\_\_\_
  - Schedule time for interviews, scoring, and evaluation \_\_\_\_\_
10. ISSUE [NOTICE TO SHORT LIST](#) IF INTERVIEWS ARE NEEDED \_\_\_\_\_
  - **Allow for Respondents who did not make the Short List to protest**
  - **Forward to Procurement Services via the PTE Web Postings email address**
    - **Notice to Short List for posting to web and distribution**
    - **A copy of signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) form from each evaluator**
    - **All submitted PTE First Tier Subconsultant Disclosure Forms (Form 1)**

11. PROVIDE FORMAT OF INTERVIEWS TO SHORT LISTED RESPONDENTS \_\_\_\_\_
12. CONDUCT INTERVIEWS WITH SHORT-LISTED RESPONDENTS [if required] \_\_\_\_\_
13. SELECT HIGHEST SCORED RESPONDENT AND NEGOTIATE A TOTAL NOT-TO-EXCEED COST, SCOPE, AND SCHEDULE WITH CONSULTANT \_\_\_\_\_
14. ISSUE THE [NOTICE OF INTENT TO AWARD](#) TO ALL RESPONDENTS NOT YET GIVEN AN OPPORTUNITY TO PROTEST \_\_\_\_\_
  - **Allow time for unsuccessful Respondents to protest**
  - **Forward to Procurement Services via the PTE Web Postings email address**
    - **Notice of Intent to Award for posting to web and distribution**
    - **A copy of signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) form from each evaluator, if not sent previously**
    - **All submitted PTE First Tier Subconsultant Disclosure Forms (Form 1) , if not sent previously**
15. CONFIRM EEO CERTIFICATION, VALID PORTLAND BUSINESS LICENSE, INSURANCE CERTIFICATIONS, INDEPENDENT CONTRACTOR CERTIFICATION, EQUAL BENEFITS DECLARATION AND VENDOR NUMBER OF THE CONSULTANT (See step #19 for all required attachments) \_\_\_\_\_
  - Contact Procurement Services for assistance with EEO, EBO, and business license
  - Work with the consultant to get insurance certificates, and signed independent contractor certification form, and any other missing requirements
  - Work with Accounts Payable if a vendor number is needed in SAP
16. OBTAIN BUREAU DIRECTOR’S/COMMISSIONER’S APPROVAL VIA THE [PTE CONTRACT WORKSHEET](#) \_\_\_\_\_
17. PREPARE THE [PTE MODEL CONTRACT](#) (see step #18 for signature routing) (Consult with Procurement Services and/or City Attorney for assistance) \_\_\_\_\_
  - Complete all areas of the template with options \_\_\_\_\_
  - Complete the Scope of Work and Payment Schedule \_\_\_\_\_
  - Prepare ordinance \_\_\_\_\_
18. ROUTE FOR SIGNATURE AS FOLLOWS: \_\_\_\_\_
  - A. Via Hard Copy (paper signature routing) \_\_\_\_\_
    - **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
    - **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Contract Administrator – preferably a hard copy.
    - **City Attorney’s Office** “Approves as to Form” the contract and insurance certificates.
    - **Bureau Contract Administrator** files ordinance if contract is over \$100,000, otherwise forwards to **Chief Procurement Officer** with all required attachments.
    - **Chief Procurement Officer** signs contract when contracting requirements are met.
    - **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “08,” and releases the outline agreement.
    - **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
    - **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.
  - B. Via SAP (electronic signature routing) \_\_\_\_\_
    - **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
    - **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Bureau Contract Administrator – preferably a hard copy.

- **Bureau Contract Administrator** files ordinance if contract is over \$100,000.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “05” if contract is \$100,000 or less, or the correct City Signatory code per the ordinance. Then Bureau Contract Administrator releases the outline agreement. SAP will automatically route to the City Attorney’s Office, the Chief Procurement Officer or designee per ordinance, and the City Auditor’s Office for their signatures.
- **City Attorney’s Office** electronically releases the contract and insurance certificates as “Approved as to Form.”
- **Chief Procurement Officer or Designee per Ordinance** electronically releases contract when contracting requirements are met.
- **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

19. PREPARE REQUIRED ATTACHMENTS:  
(Attach to outline agreement in SAP)

A. Signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) \_\_\_\_\_

- Individual forms must be signed by all evaluators
- If you had a Technical Advisor, you will need a signed [PTE Technical Advisor’s Non-Conflict Of Interest](#) form

B. Bureau to complete **ALL** information requested on the [PTE Contract Worksheet](#) \_\_\_\_\_

- Identify other consultants considered, or explain why this is sole source
- Include M/W/ESB information
- Include Evaluation Committee info
- Explain how award was determined (should be based on highest score)
- If contracted with this consultant before, explain reasons why this consultant was selected again
- Obtain signature of Bureau Director or Commissioner
- NOTE: only use the worksheet form provided on Procurement Services website

C. Successful Proposer submit Workers Compensation Insurance Certificate, if applicable \_\_\_\_\_

- If successful Proposer is subject to Workers Compensation, then sign Section A of the Independent Contractor Certification Statement (within contract template)
- If successful Proposer is NOT subject to Workers Compensation, then sign Section C at the bottom of the form and check at least four applicable items on the form (City Project Manager must read and sign Section B of this form)

D. Insurance Requirements (unless waived by the City Attorney’s Office\*) \_\_\_\_\_

\*On a case-by-case basis and upon discussion with the project manager, the City Attorney’s Office may waive certain insurance requirements based upon special circumstances, limited risk exposure, and other factors. Conversely, situations and projects may present themselves that make increased requirements appropriate.

**Required on ALL certificates (additional items are listed below):**

- **Must include valid effective and expiration dates**
- **Limits of coverage in accordance with the contract**
- **30-day cancellation notice / 10-day non-payment notice**
- **City listed as certificate holder**

General Liability Insurance Certificate \_\_\_\_\_

- Endorsement naming City as additional insured

Auto Liability Insurance Certificate \_\_\_\_\_

- Most important when operation of a motorized vehicle is specifically required within the scope of work

Professional Liability Insurance Certificate \_\_\_\_\_

Technology E&O Liability Insurance Certificate      \_\_\_  
(if applicable)

E. Signed [Equal Benefits Compliance Worksheet/Declaration](#) form      \_\_\_

20. NOTIFY CONSULTANT TO BEGIN WORK AFTER CONTRACT HAS BEEN EXECUTED \_\_\_



## F. SOLE SOURCE CONTRACTS

The nature of the work is unique enough that the consultant is clearly and justifiably the only source to provide the services. Contracting by this method requires complete explanation and justification.

1. DETERMINE NEED AND OBTAIN BUREAU APPROVAL(S) \_\_\_\_\_
2. ESTIMATE COSTS \_\_\_\_\_
3. RESEARCH TO DETERMINE WHY THIS WORK SHOULD BE SOLE SOURCED \_\_\_\_\_
4. **DO NOT INITIATE WORK UNTIL THE SOLE SOURCE REQUEST HAS BEEN APPROVED** \_\_\_\_\_
5. HERE'S THE ROUTING PROCESS FOR SUBMITTAL FOR REVIEW AND APPROVAL \_\_\_\_\_  
A. SOLE SOURCE CONTRACT AMOUNT IS \$100,000 OR LESS \_\_\_\_\_  
Must complete and submit [Sole Source Request](#) form to Procurement Services for approval by the Chief Procurement Officer, along with the [PTE Solicitation Transmittal Memo](#)

**NOTE: For sole source contracts over the Intermediate threshold, Procurement Services will post it to the web to allow for protest.**

- B. SOLE SOURCE CONTRACT AMOUNT IS OVER \$100,000 \_\_\_\_\_
  - Must have approval from Council via the Ordinance process
  - Must include the following verbiage in the Ordinance  
**"This sole source contract is being acquired as an exception to the competitive process identified in PCC 5.68 and the PTE Services Contracting Manual."**
6. NEGOTIATE TOTAL NOT-TO-EXCEED COST WITH CONSULTANT \_\_\_\_\_
7. CONFIRM EEO CERTIFICATION, VALID PORTLAND BUSINESS LICENSE, INSURANCE CERTIFICATIONS, INDEPENDENT CONTRACTOR CERTIFICATION, EQUAL BENEFITS DECLARATION (if over \$23,662), AND VENDOR NUMBER OF THE CONSULTANT (See step #12 for all required attachments) \_\_\_\_\_
  - Contact Procurement Services for assistance with EEO, EBO, and business license
  - Work with the consultant to get insurance certificates, and signed independent contractor certification form, and any other missing requirements
  - Work with Accounts Payable if a vendor number is needed in SAP
8. OBTAIN BUREAU DIRECTOR'S/COMMISSIONER'S APPROVAL VIA THE [PTE CONTRACT WORKSHEET](#) \_\_\_\_\_
9. IF CONTRACT AMOUNT IS \$5,000 OR LESS, YOU MAY USE A STANDARD PO (OTHERWISE, FOLLOW THE CONTRACT PROCESS STARTING WITH STEP #10) \_\_\_\_\_
  - Create the standard purchase requisition (PR Type) in SAP \_\_\_\_\_
  - Attach to the PR requisition the following items: \_\_\_\_\_
    - Completed and signed [PTE Contract Worksheet](#) \_\_\_\_\_
    - Consultant signed [Independent Contractor Certification Statement](#) form \_\_\_\_\_
      - > Consultant subject to Workers Compensation signs Section A of the Independent Contractor Certification Statement form  
[Submit the Workers Compensation Insurance Certificate](#)
      - > Consultant NOT subject to Workers Compensation sign Section C at the bottom of the form and check at least four applicable items on the form (City Project Manager must read and sign Section B of this form)
    - Project Manager signed [Evaluator's Statement of Independence and Non-Conflict of Interest](#) \_\_\_\_\_
    - [Insurance Requirements](#) (unless waived by the City Attorney's Office\*) \_\_\_\_\_  
\*On a case-by-case basis and upon discussion with the project manager, the City Attorney's Office may waive certain insurance requirements based upon special circumstances, limited risk exposure, and other factors. Conversely, situations and projects may present themselves that make increased requirements appropriate

**Required on ALL certificates (additional items are listed below):**

- **Must include valid effective and expiration dates**
- **Limits of coverage in accordance with the contract**
- **30-day cancellation notice / 10-day non-payment notice**
- **City listed as certificate holder**

> General Liability Insurance Certificate \_\_\_\_\_

- Endorsement naming City as additional insured

> Auto Liability Insurance Certificate \_\_\_\_\_

- Most important when operation of a motorized vehicle is specifically required within the scope of work

> Professional Liability Insurance Certificate \_\_\_\_\_

> Technology E&O Liability Insurance Certificate \_\_\_\_\_  
**(if applicable)**

- **Procurement Services will convert the PR requisition into a standard purchase order (PO) once all documents are confirmed and validated**

10. PREPARE THE [PTE MODEL CONTRACT](#) (see step #11 for signature routing) \_\_\_\_\_  
(Consult with Procurement Services and/or City Attorney for assistance)

- Complete all areas of the template with options \_\_\_\_\_
- Complete the Scope of Work and Payment Schedule \_\_\_\_\_

11. ROUTE FOR SIGNATURE AS FOLLOWS: \_\_\_\_\_

A. Via Hard Copy (paper signature routing) \_\_\_\_\_

- **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
- **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Contract Administrator – preferably a hard copy.
- **City Attorney’s Office** “Approves as to Form” the contract and insurance certificates. **Bureau Contract Administrator** reviews original ordinance if contract is over \$100,000 to see who is authorized to sign this contract, **otherwise forwards to Chief Procurement Officer** with all required attachments.
- **Chief Procurement Officer** signs contract when contracting requirements are met.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “08,” and releases the outline agreement.
- **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

B. Via SAP (electronic signature routing) \_\_\_\_\_

- **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
- **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Bureau Contract Administrator – preferably a hard copy.
- **Bureau Contract Administrator** reviews the original ordinance if contract is over \$100,000 to find who was designated to sign this contract.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “05” if contract is \$100,000 or less, or the correct City Signatory code per the ordinance. Then Bureau Contract Administrator releases the outline agreement. SAP will automatically route to the City Attorney’s Office, the Chief Procurement Officer or designee per ordinance, and the City Auditor’s Office for their signatures.
- **City Attorney’s Office** electronically releases the contract and insurance certificates as “Approved as to Form.”

- **Chief Procurement Officer or Designee per Ordinance** electronically releases contract when contracting requirements are met.
- **City Auditor's Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

12. PREPARE REQUIRED ATTACHMENTS: \_\_\_\_\_  
(Attach to outline agreement in SAP)
- A. Signed [Evaluator's Statement of Independence and Non-Conflict of Interest](#) \_\_\_\_\_
- Form must be signed by the Individual or individuals selecting this firm
  - If you had a Technical Advisor, you will need a signed [PTE Technical Advisor's Non-Conflict Of Interest](#) form
- B. Bureau to complete **ALL** information requested on the [PTE Contract Worksheet](#) \_\_\_\_\_
- Explain briefly why this is a sole source
  - Include M/W/ESB information
  - Explain how award was determined (Sole Source)
  - If contracted with this consultant before, explain reasons why this consultant was selected again
  - Obtain signature of Bureau Director or Commissioner
  - NOTE: only use the worksheet form provided on Procurement Services website
- C. Successful Proposer submit Workers Compensation Insurance Certificate, \_\_\_\_\_  
if applicable
- If successful Proposer is subject to Workers Compensation, then sign Section A of the Independent Contractor Certification Statement (within contract template)
  - If successful Proposer is NOT subject to Workers Compensation, then sign Section C at the bottom of the form and check at least four applicable items on the form (City Project Manager must read and sign Section B of this form)
- D. Insurance Requirements (unless waived by the City Attorney's Office\*) \_\_\_\_\_
- \*On a case-by-case basis and upon discussion with the project manager, the City Attorney's Office may waive certain insurance requirements based upon special circumstances, limited risk exposure, and other factors. Conversely, situations and projects may present themselves that make increased requirements appropriate.
- Required on ALL certificates (additional items are listed below):**
- **Must include valid effective and expiration dates**
  - **Limits of coverage in accordance with the contract**
  - **30-day cancellation notice / 10-day non-payment notice**
  - **City listed as certificate holder**
- General Liability Insurance Certificate \_\_\_\_\_
- Endorsement naming City as additional insured
- Auto Liability Insurance Certificate \_\_\_\_\_
- Most important when operation of a motorized vehicle is specifically required within the scope of work
- Professional Liability Insurance Certificate \_\_\_\_\_
- Technology E&O Liability Insurance Certificate \_\_\_\_\_  
**(if applicable)**
- E. Signed [Equal Benefits Compliance Worksheet/Declaration](#) form \_\_\_\_\_  
(if contract is greater than \$23,662)
13. NOTIFY CONSULTANT TO BEGIN WORK AFTER CONTRACT HAS BEEN EXECUTED \_\_\_\_\_  
(OR WHEN PO IS ISSUED FOR SOLE SOURCE CONTRACT \$5,000 OR LESS)

## G. EMERGENCY CONTRACTS

An emergency procurement is used to accommodate a “circumstance creating a substantial risk of loss, damage, interruption of services or threat to public health or safety that could not have been reasonably foreseen and requires prompt award and execution of a contract to remedy the situation.”

1. ASSESS EMERGENCY TO MAKE SURE IT FITS THE CRITERIA \_\_\_\_\_
2. DECLARE EMERGENCY BY THE BUREAU DIRECTOR OR BY THE COMMISSIONER-IN-CHARGE \_\_\_\_\_
3. DOCUMENT NATURE OF EMERGENCY AND METHOD OF CONSULTANT SELECTION \_\_\_\_\_
4. CONSULTANT MAY BEGIN WORK TO ALLEVIATE THE EMERGENCY \_\_\_\_\_
5. IF CONTRACT IS \$100,000 OR LESS, NOTIFY PROCUREMENT SERVICES AND SUBMIT A WRITTEN EMERGENCY JUSTIFICATION TO THE CHIEF PROCUREMENT OFFICER FOR APPROVAL \_\_\_\_\_
6. IF CONTRACT IS MORE THAN \$100,000, BUREAU MUST PREPARE AND FILE AN ORDINANCE TO BE HEARD AT THE NEXT AVAILABLE COUNCIL SESSION THAT AUTHORIZES THE EMERGENCY DECLARATION \_\_\_\_\_
7. WORK MUST CEASE IMMEDIATELY IF DECLARATION IS NOT APPROVED BY THE CHIEF PROCUREMENT OFFICER OR THE CITY COUNCIL (City will compensate Consultant for work done up to that point) \_\_\_\_\_
8. CONFIRM EEO CERTIFICATION, VALID PORTLAND BUSINESS LICENSE, INSURANCE CERTIFICATIONS, INDEPENDENT CONTRACTOR CERTIFICATION, EQUAL BENEFITS DECLARATION (if over \$23,662), AND VENDOR NUMBER OF THE CONSULTANT (See step #13 for all required attachments) \_\_\_\_\_
  - Contact Procurement Services for assistance with EEO, EBO, and business license
  - Work with the consultant to get insurance certificates, and signed independent contractor certification form, and any other missing requirements
  - Work with Accounts Payable if a vendor number is needed in SAP
9. OBTAIN BUREAU DIRECTOR’S/COMMISSIONER’S APPROVAL VIA THE [PTE CONTRACT WORKSHEET](#) \_\_\_\_\_
10. IF CONTRACT AMOUNT IS \$5,000 OR LESS, BUREAU MAY USE A STANDARD PO (OTHERWISE, FOLLOW THE CONTRACT PROCESS STARTING WITH STEP #11) \_\_\_\_\_
  - Create the standard purchase requisition (PR Type) in SAP \_\_\_\_\_
  - Attach to the PR requisition the following items: \_\_\_\_\_
    - Completed and signed [PTE Contract Worksheet](#) \_\_\_\_\_
    - Consultant signed [Independent Contractor Certification Statement](#) form \_\_\_\_\_
      - > Consultant subject to Workers Compensation signs Section A of the Independent Contractor Certification Statement form  
[Submit the Workers Compensation Insurance Certificate](#)
      - > Consultant NOT subject to Workers Compensation sign Section C at the bottom of the form and check at least four applicable items on the form (City Project Manager must read and sign Section B of this form)
    - Project Manager signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) \_\_\_\_\_
    - [Insurance Requirements \(unless waived by the City Attorney’s Office\\*\)](#) \_\_\_\_\_

\*On a case-by-case basis and upon discussion with the project manager, the City Attorney’s Office may waive certain insurance requirements based upon special circumstances, limited risk exposure, and other factors. Conversely, situations and projects may present themselves that make increased requirements appropriate

**Required on ALL certificates (additional items are listed below):**

- **Must include valid effective and expiration dates**
- **Limits of coverage in accordance with the contract**
- **30-day cancellation notice / 10-day non-payment notice**
- **City listed as certificate holder**

> General Liability Insurance Certificate \_\_\_\_\_

- Endorsement naming City as additional insured

> Auto Liability Insurance Certificate \_\_\_\_\_

- Most important when operation of a motorized vehicle is specifically required within the scope of work

> Professional Liability Insurance Certificate \_\_\_\_\_

> Technology E&O Liability Insurance Certificate \_\_\_\_\_  
(if applicable)

- **Procurement Services will convert the PR requisition into a standard purchase order (PO) once all documents are confirmed and validated**

11. PREPARE THE [PTE MODEL CONTRACT](#) (see step #12 for signature routing) \_\_\_\_\_  
 (Consult with Procurement Services and/or City Attorney for assistance)

- Complete all areas of the template with options \_\_\_\_\_
- Complete the Scope of Work and Payment Schedule \_\_\_\_\_

12. ROUTE FOR SIGNATURE AS FOLLOWS: \_\_\_\_\_

A. Via Hard Copy (paper signature routing) \_\_\_\_\_

- **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
- **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Contract Administrator – preferably a hard copy.
- **City Attorney’s Office** “Approves as to Form” the contract and insurance certificates.
- **Bureau Contract Administrator** reviews original ordinance if contract is over \$100,000 to see who is authorized to sign this contract, **otherwise forwards to Chief Procurement Officer** with all required attachments.
- **Chief Procurement Officer** signs contract when contracting requirements are met.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “08,” and releases the outline agreement.
- **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

B. Via SAP (electronic signature routing) \_\_\_\_\_

- **Bureau Contract Administrator** creates an outline agreement in SAP. Put this number on the contract and send PDF to successful Proposer.
- **Successful Proposer** prints and signs one copy of the PDF that was sent to them and returns to Bureau Contract Administrator – preferably a hard copy.
- **Bureau Contract Administrator** reviews the original ordinance if contract is over \$100,000 to find who was designated to sign this contract.
- **Bureau Contract Administrator** attaches the signed contract, exhibits, and all required attachments to the outline agreement in SAP, selects City Signatory “05” if contract is \$100,000 or less, or the correct City Signatory code per the ordinance. Then Bureau Contract Administrator releases the outline agreement. SAP will automatically route to the City Attorney’s Office, the Chief Procurement Officer or designee per ordinance, and the City Auditor’s Office for their signatures.
- **City Attorney’s Office** electronically releases the contract and insurance certificates as “Approved as to Form.”

- **Chief Procurement Officer or Designee Per Ordinance** electronically releases contract when contracting requirements are met.
- **City Auditor’s Office** electronically releases the Outline Agreement, pulls the signed contract and pertinent exhibits and attachments, and uploads to E-file (TRIM).
- **Bureau Contract Administrator** pulls the executed contract and pertinent exhibits and attachments from E-file (TRIM) for procurement file and contract file, and sends a copy to the consultant.

13. PREPARE REQUIRED ATTACHMENTS: \_\_\_\_\_  
(Attach to outline agreement in SAP)

A. Signed [Evaluator’s Statement of Independence and Non-Conflict of Interest](#) \_\_\_\_\_

- Form must be signed by the Individual or individuals selecting this firm
- If you had a Technical Advisor, you will need a signed [PTE Technical Advisor’s Non-Conflict Of Interest](#) form

B. Bureau to complete **ALL** information requested on the [PTE Contract Worksheet](#) \_\_\_\_\_

- Identify other consultants considered, or explain why this was selected
- Include M/W/ESB information
- Explain how award was determined (Emergency)
- If contracted with this consultant before, explain reasons why this consultant was selected again
- Obtain signature of Bureau Director or Commissioner
- NOTE: only use the worksheet form provided on Procurement Services website

C. Successful Proposer submit Workers Compensation Insurance Certificate, \_\_\_\_\_  
if applicable

- If consultant is subject to Workers Compensation, then sign Section A of the Independent Contractor Certification Statement (within contract template)
- If consultant is NOT subject to Workers Compensation, then sign Section C at the bottom of the form and check at least four applicable items on the form (City Project Manager must read and sign Section B of this form)

D. Insurance Requirements (unless waived by the City Attorney’s Office\*) \_\_\_\_\_

\*On a case-by-case basis and upon discussion with the project manager, the City Attorney’s Office may waive certain insurance requirements based upon special circumstances, limited risk exposure, and other factors. Conversely, situations and projects may present themselves that make increased requirements appropriate.

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Auto Liability Insurance Certificate \_\_\_\_\_

- Most important when operation of a motorized vehicle is specifically required within the scope of work

Professional Liability Insurance Certificate \_\_\_\_\_

Technology E&O Liability Insurance Certificate \_\_\_\_\_  
**(if applicable)**

E. Signed [Equal Benefits Compliance Worksheet/Declaration](#) form \_\_\_\_\_

(if contract is greater than \$23,662)